

# **RULES AND REGULATIONS**

## **SANDPIPER CAY CONDOMINIUMS**

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# Sandpiper Cay Condominiums

## Rules and Regulations

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### **GENERAL CONDUCT**

#### **Section 1.0**

- 1.1 Unit owners are responsible for the actions, conduct, and noise of their family members, guests and tenants in full and complete compliance with the Rules and Regulations. Each owner is responsible for ensuring that their tenants have been informed of the Sandpiper Cay Rules and Regulations.
- 1.2 Unit owners are responsible for all damages to common areas, shrubbery, trees, and grounds caused by their tenants, children, guests, and/or pets and such persons shall assume the expense of any and all repairs.
- 1.3 Entranceways must be kept free from all obstruction.
- 1.4 Moving hours and conditions are as follows:
  - A. Moving (in or out) will be permitted between the hours of 8:00 a.m. and 10:00 p.m. unless written permission is obtained from the Association Manager.
  - B. Moving or delivery vans or trucks are not permitted to cross lawns and must load and unload from the parking areas.
  - C. All costs of damages to the common areas caused by the move shall be paid by the unit owner. In addition, an automatic fine of \$150.00 is assessed to the unit owner's account for this violation.
- 1.5 No one shall make or permit noise to unreasonably disturb or annoy other residents. No one shall unreasonably interfere with the rights, comfort, or convenience of the occupants of other units. Abusive, profane language or threatening behavior directed toward any resident, staff member, or assigned contractor or contractor's employee shall be prohibited.
- 1.6 All refuse and garbage must be placed in plastic bags, securely tied, and placed in the dumpsters that are provided by the Association for such purposes. Cardboard boxes must be broken apart, folded and neatly deposited in the dumpsters. Cigarette butts and other litter are not to be thrown on any part of the common area.
- 1.7 Unit owners/tenants must make their own arrangements for disposal of old carpet, furniture, mattresses, tires, appliances, and other large items. These items ARE NOT to be placed in or next to the dumpsters. Dumpsters are for bagged trash only. Any unit owner/tenant in violation of this rule is subject to a \$150.00 fine plus the cost of removal.
- 1.8 The storage and discharge of fireworks and firecrackers are specifically prohibited anywhere on Sandpiper Cay property.

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- 1.9 Firearms, air rifles, air pistols, bows and arrows, and B-B guns are prohibited on the common or limited common areas.
- 1.10 Loitering in common areas is prohibited.
- 1.11 Notices and/or flyers of any nature are prohibited in or on the common elements, except with prior approval of the Association Manager.

## **ENFORCEMENT**

### **Section 2.0 – Violations**

- 2.1 Violations of the Rules and Regulations stated herein must be reported to the Association Manager as soon as possible.
- 2.2 The Association Manager, as authorized by the Board of Directors, will conduct an investigation and will attempt to correct the matter on a confidential basis.
- 2.3 If a violation continues after notification to the unit owner an assessment will be levied against the unit owner's account.
- 2.4 The Board of Directors has the right to enforce all restrictions and covenants contained in the governing documents.
- 2.5 Violation assessments will be added to the owner's monthly assessment fee and could become a lienable item.
- 2.6 Any cost incurred by the Association in enforcing its governing documents, including attorney's fees, will become the responsibility of the unit owner.

### **Section 3.0 – Appeals**

- 3.1 A unit owner has the right to appeal to the Board of Directors the levying of a rule violation assessment by notification to the Board in writing, within thirty (30) days of receipt of the notification.
- 3.2 The Board of Directors will review and decide upon any such appeal at the next regularly scheduled meeting.
- 3.3 Violation assessments shall continue to accrue pending appeal, as long as the violation continues to exist.

### **USE, CARE AND MAINTENANCE/ARCHITECTURAL**

#### **Section 4.0**

- 4.1 Units shall be used as a private residence only.
- 4.2 The Association Manager must be provided with a duplicate key to your unit. Management staff is prohibited from entering your unit without notice. In an emergency that will affect the welfare of another unit, forced entry and the cost of entry will be at the owner's expense unless a key has been provided.
- 4.3 Window air conditioners are prohibited.
- 4.4 Building exteriors or windows, screens, or doors may not be painted or changed in any way. Owners are responsible for the cleaning of their patio.
- 4.5 Interior structural changes are not permitted without approval of the Board of Directors. This includes additions or changes to plumbing and electrical wiring.
- 4.6 Hazardous, combustible, or dangerous materials of any kind may not be kept or stored in units or anywhere on the common elements.
- 4.7 Use of grills must conform to Kitty Hawk Town Ordinance and must be on the lower level patio.
- 4.8 The plantings or removal of shrubs, trees and flowers in common area must have the written permission from the Association Manager.
- 4.9 Modification of common area or limited common area is strictly prohibited. Drop fences require permission from the Association Manager and must meet the following guidelines:
  - The owner is responsible for all costs associated with having their fence dropped.
  - The owner is responsible for all maintenance of the drop fence and is expected to keep it in good repair at all times. Should the owner decide they no longer want the drop fence, the owner will be responsible for the cost of having it removed.
  - The 4X4 boards on the fence cannot be cut. Only the top horizontal 2X4 boards may be cut.
  - No more than 6ft of fence may be dropped. No more than 2 drop fences allowed per unit and only 1 drop per section of fence is allowed.
  - Galvanized hardware must be used; no plated hardware is to be used. A galvanized chain of no less than 3/16" must be used.

### **COMMON ELEMENTS/ARCHITECTURAL**

#### **Section 5.0**

- 5.1 No signs shall project out of any window, common area, or from any part of any unit without written approval from the Association Manager.
- 5.2 No exterior awnings shall be placed on windows or patios/balconies without written permission from the Association Manager. Hurricane shutters require permission from the Association Manager and must meet the following guidelines:
- Shutters must be white
  - A licensed contractor must be used that provides a warranty
  - The owner will be responsible for all maintenance and upkeep of the shutters
- 5.3 Walls, balconies, fences and windows of units may not be used for storing or drying items such as towels, clothing, cleaning supplies, etc.

### **TENNIS AND RECREATIONAL AREAS**

#### **Section 6.0**

- 6.1 a. The noise level from voices, radios, etc., must be kept at a level so as not to disturb other neighbors; **foul language is prohibited.**
- b. There is to be no fighting, shoving, throwing, of objects or other behavior which would endanger other people using the recreational areas.
- c. No pets are allowed in the designated recreational areas.
- d. Containers will be provided for trash, please use them.
- e. Glass bottles are prohibited in all recreational areas.
- 6.2 Parents are wholly responsible for and expected to supervise their child/children **AT ALL TIMES** while within the recreation area.
- 6.3 Proper attire is required.
- 6.4 Climbing over any fence at any time of the day or night is prohibited and will carry a **\$150.00 fine**. Trespassers, whether resident or non-resident, will be arrested and prosecuted by the police to the full extent of the law.
- 6.5 No bicycles, skateboards, skates, or any recreational vehicle with wheels are permitted in the recreational area.

### **NON-RESIDENT OWNED UNITS**

#### **Section 7.0**

- 7.1 Owners shall complete, sign, and provide their rental lease and Sandpiper Cay rental checklist to the Association Manager at least five (5) days from when the lease is signed. If the lease is an oral agreement and no written lease is available, the owner must complete and sign the Sandpiper Cay rental checklist and provide a copy to the Association Manger. Failure to provide the necessary paperwork would subject the owner to a fine of \$75.00.
- 7.2 Unit owners who rent their units shall be obligated to keep units in repaired and harmonious condition at all times. This includes nuisance, damage, and pet control, as spelled out in the Rules and Regulations. Failure to do so will result in violations.
- 7.3 Owners are obligated to require their renter to notify the Association Manager of any potential problems.
- 7.4 Owners must notify the Association Manger within ten (10) business days of the date their unit is vacated.
- 7.5 Owners must provide their tenants with a copy of the Rules and Regulations and By-Laws. Copies of Rules and Regulations and By-Laws are available at the Sandpiper Cay Office or on the Association's website.

### **TRAFFIC AND PARKING**

#### **Section 8.0**

- 8.1 The speed limit is not to exceed 10 mph within Sandpiper Cay maintained roads.
- 8.2 Parking or driving of any motorized vehicle on lawns and/or tended grounds of Sandpiper Cay is strictly prohibited. A violation fee of \$150.00 will be automatically assessed plus repair costs.
- 8.3 Parking of any vehicle must not inhibit or cause hazards to walkways or sidewalks. No vehicle, or load upon a vehicle, shall restrict a sidewalk or walkway.
- 8.4 There are no assigned parking spaces throughout Sandpiper Cay. Two parking spaces are allotted per each unit on a first-come, first-served basis. There are 280 units and 620 parking spaces in the community.
- 8.5 Parking of the following vehicles on Sandpiper Cay property requires advance permission from the Association Manager:

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- A. Recreational Trailer – A recreational trailer is a trailer designed or adapted and used exclusively for recreational purposes. This class includes boat trailers, camping trailers, livestock trailers, house trailers, and semi-trailers.
- B. Motor Home – A motor home is a motor vehicle designed or adapted for the use as a mobile dwelling or office, including permanently installed sleeping accommodations, carpet, kitchen appliances, or office furniture.
- C. PODS - Stationary storage units.
- D. Boats/Snowmobiles/Jet Skis
- E. Oversized commercial vehicles – A vehicle that is used for commercially and is larger than a standard passenger vehicle.
- F. Oversized vehicles – All vehicles must fit into one parking space and must not encroach into any other parking space. Vehicles cannot be longer than 19ft and cannot have a height greater than 6 ½ ft.

The short term parking of the above vehicles shall be in designated areas.

- 8.6 Sandpiper Cay reserves the right to have any abandoned vehicle removed from the Condominium property at the expense of the owner. An abandoned vehicle is:
  - a. Does not have a valid registration plate, or title, or has been left unattended on or along Sandpiper Cay property for more than 48 hours.
  - b. Not owned or operated by a resident, owner, or guest of an owner, or a Sandpiper Cay contractor or employee.
- 8.7 Large-scale car repairs are prohibited. No oil or other fluids may be drained onto the pavement or into sewer system. All waste fluids must be disposed of off Sandpiper Cay property according to EPA regulations. Vehicles that are leaking fluid are not permitted on Sandpiper Cay property.
- 8.8 The use of vehicles for storage purposes is strictly prohibited.

## **PETS**

### **Section 9.0**

- 9.1 Owners, tenants, guests and visitors must keep pets on a leash and leash in hand when on the common area of Sandpiper Cay. If a pet is found loose on the common area, the Association has the right to have the pet impounded and sent to the local animal shelter at the owner's expense.

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- 9.2 Owners, tenants, guests and visitors are responsible for the prompt removal of their pet's feces from all common areas of Sandpiper Cay. Repeated violations are subject to a fine of \$50 per violation.
- 9.3 Owners, tenants and their guests are legally and financially responsible for physical injury or property damage that their pets may cause to Sandpiper Cay personnel, residents, guests, and/or pets. The Board of Directors reserves the right to have a pet removed from Sandpiper Cay property upon three days written notice.
- 9.4 Owners, tenants, their families and guests are responsible for ensuring that their pets do not cause unreasonable disturbance or create a nuisance for the other residents.
- 9.5 Owners and tenants are responsible for complying with all applicable Kitty Hawk town laws concerning immunization, licensing and registration of their pets.
- 9.6 Any dog or cat fighting with another animal, or biting any human is cause for an immediate fine of \$150.00 with no warning, plus possible permanent removal of the pet from the premises.
- 9.7 Pets must not be tied, staked or left unattended in common areas at any time.
- 9.8 Pets are not permitted in, on or around the recreational areas.
- 9.10 Owners and tenants are responsible for ensuring that their guests and visitors abide by these Rules and Regulations.

## **INSTALLATION GUIDELINES OF SATELLITE DISHES**

### **Section 10.0**

- 10.1 These guidelines were developed using the Federal Communications Commission (FCC) Rule 47 C.F.R. Section 1.4000 in Section 207 of the Telecommunications Act of 1996. As amended in January 1999 and October 2000. A "dish" antenna is one that is one meter (39.37") or less in diameter and is designed to receive direct broadcast service, including direct-to-home satellite serviced, or to receive or transmit fixed wireless signals via satellite.
- 10.2 Prior notification to the Association Manager is needed. The Service Department can be onsite with the installer to ensure that the installation is in compliance with the Association guidelines.
- 10.3 Dishes must be installed on exclusive use areas (balcony, patio or private yard area) unless the signal cannot be obtained. If the signal cannot be obtained, the dish may be installed on that unit's chimney.



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- 10.4 If the dish is installed on the chimney, bands must be used to secure the dish. If a High Definition dish cannot be secured using bands, the dish may be attached using lead shield anchors or Tapcon concrete anchors.
- 10.5 No more than 2 dishes shall be permitted on any unit.
- 10.6 Disconnected or inoperable dishes need to be removed promptly at the expense of the unit owner.
- 10.7 Installation of dishes is strictly prohibited on the roof and the common area grounds. Hardware and wiring associated with the dish cannot be attached to the roof. Penetrations to the roof for any reason will subject the unit owner to the expense of removing the violation and the cost of all repairs. Unit owners are responsible for all costs related to installation, maintenance, removal and repair if damages occur as a result of installation.
- 10.8 All existing satellite dishes that were installed prior to August 1<sup>st</sup> 2009 will be “grandfathered” and are not required to meet these guidelines. However, the Service Department will inspect these installations to ensure that there is no existing or possible future damage to the buildings. The unit owner will be responsible for any damages that are a result of the installation or removal of the dish and related hardware.
- 10.9 These guidelines apply in all respects to tenants as well as unit owners. Unit owners are ultimately responsible for making sure that their tenants are aware of these guidelines and that they are in compliance. Unit owners will be responsible for the cost of any repair for violations.

## **POOL RULES**

### **Section 11.0**

- 11.1 All owners using the pool must be current in Association dues. The pool is for owners, residents, and unit guests use only.
- 11.2 All persons using the pool do so at their own risk. There is no lifeguard on duty. Owners and Management are not responsible for accidents or injury.
- 11.3 The Association Manager has the right to determine the consequences for owners and guests observed or reported as abusing, vandalizing, or violating any pool rules. This may include denying use and suspending pool privileges for a specified amount of time.
- 11.4 The pool monitor is in complete charge in the pool area. He/She may dismiss from the pool area any person(s) who violate these regulations. When a person(s) has been reprimanded or asked to leave the pool area, those person(s) must do so immediately.

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- 11.5 Proper bathing attire must be worn.
- 11.6 When the front door is locked, the pool is closed.
- 11.7 Individuals must shower before entering the pool.
- 11.8 No person with an infection or a communicable disease is allowed in the pool.
- 11.9 When weather dictates that the pool should be closed in the interest of safety, the pool monitor is responsible and is authorized to clear the pool and close pool area.
- 11.10 The noise level from voices, radios, etc., must be kept at a level so as not to disturb other pool guests; foul language is strictly prohibited.
- 11.11 No running, diving, rough play, horseplay, fighting, excessive splashing, pushing or dunking.
- 11.12 No glass in any of the pool areas.
- 11.13 Smoking is permitted on the upper deck area only. Ashtrays and cans are provided for the disposal of cigarettes.
- 11.14 No pets allowed in the pool area.
- 11.15 Equipment such as masks, fins, snorkels, boogie boards, or floats may be prohibited at the discretion of the pool monitor.
- 11.16 Children under thirteen (13) years of age are not permitted in the pool area unless accompanied by an adult, eighteen (18) years or older. Accompanying adults are responsible for and expected to watch the child/children AT ALL TIMES while within the recreation area.
- 11.17 Children who are not toilet trained must wear approved swim diapers.
- 11.18 Bicycles, skateboard, skates, or any recreational vehicle with wheels are not permitted in the pool area.
- 11.19 Climbing over the pool fence at any time day or night when the pool door is locked carries a \$150 fine and loss of pool privileges for the season. Trespassers, whether resident or non-resident, will be arrested and prosecuted by police to the full extent of the law.
- 11.20 Reasons for automatic pool closure:
  - Fecal matter in pool and/or pool area
  - Main drain damage and/or suction lines blocked
  - Lightening, thunder, or severe rainstorm in the area
  - Broken glass in the pool or deck area
  - Mechanical failure, Pump failure

### **CLUBHOUSE RULES**

#### **Section 12.0**

- 12.1 Owners and residents wishing to use the clubhouse must submit a request to the Association Manager with the details of the event at least seven (7) days prior to the event. (date, hours, type of function, number of people, etc.)
- 12.2 Once the event is approved, the scheduling party will need to sign a damage waiver and provide a refundable \$80 deposit to the Association Manager. Any damage greater than \$80 will be billed to the unit owner.
- 12.3 Clubhouse capacity is limited to eighty (80) people as directed by the Kitty Hawk Fire Chief.
- 12.4 All functions must be contained within clubhouse (great room, kitchen, and bathrooms) and the patio area directly behind the great room. At no time shall the private function encroach upon other areas, such as the office, pool and pool deck areas.
- 12.5 Smoking is prohibited in the clubhouse.
- 12.6 Loud music or other disturbances affecting nearby residents are not permitted.
- 12.7 Alcohol may not be sold on Sandpiper Cay premises. Intoxicated individuals are not permitted in the clubhouse or patio areas.
- 12.8 The clubhouse must be left in broom clean condition, and all trash must be removed from the building. Tables and chairs must be reset to original positions.
- 12.9 All doors and windows must be locked after use and the keys returned to the management office as soon as practical.