

CYPRESS ISLAND HOA, INC.

Rules and Regulations

The Architectural/Landscape/Rules Committee (hereinafter referred to as the Committee) is responsible for establishing, maintaining, and ensuring compliance with the Rules and Regulations for the Cypress Island Community. The purposes of these Rules are to provide a superior living environment, protect and preserve the property assets of Cypress Island, and minimize the applicable Association and homeowners' costs. The Committee develops and updates the Rules and Regulations subject to the approval of the Cypress Island Board of Directors. These Regulations apply to permanent residents, guests and tenants. Homeowners are responsible for their tenants' and guests' compliance with all the Rules and Regulations and any violations thereof.

Rules and Regulations

1) General

- Each homeowner is responsible for the conduct of his or her family members, tenants, guests, and service personnel.
- Each homeowner, his or her family members, tenants, guests, and service personnel are subject to the Rules and Regulations of the Cypress Island Association.
- Only the Managing Agent is authorized to give instructions or to direct the activities of the Association's on-site maintenance personnel.
- Security is the responsibility of each resident. Notify the Managing Agent or one of the law enforcement agencies of any suspicious people or activities on the property.
- Skateboards, scooters, non-licensed motorbikes, recreational vehicles, etc. are forbidden on the grounds, walkways, streets and parking areas.
- Personal items may not be left or stored on any of the common area or walkways.

2) Facilities

- Facility tags are required when using common areas.
- The facilities of the property are for the exclusive use of owners, tenants and houseguests. No guest or relative of any Owner or tenant other than a house guest or relative actually in residence shall be permitted to use any of the common areas, including the swimming pool, Club House, Golf Course unless accompanied by a resident member of the family of such owner or tenant.
- No one shall interfere with the normal operation of watering apparatus or lighting devices in the common areas to include all Townhome Common Area. All exterior post lights should be maintained in the "on" position – automatic sensors, where applicable, will turn these lights off during daytime hours.

3) Children

- Reasonable supervision of children by a responsible adult shall be maintained at all times.
- When children under fourteen (14) years of age are playing on the Golf Course, Tennis Court, lakes or in the Club House they must be supervised by an adult at all times. The age limit at the pool is under 14, supervised by an adult 18 years or older.
- Special attention must be exercised when driving on community property to insure the safety of all children.

- The Cypress Island Speed Limit is 15 MPH
 - The landscaped areas, the Club House and other identified common areas are not to be used as play ground areas.
- 4) **Pets**
- **Owners in Cypress Island are allowed to have a maximum of two pets.** Pets shall mean dogs and cats.
 - Pets are not allowed in the Club House, Tennis Court, Golf Course or the pool area.
 - All pets shall be on leashes or under the control of their owners at all times.
 - Pet owners **MUST** clean up after their pets. Pet owners will be charged a \$50 fine per violation. There will be no warning process.
 - Failure to observe these rules will result in the enforcement of the Cypress Island Pet Rule Enforcement Policy. See Pet Rules and Regulations for further details.
- 5) **Noise**
- Loud parties and high volume from televisions, radios, stereos, or musical instruments is prohibited – quiet time is from 11:00 PM until 8:00 AM.
 - The use of fireworks, explosives, firearms, or other hazardous devices is prohibited on Cypress Island property.
 - Notify the Managing Agent of any disturbances **during business hours**. **After business hours**, call the local Police.
- 6) **Trash**
- All residents are expected to share in the responsibility of maintaining clean grounds throughout the common area.
 - All household garbage and refuse **MUST** be put in plastic bags, tied, and placed in personal trashcans.
 - The Association shall provide receptacles for trash. The trash receptacle must be kept in a screened area, accessory building or other storage facility and not visible from the street, except on trash pick-up days. Emptied items must be removed from the street on the day the trash is picked up.
 - All boxes are to be broken down, tied and deposited in the trash can. If you are participating in the recycling program, your recycling containers must be kept inside your home, garage or storage building.
 - Clean any spillage immediately.
 - Do not discard cigarettes on the lawn, landscaped areas, Club House, Golf Course, Tennis Court or pool areas.
- 7) **Hazardous Materials**
- Homeowners are responsible for seeing that no hazardous materials are placed in any areas within Cypress Island.
 - No homeowner shall use or permit any flammable oils or fluids such as gasoline, kerosene, or other hazardous materials/explosives in any dwelling.
- 8) **Exterior Appearance**
- No one, without the approval of the Architectural Committee, shall alter the exterior of a building or install a building.
 - No television antennas, radio antennas, or satellite dishes other than those permitted by the Association are allowed. (20” in diameter, installed in the back or side yard if not visible from the street.)
 - No one, except through the action of the Association shall alter, modify, or install any fixture, monument, decorative item, tree, or shrub in any common area.
 - No yard sales, garage sales or for rent signs shall be allowed on any lot or in front of any Townhome. For Rent signs should be displayed inside the window of the home or Townhome.
 - No boat, motor boat, bicycles, scooters, baby carriages camper, motor home, trailers, recreational vehicles, automobiles on cinder blocks, tractor trailer trucks

or cabs or similar types of vehicles to any of the foregoing items shall be permitted to remain on any lot or in any common area at any time, unless by consent of the Association.

- No names are to be posted on any entry of the lots except in the proper places provided for such purpose.
- Draperies, blinds or curtains must be installed by each owner on all windows of the lot dwelling or townhome and must be maintained in such windows at all times.
- No rocks used for mulch in planting beds. Pine straw or mulch that does not have large chunks of bark or like material are allowed.

9) Porch/deck areas

- No clothing, linens, towels, etc. may be hung on fence or railings. Clotheslines are not permitted.
- In the event of strong winds and hurricanes, remove all outside items from the porch/deck areas. Homeowners will be responsible for all damages to their homes as well as any other homes caused by personal items left on porch/decks.

10) Parking

- Paved parking is provided for each lot. No vehicle belonging to an owner or to a member of the family or guest, tenant, employee or vendor of an owner shall be parked in such a manner as to impede or prevent ready access to a driveway, block or impede emergency vehicle access, normal traffic flow and U.S. Mail delivery. The owners, their employees, servants, agents, visitors, licensees and the owner's family will obey the parking regulations posted on the private streets and drives and any other traffic regulations promulgated in the future for the safety, comfort and convenience of the owners.
- Residents may park on the street for a limited period of time for the following special events: Annual Meeting, moving in and out, construction being done on property, Annual Home Tour, approved Community functions. At no time shall a vehicle block a neighbor's mailbox or driveway and no vehicles (excluding emergency vehicles) are allowed to park on the grass lawns.
- Overnight parking on streets, including cul-de-sacs is prohibited. Guests must use any designated Visitor Parking and must have sign placed on driver's side dash stating name, address and phone number where they are visiting.
- Parking on the street must not impede access to driveways, mailboxes and also allow for access by emergency vehicles.
- Vehicles in violation will be towed at owner's expense.

11) Leases

- No rental or subrentals of any lots, homes or townhomes will be permitted for a period of less than twelve (12) consecutive months.
- Tenants are subject to the same Rules and Regulations as homeowners. Homeowners are responsible for giving copies of the Rules and Regulations to all tenants.
- Homeowners shall include proper language in their lease agreements to allow for lease termination and right of re-entry by the homeowner if the tenant is in violation of the Rules and Regulations.
- A copy of the lease must be provided to the Association Board prior to occupancy.
- No commercial business may be conducted from any lot or home.
- Violations of the Rules and Regulations shall constitute a breach of the lease and subject the owner to fines.

12) Damages

- Any damage to the general common areas or common personal property caused by an owner, guest or tenant, including children of the preceding, shall be

repaired at the expense of the owner, guest or tenant.

13) Golf Course Rules and Regulations

The following rules of golf and golf etiquette are listed as a reminder that golf is a gentleman's/lady's game and should be played as such. All members and guests will be expected to cooperate by the rules listed below. This will assist the Association in assuring all players the highest quality experience while enjoying the golf course:

- The golf course is open every day from 7:00 a.m. until sundown.
- Players are prohibited from playing when there is a frost or the ground is frozen.
- Players are allowed to use individually owned pull carts, but please remember to keep carts and bags off the green.
- This is a soft spike facility. No metal spikes allowed on the golf course.
- Proper golfing attire is required on the golf course (shirts, shoes, shorts or long pants). Bathing suits, including bikinis, are prohibited.
- Use discretion in inviting a guest to play golf. Make sure that the guest understands and abides by the rules of golf etiquette. Please remember that a breach of etiquette by your guest reflects on you. A resident must accompany a guest.
- One member of each group must display a facility pass.
- For safety reasons, children under fourteen (14) years of age are not to be on the golf course without a parent or other adult supervision.
- Dogs and cats are not permitted on the golf course.
- Golfers should use the poolside entrance of the golf course for access to the restrooms. This will minimize tracking grass, etc. on the Club House carpet.
- Owners are responsible to fully inform their family members and guests of the rules of the golf course.
- Tees must be used on all tee boxes.
- All players should repair their Ball Marks, Rake Traps and Replace Divots.
- When the play of a hole has been completed, players should immediately leave the putting green.
- Golf is a gentleman's/lady's game. If you damage the course or anyone's property, you should contact the owner of the property or property management to arrange a resolution to the issue.
- If a player causes damage to a house, the golfer must pay for half the cost based on the lowest of three estimates.
- Residents, unless handicapped or having special permission from the Directors, must accompany any guests using the Golf Course.

14) Swimming Pool – Private

No private swimming pool construction allowed on any lot in the Cypress Island Subdivision.

15) Swimming Pool - Members

Swimming in the pool is permitted between the hours of 9:00 A.M. and dusk. In view of the fact that the pool does not have life guards on duty, **PERSONS USING THE SWIMMING POOL DO SO AT THEIR OWN RISK.** Children under fourteen (14) years of age using the pool must be accompanied by an adult. Other regulations are as follows:

- Shower before entering the pool.
- ***No diving allowed.*** Violators will be asked to leave the pool area and privileges may be suspended.
- Adult swim hours will be set each year and will be posted.

- No night swimming
- Do not climb over the fence when the gates are locked.
- Adults should not swim alone.
- No animals or pets allowed in the pool or on the pool pad.
- Pool furniture must **not** be reserved. Do not leave towels, clothing, etc. on the chairs or lounges to reserve them. All pool furniture is available on a first come, first serve basis.
- Appropriate attire conforming to conventional swimsuits is required.
- Playing radios around the pool is discouraged. If you insist on playing radios, the volume must be kept low or headphones used.
- Pneumatic floats or other similar paraphernalia are prohibited. Swimming aids or “kiddy” floats are allowed in the pool.
- No running, rough playing or ball playing allowed in the pool.
- If using suntan oil, please cover pool furniture with a towel.
- Do not bring glass or breakable items to the pool. Only plastic glasses and containers are allowed in the pool area.
- No alcohol or smoking within the fenced pool area.
- Chemicals must be used in the pool for health reasons. The Association is not responsible for any reaction to clothing, hair, etc. to the chemicals used in the pool.
- ID Tags must be visible while using the pool facility.
- No person under the influence of alcohol or drugs should use the pool.
- All persons using the pool do so at their own risk. Owners and the Association are not responsible for accidents or injuries.
- Management and owners reserve the right to deny use of the pool to anyone at any time.
- Monitors will be on duty on the weekends, and the pool area will be spot checked by a monitor during the week.
- A first aid kit is located in the main lobby of the Club House.
- An emergency phone is located in the main lobby of the Club House.
- If an infraction occurs, it will be recorded. The person will be sent a warning letter.
Second offense - pool privileges will be suspended for two weeks.
Third Offense - pool privileges will be suspended for one month.
Fourth offense - pool privileges will be suspended for two months.

If you receive a certified letter from the Cypress Island Management Agent, please sign for it. Please accept certified letters, because you are always allowed to appeal any fine. The letter explains how to appeal the fine.

16) Tennis Court

- In the event of overcrowding, limitations on times of play and sign-up procedures will be adopted and posted at the Court.
- Proper tennis attire is required on the Tennis Court (shirts, tennis shoes, shorts or long pants). Bathing suits, including bikinis, are prohibited.
- Players must wear smooth sole tennis shoes on the Court.
- The playing surface is not to be mistreated.
- Food, beverages, breakable containers, trash or debris is prohibited from the Court.
- ID Tags must be visible while using the Court.
- Residents, unless handicapped or having special permission from the Directors, must accompany any guests using the Tennis Court.

17) Club House

The purpose of the Club House Guidelines referenced below is to ensure that all homeowners have an equal opportunity for use of the common facilities and that the facilities are maintained in good condition:

- Activities planned for the homeowners by the homeowners' activities committee takes precedence over individually planned activities for friends and family members who are not homeowners.
 - All homeowners who want to start a new activity for Cypress Island homeowners are welcome to do so. Please contact the Chairperson of the activities committee who will coordinate the times and help with publicity.
 - Homeowners may reserve the kitchen area of the Clubhouse for small groups of friends who are not necessarily homeowners between the hours of 9:00 A.M. and 6:00 P.M., Monday through Friday, without charge by calling one of the committee members listed below. The homeowner is responsible for disposing of any trash if refreshments are served.
 - The Clubhouse is open daily for the enjoyment of homeowners and their families from 9:00 A.M. to 6:00 P.M. In spring and summer it will remain open later.
 - Homeowners may use the Clubhouse for private parties and events, such as showers, receptions, bar mitzvahs, christenings and birthday parties in adherence with the following guidelines:
 - The homeowner will make a request at least two weeks in advance of the event. The request will be made to the facilities committee chairperson or designated members of the committee. (Two names and their contact information is referenced below.)
 - The fee for a homeowner to rent the Clubhouse is \$25* for a group of 25 persons or less and \$50* for a group numbering 26 to 50. For either size group, the fee and deposit of \$100* will be required with each reservation request. These amounts should be in the form of two separate checks made payable to Cypress Island Homeowners Association, Inc. The fee will be retained by the Association for cleaning and upkeep due to normal wear and tear. The deposit will be returned when the Clubhouse is found to be clean, trash removed and furniture replaced after the event. The homeowner is financially responsible for any damage to the clubhouse or its furnishings, even in excess of the \$100* deposit.
 - Each household is limited to reserving the Clubhouse six times per year, at the times when a fee is required, except for extenuating circumstances.
 - All parties and events must end by 11:00 P.M.
 - Arrangements for unlocking the Clubhouse and locking up after an event should be made with the person in charge of reservations. A committee member will inspect the premises before returning the deposit.
 - The pool cannot be reserved by any person or group.
- *Note: The fee for rental and the deposit fee requirement are subject to change.

Contact and rental procedure information is posted on the Community Bulletin Board.

- 18) **Skateboards/Scooters/Roller Blades/Skates**
Are not allowed in common areas.
- 19) **ID Tags**
Two (2) ID Tags per property are issued to the property owner. It is the responsibility of the owner to transfer the ID Tags to their tenants and/or rental agents. Homeowners must give use of all facilities to their tenants and said homeowner is not permitted to use the amenities while his/her property is occupied by tenants.
- 20) **Complaints**
Please address any violations you witness to the management agency. Any formal complaint regarding actions taken by the management agency must be made in writing and presented to the Board of Directors.
- 21) The foregoing Rules and Regulations are designed to make living for you and your neighbors at Cypress Island pleasant and comfortable. The restrictions made are for the mutual benefit of all. Violations of these Rules and Regulations are to be reported to the Cypress Island Board of Directors in writing. They, or their designee, will call the matter to the attention of the Violating Owner, lessee or guest for corrective action.

Repeated violations of the foregoing Rules and Regulations may result in the Board of Directors levying fines against the Violating Owner in accordance with the Rule Enforcement Policy outlined below, in addition to other legal remedies.

Rule Enforcement Policy:

The Rule Enforcement Policy is implemented by the Association's Managing Agent at the direction of the Board of Directors. The Policy is subject to amendment at the discretion of the Board of Directors and any and all decisions regarding the implementation and/or enforcement of this policy will be made by the Board of Directors and its decision will be final.

Any and all penalties undertaken by the Association for a violation(s) shall be taken against the homeowner. The Association has no legal authorization to seek recourse for a violation(s) against a renter, a tenant, a guest or the rental agent of the homeowner.

EVERY EFFORT WILL BE MADE BY MANAGING AGENT TO OBTAIN COMPLIANCE WITH THESE POLICIES WITHOUT THE USE OF FINES OR LEGAL ACTION.

φFIRST WARNING:

Immediately upon the discovery of the existence of a Rule Violation on the property, a member of Management shall notify the violator, either verbally or in writing, of the Rule Violation. The owner shall assist the Managing Agent in correcting the Rule Violation. In addition, if the violator is a renter or tenant, the homeowner's rental agent shall be contacted by the Managing Agent and shall assist with the immediate correction of the violation.

φFIRST LEVEL FINE:

If, following the First Warning described above, the subject is observed continuing to be in violation of the same Rule, the panel appointed by the Board shall again request that such violation be stopped. In addition, the owner shall be notified, orally (when possible) and in writing, of the levy of a fine of TWENTY DOLLARS (\$20.00) for the continued Rule Violation. The fine shall be added to the owner's assessment account and shall be due with the payment of the next regular assessment.

φSECOND LEVEL FINE:

If, following the First Warning and First Level Fine described above, the violator(s) is/are observed to be in a continuing violation of the same Rule, the panel appointed by the Board shall again request that such violation be stopped. In addition, the owner will be notified, orally (when possible) and in writing, of the levy of a fine of FIFTY DOLLARS (\$50.00) for the continued violation of the Rule. The fine shall be added to the owner's assessment account and shall be due with the payment of the next regular assessment.

φTHIRD LEVEL FINE:

If, following the First Warning, and the failure of the violator to pay the fines described above, the violator is observed continuing to violate the same Rule, the violator shall again be requested by the panel appointed by the Board to cease and desist. In addition, the owner shall be notified, orally (when possible) and in writing of the levy of a fine of ONE HUNDRED DOLLARS (\$100.00) for the continued violation of the Rule and the loss of Common Area Privileges. The fine shall be added to the homeowner's assessment account and shall be due with the payment of the next regular assessment. At this time, the owner shall be notified that should the Rule Violation continue for the next twenty-four (24) hours, the Association may proceed with any and all available legal remedies.

SPECIAL PET FINE:

If a resident violates the rule to clean up after their pet, they will be fined \$50 per incident.

JUDICIAL ENFORCEMENT:

Should the violator be observed in violation of the same Rule following the levy of the Third Level Fine, the panel appointed by the Board shall immediately notify the President of the Board of Directors and request permission to contact the Association's Managing Agent to request that the Association's attorney proceed with any legal means available to enforce the Rules and Regulations. The Association shall seek the recovery of all legal fees and expenses involved in such action from the owner as a part of the legal proceedings. The owner shall be notified of the Association's actions verbally when possible and in writing.

φDUE PROCESS:

An owner may petition the Board of Directors for a hearing regarding any disputed Rule Violation, action or fine, by addressing his or her request, in writing, to the Managing Agent or the President of the Board of Directors. Contact the management agency to request an appeal Form.

THE RULES CONTAINED HEREIN DO NOT SUPERSEDE THE CYPRESS ISLAND HOA, INC. DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, BYLAWS OR ANY OTHER LEGAL DOCUMENTS RELATING THERETO.

OBJECTIONABLE BEHAVIOR IS UNACCEPTABLE AT CYPRESS ISLAND EVEN IF IT IS NOT OF A NATURE SPECIFICALLY COVERED IN THESE RULES.

Any questions regarding the Rules and Regulations should be directed to any of the following:

ERA Tetterton Management Group - Agent
513 Atlantic Beach Causeway
Atlantic Beach, NC 28512

Tel 252-247-3101

Architectural Committee Chairman – posted on Community Bulletin Board

EMERGENCY TELEPHONE NUMBERS:

POLICE DEPARTMENT 911

FIRE DEPARTMENT 911

RESCUE SQUAD 911

- You will be asked to provide
- 1) the name of the Community - *Cypress Island*
 - 2) The **name of the Street** where you live
 - 3) The **number of the house or townhome** in which you live

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