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Cross Reference

Book G118, Page 170
Book O125, Page 172
Book V143, Page 381
Book N148, Book 621
Book 1106, Page 746
Book 1198, Page 488

**WATERWAY ARMS
TOWNHOUSE ASSOCIATION**

BOARD RESOLUTION

**Adoption and Affirmation of
Waterway Arms Townhouse Association Rules and Regulations**

WHEREAS, the Board of Directors ("Board") of Waterway Arms Townhouse Company ("Association") is responsible for management of Waterway Townhouse Association, and is also responsible for exercising for the Association all powers, duties and authority vested in or delegated to the Association and not reserved to the membership by other provisions of the Declaration of Covenants, Conditions and Restrictions of Waterway Arms Townhouse Company ("Declaration") recorded and July 13, 1971 in Book B97 at Page 20 and the By-Laws of Waterway Arms Townhouse Association ("Bylaws") recorded April 12, 2021, in Book 0980 at Page 654 in the Charleston County Register of Deeds (collectively hereinafter, the Declaration and Bylaws may be referred to as "Governing Documents").

WHEREAS, Article VI, Section 3, of the Bylaws states, "a majority of the number of directors shall constitute as quorum for the transaction of business. Every act or decision done or made by a majority of the directors present at a duly held meeting at which a quorum is present shall be regarded as the act of the Board."

WHEREAS, Article IV, Section 5, of the Bylaws provides that any "action in the absence of a meeting which they could take at a meeting by obtaining the written approval of all the directors. Any action so approved shall have the same effect as though taken at a meeting of the directors."

WHEREAS, the South Carolina Homeowners Association Act, S.C. Code Ann. Section 27-30-110, et seq., requires all existing homeowner association's governing documents, rules, regulations, and amendments be recorded.

WHEREAS, the Board has determined to adopt and affirm the attached rules and regulations, and to record same.

WHEREAS, a duly held and authorized meeting of the Board was held March 5th 2024, and the within Resolution was put to a vote of the Board. The required quorum was present and the within Resolution was approved by the requisite members of the Board.

NOW THEREFORE, BE IT RESOLVED, in order to protect and assure an attractive, high-quality community, and to best maintain and preserve the community, the Board hereby affirms and adopts the attached Waterway Arms Townhouse Association Rules and Regulations as follows:

1. The foregoing whereas paragraphs and recitals are and shall be deemed material and operative provisions of this Resolution, and not mere recitals, and are fully incorporated herein by this reference.

2. All capitalized terms used herein shall have the same meaning ascribed to them in the Declaration and Bylaws, unless the context shall clearly suggest or imply otherwise.

3. Each member of the Board expressly waives any notice requirement, if any, for the meeting.

4. The Board hereby adopts and affirms Waterway Arms Townhouse Association Rules and Regulations, attached hereto as Exhibit A, and incorporated herein by reference.

5. This Resolution was adopted by the Board on March 5, 2024, and the attached rules and regulations shall be effective upon recording.

6. Distribution. The Association and/or the Association's property manager is authorized and directed to circulate a copy of this Resolution and Waterway Arms Townhouse Association Rules and Regulations upon recording. Members/Owners are responsible for distributing the same to all occupants and residents.

Each Board Member/Director voting in favor of this resolution has signed his/her name below, and by signing below, s/he acknowledges that this Resolution and the attached shall be effective upon recording.

[Signature Page to Follow]

Mr. C. Novak

WATERWAY ARMS TOWNHOUSE ASSOCIATION.:

<u>Delois Hudson</u> Board Member/Director	<u>3-5-24</u> Date	<u>[Signature]</u> Board Member/Director	<u>3/6/24</u> Date
<u>[Signature]</u> Board Member/Director	<u>3-5-24</u> Date	<u>Elizabeth A. Hodges</u> Board Member/Director	<u>3/5/2024</u> Date
<u>[Signature]</u> Board Member/Director	<u>3-5-24</u> Date	_____ Board Member/Director	_____ Date

**WATERWAY ARMS TOWNHOUSE ASSOCIATION
RULES AND REGULATIONS**

Residents of Waterway Arms must recognize the unique responsibility involved in living within multiple unit buildings. We share the amenities & all financially contribute to maintain them. Consideration of others must always govern our actions. Peaceful possession is an **absolute right** all residents enjoy. As a member of the Association, all Members, family members, tenants, invitees, and guests (including contractors) are obligated to follow these Rules and Regulations in addition to the restrictions set forth in the Covenants, Conditions and Restrictions of Waterway Arms, the Bylaws, and the ARB Guidelines, such violations will be fined and billed appropriate repairs and prosecuted accordingly.

Any disturbance or vandalism created by another resident or another resident's tenant(s), including but not limited to, excessive noise, unsightly conditions, or offensive odors infringes on the rights of other Members. Any violations of these rights should be immediately reported to the **Mount Pleasant Police Department** by calling **(843) 884-4176** or their 24-hour dispatch **(843) 743-7200** then reported to the Board so an incident report can be filed on the Association's records.

It is the sole responsibility of the Member to provide a copy of these Rules and Regulations to his/her family members, tenants, guests and invitees.

1. Parking/Motorized Vehicles

- a. Article V of the Covenants designates that each unit has a maximum of two (2) parking spaces at the rear of each unit. Every motorized vehicle parked behind a unit shall be subject to towing if the number of vehicles associated with a single unit exceeds two (2).
- b. Overnight parking in-front of the townhomes on Center Street, Harbor Lane and Inlet Drive is prohibited. No cars, golf carts, motorcycles or motorized vehicles of any kind shall be parked on the grass or any non-paved surface.
- c. Permanent Residents of Waterway Arms Townhome Association have access to our limited parking, which is available along the right side of Waterway Blvd. parallel to the pool and common area. There will be no parking on the grass or on the common area.
- d. These parking rules are applicable to all motorized vehicles, including but not limited to, golf carts and motorcycles, as well as all Members, family members, guests, tenants, residents, and invitees.

2. Abandoned Vehicles - Abandoned, wrecked, unlicensed, or incapacitated vehicles will not be allowed to remain on the property. The Association shall affix written notice to the vehicle in a visible area and shall tow the vehicle five (5) days thereafter. All towing, storage and legal fees will be the responsibility of the Member owning the vehicle or whose guest, tenant or invitee owned the vehicle.

3. Boats - Boats are allowed to be parked onsite from Friday at noon to Monday at noon. Boats must be parked along Waterway Blvd. Boats shall follow all parking rules that apply to vehicles shall not parked in between units or on grass. Any boats that are not in compliance with these rules shall be towed. All towing, storage, and legal fees will be responsibility of the Member owning the boat or whose guest, tenant or invitee owned the boat.

4. Trailers, Flat-Beds, Stake-Body Trucks, 18 Wheelers, RV's and Commercial Vehicles including any truck or non-passenger vehicle advertising commercial enterprises are prohibited from parking onsite without the prior written consent of the Association.

- a. The Association, in its sole discretion, shall consider exception requests if such trailer or vehicle is required by a Member or a Member's family member, tenant, or guest for temporary purposes such as construction, delivery or moving. The Member shall submit a request to the property manager with a description of the vehicle and the approximate arrival and departure times not less than 5 business days prior to the arrival time of the vehicle. Exceptions shall be evaluated and approved on a case-by-case basis.

- b. Members can contact Management Company by phone or email correspondence at any time to have a car towed in violation of these rules.
5. Patio Gates are to be always closed & functional. ARB approval must be obtained prior to painting or replacing a gate. Patio gate colors only include black, white, redwood or natural.
6. No Alterations to the exterior of the unit; landscaping, fencing or other existing structures are to be made without ARB approval.
7. Trash Disposal: The town of Mount Pleasant is on property Wednesday for brown cans & every other Wednesday for recycling. Trash bins & large trash debris (EG: tree limbs, household appliances, furniture) are to be put out night before pick-up (Tuesday night) & cans are to be returned no later than noon the following day. Please avoid placing trash receptacles or debris on roadway or adjoining curb on Waterway Blvd. Trash bins & large trash debris put out early or left out are subject to per diem fines of \$50.00 per day. All receptacles are to remain out of sight but within an enclosure.
8. Personal belongings: grills, tables, tools, toys, shelving, garbage/recycle cans, equipment, building materials, bikes, etc. are not allowed outside the unit's fenced area or patio when they are not in use. The fence & gate is to be always clear of objects (EG: towels, rugs, blankets, tarps, etc.). Items left outside the gate for three days may be picked up for disposal without prior notice.
9. Pets. The Town of Mount Pleasant has established leash laws/pet regulations. Dogs are allowed to run free on the common ground for exercise when the owner is with them. Owners are expected to pick up behind their pets both in the common ground and/or their own personal lot to ensure a clean and healthy community. Pet owners have a responsibility to mitigate excessive barking or unwanted noises that interfere with other neighbor residents' peaceful enjoyment. Dogs will not be left on patios or tethered to front yards at any time. Cat owners are also expected to be considerate of the rights of neighbors no to be disturbed by feline noise or trespassing. Property owners should contact the **Town of Mount Pleasant Animal Control Department** by phone, **(843) 884-4176**, Monday through Friday from 7:00 a.m. to 5:00 p.m. to disburse fines for breaking regulations or remove any animals if required.
10. Short Term Rentals. Members who offer their property at Waterway Arms for short term rental ("STR") are subject to the following additional Rules and Regulations:
 - a. Municipal Ordinance/Licensing. Members engaging in STR activity shall comply with all applicable ordinances, including those citing maximum occupancy, of the Town of Mount Pleasant and shall provide a copy of a current Business License and Short-Term Rental Permit on an annual basis as well as the name and contact information of the designated local agent.
 - b. Parking. Parking for short term renters shall be limited to the Member's designated parking spaces (2 spaces) in the rear of their unit. Short term renters shall not park boats, recreational vehicles, RVs, campers and/or trailers on the premises. Vehicles belonging to short term renters which are parked in violation of these Rules and Regulations shall be towed at the sole expense of the owner.
 - c. User Fee. In accordance with Article V, Section 1 of the Covenants, Members engaging in STR activity shall be assessed a "user fee" of \$600.00 per year. The "user fee" is to offset the accelerated use of our facilities & the disproportionate use by hotels guests. The User Fee shall be collected annually in a lump sum starting April 10, 2024, and will be recalculated along with the annual budget. Failure to pay the User Fee by April 11, 2024, will result in full calendar year suspension of the Member's right to use, delegate, transfer, or assign such use. A reconnection fee of 300.00 will be assessed in addition to the annual fee if your card has been suspended. All owners will be solely responsible for damage to the Common Areas, or any facilities because by his/her short-term renters, as it is a revokable privilege.

- d. Compliance. It shall be the sole responsibility of the Member engaging in STR to provide copies of the Rules and Regulations to his/her renters and ensure compliance with the Rules and Regulations and the terms and provisions of the Covenants and Bylaws. Repeated violations of these Rules and Regulations will result in suspension of the Member's right to use the Common Areas, including the pool, and such suspension shall extend to the Member's family, tenants, renters, guests and invitees.

****Short term rental complaints – Any resident is entitled at any time to refer to the Mount Pleasant town website to file a complaint. The town has 2 compliance officers who are responsible for managing the complaint platform. Please use this platform to attach pictures, videos, and/or audio of any issues with guests. <https://tompssc-str-complaints.deckard.com/>**

11. Pool Rules.

Use of the pool is limited to owners/tenants whose regime fees/user fees that are paid.

No persons under the influence of alcohol or drugs should use the pool. No alcoholic beverages are allowed within the fenced-in area of the pool.

WATA pool is not responsible for accidents and users enter the pool at their own risk. There is no lifeguard on duty.

There will be no solo swimming, spitting or blowing noise in the pool, persons who have nausea, diarrheal illness, skin, eye, ear or respiratory infections, open lesions or wounds.

Guests at WATA pool: The WATA limits the number of guests to 2 per unit. Having guests will be restricted to 2 occasions per season. Guests must always be accompanied by the WATA member. We ask the frequency of guest to be limited to 2 occasions during the season. Pool use during holiday weekends is reserved for exclusive use of members.

No children under 18 are permitted to take guests to the pool

Please shower BEFORE you get in the pool

Running and jumping on the concrete, and rough play in the pool, improper conduct causing undue disturbances, including abusive or profane language are prohibited.

The pool gate must be always closed/locked, please do not open the gate for anyone or prop the gate open.

A parent/adult guardian must always be with children under the age of 12.

Children must wear a swim diaper and a bathing suit in the pool.

Glass bottles, glass containers and gum are prohibited from the pool and tennis courts. If glass is broken the entire pool must be drained and the offending party will be financially responsible for the cost associated with cleaning & refilling the pool.

No dogs, no smoking/vaping are allowed in the pool gate.

Please respect your community and other homeowners by cleaning up after yourself. No diapers, food or beverage cans in bathroom trashcans please.

Pool furniture, grills, umbrellas may not be removed from the pool area.

Health and safety rules are required by DHEC are posted and will be updated when required.

Any acts of vandalism or damage to community property will be prosecuted to the maximum extent of the law. Those who refuse to obey these rules may have their pool access revoked.

Key FOB Replacement fee is \$75.00; 1 card per address.

12. **Violations.** Members shall be subject to a fine of \$50.00 dollars per day per offense for any violation of the Rules and Regulations, Covenants or Bylaws and such Member shall be solely responsible for any fines charged the Member's family, guests, tenants and invitees (including contractors) for failing to comply with these Rules and Regulations, the Covenants or the Bylaws. Fines are in addition to all actions and suspensions set forth in the Covenants.

For more information regarding these rules or to report any infractions
Please contact our property manager:

A-Plus Property Management
PO Box 1903
Mt. Pleasant, SC 29465
Email: aplus@apluspm.com

The property manager can also assist with any questions you might have and can pass along any comments or concerns to the board of directors for their review.

You can also obtain copies of the most up to date versions of these rules as well as the Covenants and By-Laws by either contacting the property manager or visiting their website:

<https://apluspm.com/waterway-arms/>

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