

Community Rules and Regulations

Subject: Introduction

Section: I

Approval Date: 07 JUL 2011

Annual Review Date: 01 JUL 2012

A. Overview

Tidewater is a Planned Unit Development (PUD) created in agreement with the City of North Myrtle Beach. Tidewater Plantation is governed overall by city approved Declaration of Covenants, Conditions and Restrictions (CCRs) which define the Tidewater Plantation Community Association, Inc. (TPCA), the required Board of Directors (BOD) and Design Review Board (DRB). It is the responsibility of these two boards, in accordance with the CCRs, to establish, publish, and oversee the enforcement of all rules and regulations within Tidewater Plantation properties including the Tidewater Beach Cabana House.

“The Board of Directors shall be responsible for the affairs of the Association and shall have all of the powers and duties necessary for the administration of the Association’s affairs and, as provided by law, may do all acts and things as are not by the Covenants, Articles, or these By-laws directed to be done and exercised exclusively by the Voting Members of the membership generally”. (Ref. Bylaws, Article III, Section.3a, Powers and Duties)

In addition, six (6) individual condominium associations within Tidewater are defined and have their own home owners’ associations and boards of directors who are responsible for the creation, publishing and enforcement of each condominium’s unique rules and regulations. The condominiums rules and regulations are in addition to the overall TPCA rules and regulation. The condominiums rules and regulations are available from the individual condominium associations.

The condominium associations are:

- Clubhouse Villas
- Harbor Loft
- Heron Lake
- Lighthouse Villas
- Teal Lake
- Tidewater Ridge

The Design Review Board (DRB) is responsible for the establishment of architectural standards, review and approval of building design plans, the design of external structural modifications, and landscape plans and major landscape changes. The DRB publishes and maintains a two volume set entitled *Tidewater Plantation Community Design Review Board Standards, Requirements and Procedures*.

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The following Sections list and define the general Tidewater rules and regulations which cover common areas, streets, and amenities and are designed to promote safety and general enjoyment of the covered areas.

B. Definitions

The following definitions apply throughout this document:

Association refers to the Tidewater Plantation Community Association, Inc.

BOD refers to the Tidewater Plantation Community Association, Inc.'s Board of Directors.

CCRs refers to the *Declaration of Covenants, Conditions and Restrictions* which is the legal document created in agreement with the City of North Myrtle Beach, SC. which provides the overall legal framework for Tidewater's rules and regulations, policies, etc.

Decal – refers to credential.....

DHEC refers to the South Carolina Department of Health and Environmental Control.

DRB refers to the Tidewater's Design Review Board

Golf Course refers to the Tidewater Golf Club, Inc.

Key Fob refers to the key chain-sized access credential issued to property owners which allows the owners to enter the "owners only" venues associated with Tidewater.

Managing Agent refers to the current community manager resident in the TPCA Administration Building at 2000 Spinnaker Drive.

Owner (as defined in the CCRs) shall mean and refer to the property owner(s) of record, whether one or more persons or entities, of the fee simple title to any Unit which is a part of Tidewater Plantation

Owner Guest refers to a guest of an owner

Renter refers to person or persons occupying a condominium or single family dwelling under a rental agreement with owner, or real estate agency or rental management company.

RFID Tag – refers to credential affixed to owner's vehicle windshield to allow access into Tidewater properties.

Security refers to the personnel contracted by the TPCA to provide access control, roving surveillance, and to enforce rules and regulations as directed by the BOD.

Storage Area refers to an area on Tidewater designed for limited storage for owners' trailers, boats, motorcycles, oversized truck, recreational vehicles and the like in a fenced area adjacent to the Bluffs.

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The Bluffs refers to the gated area of Tidewater south of the Little River Neck Road.

The Plantation refers to the gated area of Tidewater north of the Little River Neck Road.

Tidewater refers to the entire Tidewater Plantation.

TPCA refers to the Tidewater Plantation Community Association, Inc.

Version History:

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02 JUN 2010	NA at this time		Last approval; no revision detail available
30 JUN 2011	08 JUL 2011	Approved motion recorded in 07 JUL 2011 BOD meeting minutes	<i>New format extensive revisions to section in regards to access and storage yard usage.</i>

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Subject: Community Access, Roads and Storage Area

Section: II

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Tidewater Plantation is under the jurisdiction of the City of North Myrtle Beach Public Safety. It is a controlled access or gated community. The following rules apply to access to Tidewater properties.

As stated in TPCA Policy 01-2011:

Whereas, Article V, section 5.3 (iv.) of the Covenants, Conditions and Restrictions (CCRs) states, Access by an owner's guest family member, tenant, invitee, servant or agent and access by general public shall only be permitted pursuant to written rules and regulations of the Association; provided, however, in no event shall access to the Golf Club be restricted as set forth in Section 11.2.

Whereas, Article V, section 5.11 CCRs, License to Use Electronic Keys states, Each owner issued an electronic key shall have a revocable license to use it and access common areas therewith, in accordance with this Declaration and the rules and regulations adopted therefore by the Board of Directors.

It is the Board of Director's policy to provide electronic access credentials to property owners in accordance with the CCRs aforementioned and the rules and regulations of the Association. An owner's right to access can be restricted if the owner fails to comply with the CCRs and/or the Association rules and regulations.

A. Access Control Credentials

There are three types of "Credentials" used in Tidewater: (1) Decals, (2) Key Fobs, and (3) RFID Tags.

Credential distribution is to property owners, relatives (including children over 16 years of age) and/or significant other who permanently reside with the owner on Tidewater Plantation, with limited distribution to long-term tenants (L/T - signed one year lease on file with TPCA) and staff only.

A credential application form, which can be obtained at the TPCA administration office, must be completed in order to obtain the appropriate credentials.

1. Decals:

- a) Each property owner is entitled to one TPCA decal for each vehicle registered with TPCA. Decals are issued at the association administration office and will not be mailed.
- b) Additional decals can be issued to relatives (including children over 16 years of age) and/or significant other who permanently reside with the owner on Tidewater Plantation. A tenant with a current rental agreement for a term of at least one year is issued a tenant decal, if a copy of the rental agreement is on file at the

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association administration office. Driver's license or other valid identification is required to verify full-time residence.

- c) Decals are vehicle specific and must be removed when vehicles are sold, traded or otherwise disposed of. In order to obtain a new decal, the old decal must be returned to the TPCA community manager. Failure to return the old decal may result in a fine in accordance with Tidewater rules and regulations. When adding a vehicle, you may obtain a decal by filling out an application at the association administration office.
- d) Decals must be affixed to the driver's side of the windshield in the lower left hand corner using the adhesive backing.

Unauthorized Use of Decals

Decals to unauthorized users will be grounds for having Key Fobs deactivated and access to the amenities denied for a minimum of thirty (30) days along with a re-activation fee of \$50. This includes property owners that give decals to renters and/or tenants, friends, service providers, relatives, etc.

2. Key Fob:

- a) Property owners will receive one Key Fob per owner at no charge, with the following limitations:
 - i. Property owners of multiple lots (both developed and undeveloped) receive a single Key Fob per owner (i.e. no owner will have more than one Key Fob)
 - ii. Corporate owners receive two Key Fobs
 - iii. Property owned by multiple owners receives one Key Fob per owner for the first two owners; additional Key Fobs may be purchased for \$25 each for each additional owner up to a maximum of 8 owners. Verification of ownership is required for multiple owner units.
 - iv. Maximum of two Key Fobs per property are issued at no charge to the owner(s).
- b) Additional Key Fobs can be issued to relatives (including children over 16 years of age) and/or significant other who permanently reside with the owner on Tidewater Plantation. A charge of \$25 per Key Fob will be collected. The following will apply:
 - i. Beach Cabana House access is granted in accordance with Beach Cabana rules
 - ii. Driver's license or other valid identification is required to verify permanent residence
- c) When the Key Fobs are issued, the property owner signs for them and acknowledges understanding of the rules for their use.
- d) Guest listed on the property owner's permanent guest list are not issued Key Fobs
- e) Relatives not residing in the property owner's unit are not issued Key Fobs.
- f) Renters, housekeepers, service personnel, or contractors are not issued Key Fobs

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- g) Key Fob Assignment:
 - i. The property owner account number is the key field to track all Key Fobs which are assigned to the account of the current property owner.
 - ii. Upon receipt of proper property transfer documentation, the appropriate database is updated with the new account number for the current property owner.
 - iii. When this information is transferred to the Access Control System all Key Fobs associated with the old account number are deactivated.

Unauthorized Use of Key Fobs:

Giving Key Fobs to unauthorized users will be grounds for having Key Fobs deactivated and access to the amenities denied for a minimum of 30 days along with a re-activation fee of \$ 50. This includes property owners giving access to Fobs to renters and/or tenants, friends, service providers, other relatives etc.

3. RFID Tags:

- a) The RFID tag is used for gate access at the property owner's gate on the Plantation side, the Bluff's gate and the Beach Cabana gate. Each property owner is entitled to one RFID tag for each vehicle registered with TPCA. RFID tags are issued at the association administration office and will not be mailed.
- b) One initial RFID credential is provided per property at no cost for one (1) year from initial RFID distribution date. Additional RFID tags can be purchased at cost, rounded up to even dollar amount. Additional RFID tags can be issued to relatives (including children over 16 years of age) and/or significant other who permanently reside with the owner on Tidewater Plantation.
- c) Neither Bluff tenants (minimum 3 month lease) nor Plantation tenants (minimum one year lease) may purchase an RFID tag for access to any Tidewater Plantation property.
- d) Driver's license or other valid identification is required to verify permanent residence. When adding a vehicle, you may obtain an RFID tag by filling out an application at the association administration office. Please note that only vehicles displaying a current TPCA windshield decal are eligible for an RFID Tag.
- e) RFID tags are vehicle specific and must be removed when vehicles are sold, traded or otherwise disposed of. In order to obtain a new RFID tag, the old RFID tag must be returned to the TPCA community manager. Failure to return the old RFID tag may result in a fine in accordance with Tidewater rules and regulations. RFID Tags are affixed to the center portion of the windshield behind the rear view mirror and are installed by the community management company.

Unauthorized Use of RFID tags:

Giving RFID tags to unauthorized users is grounds for having Key Fobs and RFID tags deactivated and access to amenities denied for a minimum of 30 days along with a re-activation fee of \$50. This includes giving RFID tags to renters and/or tenants, friends, service providers, other relatives, etc.

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B. Gate Entry Access

Owners are required to display a current Tidewater decal on the windshield of their vehicles. The decals are issued by the Managing Agent. The owner is required to provide the Managing Agent current vehicle registration information prior to receiving (in person) the decal. RFID tags are also required to allow for electronic access through the Plantation, Bluffs and Beach Cabana entry gates.

When a registered vehicle is traded, replaced or no longer used, the Tidewater owner must return the old decal and RFID tag accompanied by the new vehicle registration information to the Managing Agent prior to receiving a new/replacement decal. If the old decal is not available, a charge of \$50.00 will be required for a new decal.

NOTE: Tidewater window decals and RFID tags must be returned to the Managing Agent upon sale of the associated Tidewater property.

1. Visitors

The property owner must notify Security before a visitor is scheduled to arrive or the visitor must be on the Owner's Permanent Guest List maintained by the Managing Agent and provided to the security personnel. Any visitor arriving without owner notification or listed on the Permanent Guest List will be held at the gate until the owner is contacted and permission for access is received. If the owner does not respond, the visitor will not be allowed entry.

Visiting golfers and Tidewater Grille diners are granted access to those venues and are given a vehicle pass to those venues only.

Visitors, short term renters, and golf/dining guests are provided with a color-coded vehicle pass which must be displayed at all times while on Tidewater property.

Any person interested in Tidewater real estate can view Tidewater properties when accompanied by a documented real estate agent.

2. Service Providers

Service providers are treated as visitors and must either be on the Owner's Permanent Guest List or the owner must notify security personnel that the service provider is expected. A service provider without owner approval will not be allowed entry. If access is granted, the appropriate color-coded pass must be displayed while on Tidewater property.

3. Construction Contractor Employees

All construction personnel must be listed with the Managing Agent, provide appropriate identification and must display the appropriate color-coded pass in windshield of the vehicle while on Tidewater property. Details regarding rules for construction personnel are contained in the *Construction Contractor Work Rules* established by the Design Review Board (DRB).

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4. Temporary RFID Tags for Property Owners

A temporary RFID tag is available to non-resident property owners visiting Tidewater for a short period of time (two weeks or less) and who are driving rental vehicles. The RFID tag is not available for property owners driving their personal vehicles (owned, leased, company).

Arrangements for the use of the RFID tag are made by contacting the Managing Agent during normal business hours. A Fifty dollar (\$50) deposit is required for the use of the temporary RFID tag. If the reservation arrangements are made prior to arrival and the required deposit has been received, the RFID tag will be available at the Plantation Security gatehouse reserved under the property owner's name. The temporary RFID tag will only be given to the property owner after providing Security personnel with a valid identification. If the RFID tag reservation has not been made prior to arrival, the property owner will be required to make arrangements with the Managing Agent during regular business hours.

The RFID tag will only be activated for the duration of the stay and must be returned to the Managing Agent or Security personnel prior to leaving Tidewater. If the RFID tag is not returned, the \$50 deposit will be forfeited and the RFID tag will be deactivated. The RFID tag activates the Plantation, Bluffs and Beach Cabana gates. The RFID tag does not guarantee a parking space at the Beach Cabana since space is limited.

The use of the temporary RFID tag described above is not available to permanent Tidewater residents who drive leased or company vehicles.

C. Vehicles

1. Recreational Vehicles and Watercraft

Vehicles, i.e. motor homes, campers, trailers, boats, boat trailers, golf carts, motorcycles, scooters, personal watercraft, etc., are prohibited from being parked, cleaned, maintained or placed within the Plantation or the Bluffs. A specific storage area is designated for such vehicles. Registration for use of the designated storage area is required at the Managing Agent's office (see Storage Area). The storage area is only available to current property owners and their house guests, not short-term or long-term renters.

Note: Motor homes, campers, trailers, and boats are permitted on the property for a limited period of time to facilitate loading and unloading of contents. These vehicles may not remain overnight within the Plantation of the Bluffs. The washing and maintenance of recreational vehicles as described in this section is only permitted in the designated storage area located outside the Tidewater entry gates.

2. Motorized Vehicles

The Uniform Act regulating traffic on South Carolina highways (Chapter V, Title 56 of the code of Laws of South Carolina, 1976 with additions and/or exceptions as defined in the CCRs or in rules and regulations adopted by the Association BOD) apply within Tidewater.

No golf carts or golf cars may be operated on the roadways and streets in Tidewater with the exception of golf course and association maintenance vehicles.

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No motorcycles, motor scooters or motorbikes may be operated on streets within Tidewater.

All drivers are to obey the posted speed limits and all other posted traffic signs. The posted speed limits and all other posted traffic signs are enforced through monitoring, violation notification, and fining.

D. Parking and Streets

1. Residential Off-Street Parking

Each single family home site shall have paved parking (including garage) for at least one car per residence bedroom. Parking is prohibited on grass and unpaved areas associated with home sites except during construction associated with the specific home.

Unlicensed or expired licensed vehicles must be parked in the owner's garage (DELETE where garage is available on property). An owner will be subject to fines for unlicensed vehicles parked in a single- family residence driveway or condominium parking lot. Unlicensed vehicles in condominium parking areas are subject to towing.

There shall be no storage or parking upon any portion of the Plantation or Bluffs of any mobile home, trailer (with or without wheels), motor home, tractor, truck (other than pick-up trucks), commercial vehicles of any type (outside normal business or contracting hours), campers, motorized camper or trailers, recreational vehicles, boats or other watercraft (other than in owner/neighborhood restricted boat slips or other docking facilities), boat trailers, motorcycles, motorized bicycles, motorized go-carts, or any other related forms of transportation devices.

2. Street Parking

On street parking should not be done in such a manner as to inhibit emergency vehicle access. When a gathering requires multiple vehicles parking on street, all vehicles should park on the same side of the street. Vehicles parked on the street without proper credentials are subject to fines and/or towing at the owner's expense.

3. Overnight Parking

Overnight on street parking is prohibited. Vehicles in violation of overnight parking are subject to fines and/or towing at the owners expense.

In order to accommodate overcrowding in an owner's driveway due to short-term visitors, vehicles with a valid Tidewater window decal or valid/ dated visitor pass may be parked in the Amenity Center or Bluff's Pool parking area.

To avoid fines or towing, the property owner must notify the Managing Agent or Security (on weekends or after hours). The owner must provide vehicle(s) description and the specific location where the vehicle(s) will be parked overnight. Unauthorized vehicles parked in the Amenity Center or Bluff's Pool parking areas are prohibited. The associated property owner is subject to a fine and the vehicle can be towed at owner's expense.

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In case of an emergency, Security must be notified of the situation and that a vehicle will be remaining on the street overnight.

E. Storage Area

1. General

Tidewater provides limited storage for owners' trailers, boats, motorcycles, recreational vehicles and in a fenced area adjacent to the Bluffs. Storage of personal use cars/trucks or vehicles and equipment used in commercial enterprises and/or businesses is not permitted in the storage area (except equipment used by the Association's contractors).

The storage area is not provided on a permanent basis. The storage area has controlled access and video surveillance. The Managing Agent's office provides initial access to the storage area. The Association reserves the right to discontinue operation of the storage area upon sixty-day (60) notice to persons having items stored in the facility.

2. Liability

All liability for stored items is the responsibility of the item's owner. The Association assumes no liability for loss, damage or theft of items stored for any reason including, but not limited to, failure of controlled access or video surveillance equipment. A liability waiver form must be signed and filed with the Managing Agent.

3. I.D. Requirements

All vehicles/watercraft must be properly and legally tagged or licensed for the state in which they are registered. All items in the storage area must be visibly identified with a Storage Area decal or a temporary pass and a waterproof tag showing the owner's name, address and phone number. Unidentified items will be considered abandoned (item of which we have no knowledge of who the property belongs to and that there is no identifying information on the property) and subject to removal.

4. Space Allocation

A defined number of spaces are available for long-term storage (one year increments). These spaces are allocated annually through a lottery held in January of each year. One space is allocated per household. Proof of ownership must be provided for the item being stored. Any owner interested in obtaining an annual space in the storage yard must register his/her property prior to the lottery deadline. A lottery registration form and liability waiver form are obtained from the Tidewater website or by contacting the Tidewater Managing Agent.

There are ten transient spaces available, numbers 51 to 60. These spaces are available to property owners and their guests for a limited time period (one week or less). Transient spaces are not available to short-term or long-term renters. Transient storage spaces are available on a first come basis. Arrangements for transient spaces must be made in advance through the Managing Agent's office during normal business hours. A reservation form must be completed showing name, address, phone number description of the item to be stored and duration of storage. If a property owner's guest is storing an item, the

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Tidewater property owner's name, address and phone number must also be recorded on the form. A liability waiver form must also be completed and filed together with the reservation form. Upon completion of the required forms, the Managing Agent will assign a transient space number and authorize access to the storage area. This authorization notice must be presented to Security personnel to obtain a FOB for access to the storage area.

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TPCA Rules and Regulations

Subject: Property Use and Appearance

Section: III

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A. General Information

1. Home Appearance and Landscaping

Home appearance and landscaping are subject to the Design Review Board's (DRB) rules and regulations described in the *Tidewater Plantation Community Design Review Board Standards, Requirements and Procedures*. Before beginning any exterior home modification or major landscape change (including shrub/tree removal), DRB review and written approval is required. DRB rules and regulations violations and property use and appearance rules and regulations violations are subject to warnings and/or fines.

2. Water

Water may not be diverted or removed from any lake or pond for yard maintenance or any other purpose.

3. Wildlife

Wildlife shall not be fed and shall not be removed from common areas, lakes, or ponds.

4. Swimming, Boating, Wading and/or Fishing

Swimming, boating, wading, and/or fishing are prohibited in Tidewater lakes/ponds.

5. Noise

Noise (music, dogs barking, etc) or behavior deemed offensive to neighbors or golfers is prohibited and subject to warnings and/or fines

6. Commercial Activities

The Tidewater CCRs must be referenced to determine other prohibited commercial activities.

B. Signs

No sign, billboard, or advertisement of any kind, including, without limitation, "for rent" or "for sale" and other similar signs may be displayed on the property.

Signs displayed on realtor, contractor, subcontractor, service, delivery, government, or similar vehicles are permitted on the property on a temporary (not overnight) basis in the course of, and for the duration of, their normal business.

Residents of Tidewater, whether property owners or guests of owners, with business signs displayed on their personal vehicles may remain overnight provided the vehicle is kept in a

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garage. If a garage is not available, magnetic signs are to be removed from the vehicle, and permanent signs covered, while the vehicle is at the residence.

C. Trash and Yard Debris Removal

1. Garbage and Recyclables

Garbage and recyclables must be placed curbside in the designated containers no earlier than dusk on the day prior to scheduled collection. The containers must be removed from the curb area no later than 6:00 PM on the collection day. When an owner or guest is leaving Tidewater for an extended period on a day not designated for garbage collection, only bagged garbage may be placed in the Amenity Center dumpster.

2. Yard Debris

Yard debris, either loose or bagged, should be placed curbside; not in street, not on storm drain covers. Limbs should be cut to a maximum of 4 feet. Yard debris must be placed in front of the Owner's residence for North Myrtle Beach sanitation pickup. Do not place yard debris on common areas and/or undeveloped lots. Plant and landscape packaging debris (pots, bags, etc.) should be disposed of as garbage or be removed by paid landscaper. *It is the owner's responsibility to remove yard debris from Tidewater if the North Myrtle Beach debris removal service refuses to pick up the owner's debris.*

D. Garage Doors

Tidewater garage doors are not to remain open unattended. Aside from a community appearance aspect, the open garage can attract mice, rats, snakes, etc. An open garage door provides easy access for thieves and vandals. If a garage door is observed to be open during the night, the Security personnel are to contact the owner to notify him/her that the garage door is open.

E. Private Sales

There shall be no general public access sales held within Tidewater except as indicated below. This includes "auctions", "vehicle", "moving", "garage", or "yard" sales. The TPCA Board permits "real estate" and "estate" sales, and "open houses" under the following rules and regulations. Security personnel provide access passes that must be displayed in vehicle window.

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1. Real Estate Sales

- a) Prospective buyers must be accompanied by documented real estate agent or as the guest of an owner.
- b) No signs will be allowed in yards or windows of homes, condominiums or vehicles.
- c) Homes or lots that are for sale can replace the top cap of “911” post at the front of the lot with a teal-colored cap (normal cap is white).

2. Open House

- a) Security personnel must be notified at least one day in advance of each real estate open house. Sponsors of the open house must provide Security with the start and end times of the open house. Sufficient copies of maps/directions to each “open house” property must be provided to Security for distribution to prospective buyers when they enter the TW entry gate. If map/directions handouts are not provided to Security, prospective buyers are not allowed access to Tidewater properties.
- b) Each prospective buyer is issued the appropriate visitor vehicle pass and map/directions. **This pass must be displayed in the front windshield.**
- c) No signs are allowed in yards or windows of homes, condominiums or vehicles.
- d) No more than three (3) unmarked balloons may be placed at the front of each property to indicate the location of the open house. Individual condominium associations can prohibit use of balloons at condominium sale locations.
- e) Tidewater traffic and parking rules must be observed by prospective buyers and realtors.
- f) The “open house” homeowner is held responsible for any damage to common area or other Tidewater property that may occur as a result of the open house.
- g) Prospective buyers are not allowed to enter Tidewater Plantation in advance of the stated start time for the open house.

3. Estate Sales

- a) All “estate sale” items must be kept within the home except for normal outside items. Garage doors must remain closed.
- b) No “estate sale” signs will be allowed in the yard or windows of home, condominium or vehicles.
- c) No more than three (3) unmarked balloons may be placed at the front of each property to indicate the location of the open house. Individual condominium associations can prohibit use of balloons at condominium sale locations.

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- d) Security must be notified at least one day in advance of the “estate sale”.. Sponsors of the “estate sale” must provide Security with the start and end times of the sale. Sufficient copies of maps/directions to each “open house” property must be provided to Security for distribution to prospective buyers when they enter the TW entry gate. If map/directions handouts are not provided to Security, prospective buyers are not allowed access to Tidewater properties.
- e) Each prospective buyer is issued the appropriate visitor vehicle pass and map/directions. This pass must be displayed in the front windshield.
- f) Tidewater traffic and parking rules must be observed.
- g) The estate homeowner is responsible for any damages to the common area or other private property that occur during the estate sale.
- h) Prospective buyers will not be admitted in advance of the start time of the estate sale.

F. Scheduled Special Events

1. Private Parties

Security must be notified of event times and provided with a list of (non-Tidewater owner) attendees.

2. Memorial Services

- a) Security must be notified of event times.
- b) Non-Tidewater attendees must be able to identify to Security the name of person for whom the service is being held.

G. Rental Property

Prospective renters renting through a realtor or a rental management company must be accompanied by a real estate agent or the renting agent in order to view rental property. No access is permitted unless accompanied by agent.

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TPCA Rules and Regulations

Subject: Tidewater Facilities and Common Areas

Section: IV

Approval Date: 07 JUL 2011

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A. General Rules

1. Owner responsibilities

The Tidewater Plantation Community Association facilities are for the enjoyment of the property owners and their dependents and/or guests.

Any games, sports, or general activities deemed detrimental to the general population by the Managing Agent or Security personnel is prohibited.

2. Pets

Pets are not allowed inside any association facility except where subject to the Americans with Disabilities Act and the Fair Housing Act.

3. Reservation of facilities and premises

Special functions, such as, but not limited to, hospitality, promotional, golf, tennis or similar outings or events open to all property owners, shall have precedence over daily use of the facilities. For special functions, facilities and premises may be closed to general use by owners and their dependents and /or guests. Every effort is made to provide advance notification to property owners regarding scheduled special functions.

Property owners may reserve a Tidewater facility, excluding pools and the Beach Cabana House, for private functions on dates other than major holidays. Advance arrangements must be made through the Managing Agent's office. The reserving owner must follow the required reservation procedure and must be present at private function.

Tidewater facilities are not available for reservation for the purpose of a profit- making program/party, i.e. Tupperware parties, jewelry parties, etc. This restriction does not apply to instructional fees for events provided for the health or educational benefit of owners, i.e. aerobatics, dance, computer, CPR classes.

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4. Liability

The Association assumes no liability for the property of owners and their dependents and/or guests. The property of owners and their dependent(s) and/or guests are not insured by TPCA against loss or damage. The owner is responsible for the cost to the Association for any damage(s) and/or loss to the Association facility caused by the property owner, their dependent(s) and/or guests. Any special licenses or insurance for the event required by the TPCA and/or the City of North Myrtle Beach are the user's responsibility.

B. Amenity Center/TPCA Administration building public rooms

1. General Use

- a) The facilities may be used during established hours of operation.
- b) Appropriate attire is required within the facilities - uncovered swimsuits are not permitted (excluding the washrooms).
- c) Smoking is prohibited.
- d) The use of the facilities by individuals under the age of 16 requires parental supervision.
- e) All food must be consumed within the facility.
- f) All leftover food and accessories must be removed at the completion of the function. All garbage and refuse must be deposited in the dumpster located on the Amenity Center premises.
- g) The Amenity Center kitchen can be used to hold and serve hot and cold food. All appliances must be emptied at end of function and left in clean condition.
- h) Use of adjacent properties to the Amenity Center such as the Owner's pool, hot tub and deck areas are strictly prohibited. Unauthorized use will result in forfeiture of full reservation deposit.

2. Capacity

- (a) The Amenity Center is limited to a capacity of 300 "standing" or 200 "sitting" meeting style, 145 seated at tables, or 115 seated at tables when dance floor is to be used for dancing.
- (b) The TPCA Administration building public room occupancies are limited based on room used. See Managing Agent for correct number of people allowed for a specific room.

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3. Facility Reservations

- a) To reserve a facility, a reservation agreement must be executed with the Managing Agent and a TPCA Board's approve deposit and rental/use fee submitted to the Managing Agent. The deposit will be returned to the owner after inspection and acceptance of the facility condition by the Managing Agent. Any costs associated with clean-up and/or repair of the facility and/or contents resulting from the private function will be subtracted from the deposit. If the costs exceed the deposit, the owner will be responsible for the entire costs. Unauthorized use will result in forfeiture of full reservation deposit.
- b) Reservations for TPCA functions will have priority over individual property owner reservations.
- c) No property owner may reserve a facility more than once in a 90-day period.
- d) Reservation for use of the Amenity Center does not restrict the use of the restrooms by pool users.

C. Fitness Center

1. General Fitness Center Information

- a) The use of the Fitness Center's amenities is at the property owner's or owner's guest(s) own risk. The TPCA does not employ an on-duty equipment attendant or trainer.
- b) Property owners and owner's guest(s) should familiarize themselves with the posted instructions for each piece of Fitness Center equipment before use.
- c) Repair or replacement of Fitness Center amenities due to misuse or unauthorized use by a property owner or owner's guest(s) will be made by the TPCA and the costs billed to the responsible property owner.
- d) Personal trainers as a guest of an owner are welcome, but they are prohibited from business solicitation. Use of the facility by personal trainers is prohibited when not accompanied by a property owner.

2. Fitness Center Rules

- a) No one under age of sixteen (16) is permitted to use the Fitness Center equipment.
- b) Smoking is prohibited in the Fitness Center.
- c) All Fitness Center users must sign in (arrival time) and sign out (departure time) using the sign-in log located near the main entrance.
- d) Use of an individual piece of equipment is limited to 30 minutes (when other people are waiting).
- e) Television, stereo, conversation volume levels should be at a reasonably low level.
- f) Eating is not permitted in the Fitness Center. Eating is permitted on the outside terrace. Note: Any food left in the Fitness Center will be discarded during regular cleaning process.

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- g) Participants in programs offered at the Fitness Center are required to sign a waiver of liability. The liability forms are available from an on-site management employee. The signed form must be presented to the management employee.

D. Pools

1. General Pool Information

- a) An emergency phone box is located poolside for activating 911 emergency calls.
- b) Life-saving equipment is located along the perimeter of the pool area.
- c) A first aid kit is available at the pool facility.
- d) Management can close the pool for cleaning and maintenance as necessary.
- e) The owner is responsible for all costs associated with pool “clean-up” due to owner/guest action i.e. broken glass, defecation, etc. Note: Costs can exceed \$2,000.00.

2. Pool Rules (all Tidewater pools)

- (a) The pool areas, adult and wading pools, and whirlpool are for the use of property owners, owners’ dependent(s), and owner guest(s).
- (b) Swimming is permitted only during posted hours of operation.
- (c) The use of all Tidewater pools is at the user’s own risk. No lifeguard is present.
- (d) All food must be consumed under the pergola at the owners’ pool, or on the terrace of the community pool.
- (e) No pets are allowed in or around the pool area.
- (f) Any children who are not “potty” trained are not permitted in the adult pools unless they are wearing properly fitting rubber pants or “Little Swimmers”.
- (g) Diving is prohibited at all times.
- (h) Running, ball playing, noisy or hazardous activity, or excessive splashing is not permitted in or around the pool.
- (i) The use of floats, balls, etc., which are inconsiderate, offensive, or which interfere with the peaceful enjoyment and safety of other pool users (as determined by Managing Agent) is prohibited.
- (j) The broadcast volume of radios, recorders, CD’s, etc. shall be kept at a low level.
- (k) Pool furniture must not be removed from the pool deck.
- (l) Reservation of pool furniture is prohibited.
- (m) Proper swim attire is required. No jeans, cut-offs, tank tops, etc., are permitted in the pools.
- (n) In the event of thunder storms, the pool must be vacated.

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- (o) All persons using the pool and associated washrooms are responsible for keeping the areas clean. Dispose of paper goods, trash, cans, cigarettes, etc. in the provided receptacles
- (p) Use walks and paved surfaces. Do not damage or destroy pool area landscaping.
- (q) No children under 16 years old allowed in pool without adult supervision

- (r) Rules for pool use required by State Department of Health and Environmental Control (DHEC)
 - (i) No solo swimming is permitted
 - (ii) No running
 - (iii) No boisterous or rough play
 - (iv) No person under the influence of alcohol or drugs should use the pool
 - (v) No spitting or blowing nose in the pool
 - (vi) No persons with diarrheal illness or nausea should enter the pool
 - (vii) No persons with skin, eye, ear or nasal infections should enter the pool
- (s) No animals or pets allowed in the pool enclosure
 - (i) No glass allowed in the pool or on the pool deck
 - (ii) No children should be in the pool without supervision
 - (iii) Showers are required before entering the pool
 - (iv) No more than the posted maximum number of swimmers allowed in the pool

3. Spa/Whirlpool

- a) General Spa/Whirlpool Information
 - (i) DHEC recommends elderly persons and those suffering from heart disease, diabetes; high or low blood pressure should consult their physician before using the spa.
 - (ii) The use of the spa while under the influence of alcohol, anticoagulants, antihistamines, vasoconstrictors, vasodilators, stimulants, hypnotics, narcotics or tranquilizers is prohibited.
 - (iii) A spa session is to be limited to no more than fifteen (15) minutes.
 - (iv) Pregnant women should not use the spa without first consulting their physician.
 - (v) DHEC limits the maximum water temperature for any spa to 104 degrees F.
- b) Spa/Whirlpools Rules
 - (i) Limit time in Spa/Whirlpool to fifteen (15) minutes if others are waiting.
 - (ii) Floats, rafts, etc. are not allowed.

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- (iii) Food or drinks are not allowed.
- (iv) All children under the age of three (3) are not allowed.
- (v) All children between the ages of three (3) and sixteen (16) must be accompanied by a parent or guardian.

4. Property Owners' Pool

- a) An owner must accompany guests at all times at the Owner's Pool, Bluffs Pool, and South Island Pool. Unaccompanied guests are to use the Community Pool.
- b) Owners with more than two (2) guests are asked to use the Community Pool.
- c) Owners and accompanied guests must have pool passes with them. The Managing Agent's staff is instructed to enforce pool pass rules. Questions are directed to the Tidewater Property Management Office in the TPCA Administration Center.
- d) An owner's use of the Owners Pool includes privileges for the owner and spouse (or significant other), their unmarried dependent children under the age of twenty-five (25) who are living at home or attending school on a full-time basis, or two (2) accompanied guests. (Note: the two (2) guest limit does not apply to the Bluffs and South Island pools.)
- e) Each unit/lot is issued two (2) Owners Pool Passes per legal owner/couple (name(s) indicated on the closing statement and/or deed on file with the Tidewater).
- f) Initial pool passes are issued free of charge. Replacement passes are available from the Managing Agent for \$25.00 each.
- g) Guest Pool Passes are limited to 2 per unit/lot.
- h) Food and drinks are prohibited in the pools.
- i) All owners and guests are required to sign the "sign-in" log when entering and leaving the pool area.

5. Bluffs Pool

The use of the Bluffs Pool is limited to Bluffs residents and their guests.

6. South Island Pool

The use of the South Island Pool is limited to South Island residents and their guests.

7. Teal Lake Pool

The use of the Teal Lake Pool is limited to Teal Lake residents and their guests.

E. Tennis Courts

1. Tennis Courts General Information

- a) Courts are available for play between the hours of 8:00 a.m. and 10:00 p.m., or as otherwise posted on the bulletin board at the tennis gazebo.

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- b) Tournaments, exhibitions, and special events have precedence over routine court use. These activities must be scheduled with the Tidewater Managing Agent.
- c) All courts are subject to closing without notice at the Tidewater Managing Agent's discretion. Play on closed courts can result in owner fines.
- d) Two courts cannot be reserved simultaneously.
- e) Court reservations have priority over walk-on play.
- f) Reservations will not be held for late arrivals. At least two (2) players must be present to hold a reservation.
- g) Players who finish before their time is up should change the signup sheet on the bulletin board at the tennis gazebo when they are vacating the court(s).

2. Tennis Courts Rules

- a) Proper tennis attire is required. Jeans, cut-offs, swimsuits, or tank-tops are not allowed. Shirts are required.
- b) No food is permitted on the tennis courts
- c) All tennis players must register by signing the Tennis Courts Log at the tennis gazebo.
- d) Court time for singles is limited to one (1) hour and doubles limited to one and one-half (1 ½) hours of play.
- e) Regulation tennis shoes (flat, soft-soled, designed specifically for clay court play) are required for clay court play.
- f) Any type of sports/walking shoes are allowed on the hard courts.
- g) Players must "dress" the clay courts when finished playing. This includes sweeping the courts and lines.
- h) Players are required to observe recognized tennis etiquette and sportsmanship.

F. Beach Cabana House

1. General Beach Cabana House Access Information

- a) Beach Cabana House Usage
 - (i) All Owner(s) in good standing and registered spouse or significant other are allowed to use the Beach Cabana House.
 - (ii) Owners may register other immediate members of their family as owner guests. Family members for Beach Cabana House access purposes include those identified as children (sons and daughters with their spouse/significant other), grandchildren, and mothers and fathers.
 - (iii) Registered family guests may use the Beach Cabana House without the deed-designated owner(s) being present. Registered family guests may not extend Beach Cabana House access privileges to others. Children under the age of 18 must be accompanied by an owner or registered family member.

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- (iv) All non-registered guests must be accompanied by an owner or spouse or significant other. Owners, spouse or significant other must remain with their guest(s) while at the Beach Cabana House.
- (v) The Beach Cabana House is not available for private parties.
- b) Guest Registration
 - (i) Registration forms are available from the Managing Agent in the TPCA Administration office..
 - (ii) Registration forms require the guest's name, relationship, and date of birth for each named family guest.
 - (iii) Owner(s) are required to acknowledge their responsibility to abide by the Tidewater Rules and Regulations and that the owner is responsible for the behavior and activities of their registered guest(s).
- c) Privileges and/or Fines

Failure to abide by the Tidewater Rules and Regulations can result in suspension of amenity privileges and/or fines to the owner.

2. General Beach Cabana House Rules

- a) ID Requirements

All owners and registered guests must have a photo ID showing name and birth date when using the Beach Cabana House.
- b) Beach Cabana House Parking

One vehicle per Tidewater home/unit is permitted a parking space for owner and/or guests. A parking pass may be issued during peak Beach Cabana House usage periods. Failure to have a parking pass may result in the vehicle being towed (at the vehicle owner's expense) from the facility and may result in the loss of Beach Cabana House privileges.
- c) Hours of Operation

The Beach Cabana House will be open daily, year-round from 6:00 a.m. until dark except during the summer season when it remains open until 12:00 Midnight. The access system will not permit entry or exit after 12:00 midnight unless special arrangements are made with the Managing Agent.
- d) Liability

The loss or damage of personal effects for whatever reason is the responsibility of the owner of the personal effects.
- e) Behavior
 - (i) Conversations, radios, cell phones, etc. should be at a generally acceptable level.
 - (ii) No running within the Beach Cabana House.
 - (iii) If kitchen or bath rooms are used, clean-up after use.

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- (iv) No glass containers are permitted
- (v) Deck furniture, kitchen appliances, kitchen counter space, etc. cannot be “reserved” while owners or guests are not actually using the item(s).
- f) Grills
 - Grills of any type are prohibited within the Beach Cabana House or on the grounds.
- g) Pets
 - Pets are not permitted in the Beach Cabana House or tied/chained on Beach Cabana House grounds.

G. Tidewater Bulletin Boards

Bulletin boards for property owner communications are strategically placed throughout the community and are maintained by the Communications Committee.

Flyers for special community and property owner announcements on 3x5 inch cards (printed and dated) which contain information about swaps, items for sale, pet sitting, and baby/elder sitting are permitted and can remain on bulletin boards for up to two months. Flyers and cards must be approved for posting and are to be delivered to the Communications Committee mailbox in the TPCA Administration office for approval and posting.

Cards promoting regular business ventures such as real estate sales, rental information, construction contracting, etc. are prohibited.

Version History:

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02 JUN 2010	N/A at time		Last approval; no revision detail available
30 JUN 2011	08 JUL 2011	Approved motion recorded in 07 JUL 2011 BOD meeting minutes	New format .Revised A.3; revised B.1.e; added B.3 h; revised B.3.a; revised F.2.c

TPCA Rules and Regulations

Subject: Pets

Section: V

Approval Date: 07 JUL 2011

Annual Review Date: 01 JUL 2012

A. General Pet Rules

1. All Tidewater owners, long-term renters, and guests must comply with the TPCA Rules and the City of North Myrtle Beach, SC, animal control regulations except where subject to the Americans with Disabilities Act and the Fair Housing Act.
2. Contractors/ sub-contractors are not allowed to bring animals onto Tidewater.
3. Condominium owner(s), their renters, or their guests should know and follow the individual Tidewater condominium association's rules and regulations.
4. Pets must be maintained in a manner that does not damage Tidewater property, disturb community tranquility, endanger the health and safety of others, or infringe upon the general welfare and enjoyment of person at Tidewater. Owner(s) can be fined for violation of Tidewater pet rules

B. Pet Rules

1. Registering/Inoculations

a) Registering

Pets must be registered with the TPCA Managing Agent prior to occupancy.

b) Inoculation requirements

Evidence of a current rabies inoculation (inoculation tag issued by a governmental authority, certificate signed by a licensed veterinarian, or certificate from a duly authorized person administering the vaccine) must be provided to the Managing Agent on an annual basis.

2. Leashes

Pets must be kept on a lease and under the handler's control when off the owner's property.

3. Clean-up

Handler must clean-up their pet's defecation whenever/wherever the pet has relieved itself.

4. Nuisances

Nuisances subject to fines include: loud/incessant noise, damaging property, molesting or intimidating pedestrians or other animals, fouling the air, or creating unsanitary conditions where the pet is maintained.

TPCA Rules and Regulations

5. Fencing/outdoor restraint systems

Questions concerning fencing, dog runs, doghouses, etc. should be addressed to the Tidewater Design Review Board for resolution.

6. Tidewater Amenity Access – Pets

See the rules and regulations relative to the specific amenity.

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30 JUN 2011	08 JUN 2011	Approved motion recorded in 07 JUL 2011 BOD meeting minutes	<i>New format:</i>

TPCA Rules and Regulations

Subject: Guests and Renters

Section: VI

Approval Date: 07 JUN 2011

Annual Review Date: 01 JUL 2012

A. Property Owner Responsibilities

Property owners are responsible for ensuring that their rental agents provide renters with the relevant Tidewater Rules and Regulations and any applicable Condominium Rules and Regulations.

Owners, rental agents and property management companies are responsible for opening units to renters and taking care of their rental issues 24/7. Security personnel are not to open units for renters or handle rental issues other than those related to Security as stated in the Security Post Orders.

B. Property Owner Liability

Property owners are responsible for the actions of their renters/guests and can be fined for renter/guest violations of the Tidewater Rules and Regulations. Owners are also liable to the TPCA for any damages to Tidewater amenities and/or common areas done by their guests or renters.

C. Renters

1. Amenities Access

Renters have access to only the Community pool/hot tub, Fitness Center, and Tennis Courts.

Renters may not bring guests into Tidewater amenities.

Renters may **not** have access to owner(s) Key Fob. If a Key Fob is used in violation of the Tidewater Rules and Regulations, the fob access to the Tidewater amenities can be deactivated and a fee charged for reactivation.

2. Plantation Access

Renters must enter the Plantation through the left hand (closest to the gate house) traffic lane.

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TPCA Rules and Regulations

Subject: Tidewater Golf Course - Property Owners, Guests and Renters

Section: VII

Approval Date: 07 JUL 2011

Annual Review Date: 01 JUL 2012

The Tidewater Plantation Golf Course is located entirely within Tidewater Plantation property. The golf course is owned by a corporation and is subject to the Tidewater Plantation Covenants, Conditions and Restrictions (CCRs). Tidewater property owners, renters, and guests are subject to the following rules regarding the golf course use in accordance with the CCRs.

A. Access

No property owner, visitor, guest, and/or renter is allowed on the golf course (including cart paths) unless the person is a “greens-fee” paying guest of the golf course. This rule applies at all times.

B. Pets

No pets are allowed on the golf course at any time. Pets shall not be restrained on property adjacent to the golf course in a manner which creates a nuisance or interferes with golf play. (Reference Design Review Board (DRB) Standards, Requirements and Procedures)

C. Fences

No fences shall be allowed on the property of any residence adjacent to the golf course or practice range fairways (Reference DRB Standards, Requirements and Procedures)

D. Swimming Pools

No swimming pools are allowed on properties fronting the golf course ((Reference DRB Standards, Requirements and Procedures)

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TPCA Rules and Regulations

Subject: Rule Monitoring, Enforcement and Appeals

Section: VIII

Approval Date: 07 JUL 2011

Annual Review Date: 01 JUL 2012

A. Monitoring

The TPCA Board of Directors (BOD) is intent on preserving the high standards set forth for the Tidewater Community. Volunteer groups, committees and firms partner with the BOD to achieve this objective. The following groups and individuals are involved with monitoring the Tidewater Rules and Regulations:

- Budget and Finance Committee
- Communications Committee
- Condominium Associations
- Design Review Board
- Employees of the Managing Agent supervising programs and facilities
- Government Liaison Committee
- Information Technology Committee
- Investment Committee
- Property Owner(s) informing the Managing Agent of rule infractions
- Periodic review teams of Managing Agent related to common areas and roads
- Promotion Committee
- Property Committee
- Recreation Committee
- Rules and Regulations Committee
- Security Committee

B. Enforcement

Failure of an Owner to comply with such restrictions, covenants or rules and regulations shall be grounds for action with may include, without limitations, and action to recover sums due for damages, injunctive relief or any combination thereof. Failure to enforce any covenants or restrictions shall not be deemed a waiver of the right to do so thereafter. (CCRs Article 15, Section 2, page 41)

C. Infraction Reporting

Any alleged infraction noted by an owner/guest must be reported to the Managing Agent (via e-mail, telephone, or in writing – signed or unsigned) at the TPCA Administration office. Depending upon the nature of the infraction, the Managing Agent either forwards the information to the proper parties for action (BOD or DRB) or prepares a notice of violation which

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is sent to the property owner in question. A record is kept of all infractions and action(s) taken to resolve the complaint. All signed complaints are acknowledged in writing.

D. Infraction Corrective Actions

The Managing Agent prepares a written notice of the violation addressed to the responsible owner. The notice is mailed to the owner at their address of record. The notice provides a description of the violation, the corrective action required and the consequence of failure to cure the violation.

The first violation notice relative to an infraction is issued as a warning unless the Managing Agent in conjunction with the BOD determines the violation to be a matter of public safety or so egregious as to warrant waiving the warning provision.

Any subsequent notice relative to the repeat of the same infraction, a failure to cure a previous infraction, or a similar infraction shall be subject to fines set and levied per BOD Policy, *Issuance & Collection of Fines*.

E. Fines

In addition to all other remedies, at the discretion of Declaring or the BOD, a fine or fines may be imposed upon an owner for failure of the owner, owner's guests, lessees, or owner's employee(s) to comply with any Tidewater CCRs Policies or Rules and Regulations.

Fines shall not be construed to be exclusive, and shall exist in addition to all other rights and remedies to which Declaring or the TPCA may be otherwise legally entitled (CCR's Article 15, Section 3, page 41 and TPCA Policy 4-15).

F. Mediation

The process of Mediation may be used to resolve differences in areas such as, but not limited to:

- Disputes between property owners
- Issues not involving clear cut rule violations
- Issues involving possible violation where there is no responsible TPCA Committee

Offering Mediation in any dispute shall be discretionary and should be used only in cases where bringing the parties together may result in resolution.

Mediation is a voluntary process and either party may refuse to participate if mediation is offered. Failure to respond to an offer of mediation or failure of a mediator to be selected by either party will constitute a refusal.

Mediation will be a short-term process wherein the mediator will get the parties (the source of the complaint and the owner that is the subject of the complaint) together so they may seek a resolution of the issue short of the Managing Agent issuing a "notice of violation".

Mediation will be offered only at the discretion of the TPCA BOD. The BOD can recommend mediators on a case by case basis.

TPCA Rules and Regulations

G. Appeals

All appeals should be submitted in writing to the TPCA BOD within ten (10) days of the notice of infraction/fine. There can only be one appeal to any case and the TPCA Board of Directors' decision to the appeal will be final.

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30 JUN 2011	08 JUL 2011	Approved motion recorded in 07 JUL 2010 BOD meeting minutes	<i>New format: minor changes to reference TPCA rather than HOA.</i>