

**Bay Pointe Vistas Property Owners’ Association, Inc.**

**COMMON PROPERTY RULES AND REGULATIONS**

**TABLE OF CONTENTS**

Purpose ..... 1  
Definitions..... 2  
General Policies..... 2  
Vehicle Use..... 3  
Hunting..... 3  
Smoking..... 4  
Residential Guests..... 4  
Non-Residential Guests..... 4  
Household Units..... 4  
Service Providers..... 4  
Solicitation..... 5  
Noise..... 5  
Security..... 5  
Animal Control ..... 5  
Property Upkeep and Appearance ..... 5  
Fireworks..... 6  
Marshes, Ponds & Saltwater Impound..... 6  
Personal Property..... 6  
Fines & Penalties..... 6

**SECTION I  
PURPOSE**

Section 1.1: Purpose. For the benefit and continued enjoyment of all property owners, the following rules and regulations have been adopted by the Bay Pointe Vistas Property Owners’ Association, Inc. Board of Directors to regulate the use of Common Property within Bay Pointe Vistas. Violations of these rules and regulations shall subject Members to disciplinary action in accordance with the Covenants and By-Laws of the Bay Pointe Vistas Property Owners’ Association, Inc.. These rules and regulations may be amended as needed by the Board of Directors and shall be available to members at any time.

**Bay Pointe Vistas Property Owners' Association, Inc.**

**SECTION II  
DEFINITIONS**

Section 2.1: Definitions. The following words and terms, unless the context clearly indicates otherwise, shall have the following meanings when used in these Rules and Regulations.

(a) "Association" shall mean and refer to Bay Pointe Vistas Property Owners' Association, Inc, a South Carolina non-profit corporation.

(b) "Board of Directors" shall mean and refer to the elected Bay Pointe Vistas Property Owners' Association Board of Directors.

(c) "Common Property" shall mean and refer to those areas of land depicted as roadways, open space or common area on any plat of record depicting the property. Common Property shall include any item constructed or acquired by the Association, including, but not limited to, structures, signage, gates and equipment. All Common Property is to be devoted to and intended for the common use and enjoyment of Members.

(d) "Facilities" shall mean and refer to those areas of Common Property available for recreational use.

(e) "Household Unit" shall mean and refer to Lot Owners who hold title to a lot along with any Residential or Non-Residential Guests.

(f) "Lot Owner" shall mean and refer to the record owner whether one or more persons, associations, corporation, or other legal entities, of fee simple title to any lots situated upon the Bay Pointe Vistas property, but shall not mean or refer to a mortgagee unless and until such mortgagee has acquired title pursuant to foreclosure proceedings or any proceeding in lieu of foreclosure; nor shall the term Lot Owner mean or refer to any lessee or tenant of the Lot Owner.

(g) "Member" shall mean and refer to Lot Owners as Members of the Bay Point Vistas Property Owners' Association.

(h) "Non-Residential Guest" shall mean and refer to any person, other than a Service Provider, authorized by a Member to enter Bay Pointe Vistas but not reside in the home of a Member.

(i) "Residential Guest" shall mean and refer to any person, other than a Lot Owner, authorized by a Member to enter Bay Pointe Vistas and temporarily reside in the home of a Member.

(j) "Service Provider" shall mean and refer to any person, other than a Non-Residential Guest, authorized by a Member to enter Bay Pointe Vistas for the purpose of providing lot or household services.

(k) "Sponsor Member" shall mean and refer to the Lot Owner or Member authorizing a Residential Guest, Non-Residential Guest or service provider to enter Bay Pointe Vistas.

**SECTION III  
GENERAL POLICIES**

Section 3.1: Access. The only authorized entrance to Bay Pointe Vistas is the common property main gate located on Vista Boulevard East off Bay Point Road.

## Bay Pointe Vistas Property Owners' Association, Inc.

Section 3.2: Responsibility. Sponsor members are responsible for the safety, behavior, actions and activities of any and all members of a household unit or service providers whom they may authorize to enter Bay Pointe Vistas. Likewise, the Association is responsible for any and all guests or service providers whom the Board of Directors may authorize to enter Bay Pointe Vistas.

Section 3.3: Use. Members are entitled to the exclusive use of all common property facilities. Use of facilities for social, cultural and recreational events is encouraged. Permission for special event functions on common property for member parties in excess of 10 persons may be requested from the Board of Directors. Members and guests use all common properties at their own risk.

Section 3.4: Hours. Facilities are open on the days and during the hours as may be established and posted by the Board of Directors and may be closed for maintenance and repairs

Section 3.5: Damages. Sponsor members are responsible for any damages to any common property or facility caused by their household unit at any time. The cost of such damage and or injury will be determined by the Board of Directors and charged to the responsible property owner.

Section 3.6: Common Property. Members may not use Bay Pointe Vistas furnishings or equipment for personal use.

Section 3.7: Non-Member Facility Use. The Board of Directors reserves the right to occasionally grant use of a common property by a community organization if such activity will not infringe on the routine use of the common property by members.

### **SECTION IV VEHICLE USE**

Section 4.1: Speed Limit. The speed limit within Bay Pointe Vistas is 15 miles per hour.

Section 4.2: Parking. Parked vehicles may not block the passage of a street or a driveway or encroach upon private property. Persons using Common Property shall park only in designated areas. Service vehicles parked on the street must use orange caution cones at the front and rear of the vehicle to alert other traffic.

Section 4.3: Recreational Vehicles. Only licensed drivers may operate recreational vehicles, including but not limited to golf carts, all terrain vehicles, motorcycles, scooters, etc., within Bay Pointe Vistas unless accompanied by a parent or guardian. All recreational vehicles are subject to the following regulations.

Section 4.4: Recreational Vehicle Operation. Operators are required to drive all recreational vehicles in a safe, quiet and respectful manner. Violations of this policy may result in suspension of recreational vehicle privileges for individual vehicles, individual members or entire household units within Bay Pointe Vistas by the Board of Directors.

Section 4.5: Recreational Vehicle Property Damage. Members are responsible for any property damage within Bay Pointe Vistas caused by any recreational vehicle driven by persons within their household unit.

Section 4.6: Beach Access. No vehicle shall be driven over dunes regardless of dune height or tide level. Beach access over dunes is limited to foot traffic only. Vehicles may be parked at the end of the path on the marsh side of dunes.

**SECTION V  
HUNTING**

Section 5.1: Hunting Prohibition. In order to protect the safety of members, hunting is prohibited within Bay Pointe Vistas.

**SECTION VI  
SMOKING**

Section 6.1: Smoking Limitation. In order to respect the shared recreational space of members, smoking is prohibited on all common properties other than paved roads.

**SECTION VII  
RESIDENTIAL GUESTS**

Section 7.1: Entry & Use. Residential guests shall be permitted to enter Bay Pointe Vistas and use common property. Guests must abide by the same rules and regulations as members.

Section 7.2: Privilege Revocation. In the event of an infraction of the rules and regulations by a residential guest, and/or at the discretion of the Board of Directors, access to common properties by a guest may be regulated by requiring the member host of such guest to accompany the guest on common properties at all times. Additionally, the use of common property by a residential guest may be denied, withdrawn or revoked at any time for reasons considered sufficient at the discretion of the Board of Directors.

**SECTION VIII  
NON-RESIDENTIAL GUESTS**

Section 8.1: Entry & Use. Non-residential guests shall be permitted to enter Bay Pointe Vistas and use common property only when the sponsor member is in residence or on the property. Guests must abide by the same rules and regulations as members. The Board of Directors reserves the right to restrict the number of times an individual non-residential guest may use common property facilities.

Section 8.2: Privilege Revocation. In the event of an infraction of the rules and regulations by a non-residential guest, and/or at the discretion of the Board of Directors, access to common properties by a guest may be regulated by requiring the member host of such guest to accompany the guest on common properties at all times. Additionally, the use of common property by a non-residential guest may be denied, withdrawn or revoked at any time for reasons considered sufficient at the discretion of the Board of Directors.

**SECTION IX  
HOUSEHOLD UNITS**

Section 9.1: Use Limitation. In order to accommodate guests of members without inconveniencing other members, a family unit is permitted a maximum of 10 persons using community property at any one time without written consent from the Board of Directors. Household units larger than 10 who wish to use common areas for a larger group must apply for a special use permit from the Board of Directors at least 30 days prior to the event date.

**SECTION X  
SERVICE PROVIDERS**

**Bay Pointe Vistas Property Owners' Association, Inc.**

Section 10.1: Hours. Except in the case of emergencies, building contractors, lawn maintenance crews or other service personnel are limited access to work in Bay Pointe Vistas between the hours of 7:00 am and 7:00 pm, Monday through Saturday. No service personnel are allowed to work Sundays, Thanksgiving Day, Christmas Day, New Years Day or July 4<sup>th</sup> without prior approval by the Board of Directors.

Section 10.2: Conduct. Members shall be responsible for the conduct of lot owner service providers whether or not a member is in residence or on the property. The Association shall be responsible for the conduct of common property service providers.

Section 10.3: Facilities Use. Other than service-related activities, service providers are prohibited from using any common property facilities or Bay Pointe Vistas amenities.

Section 10.4: Personal Services. Members may not request personal services from Association service providers while on duty.

**SECTION XI  
SOLICITATION**

Section 11.1: Solicitation Prohibition. No solicitation of any kind is permitted within Bay Pointe Vistas.

**SECTION XII  
NOISE**

Section 12.1: Noise Restriction. Bay Pointe Vistas is a residential community. As such, members are expected to respect the peace of neighbors by preventing or eliminating noisy conditions.

**SECTION XIII  
SECURITY**

Section 13.1: Security Provisions. The privacy and security of Bay Pointe Vistas is provided by entrance gates and the Beaufort County Sheriffs Department. All accidents involving vehicles and or wildlife should be reported to the Sheriffs Department.

Section 13.2: Gate Codes. All gate codes for access to Bay Pointe Vistas are assigned exclusively by the Board of Directors. Property owners shall not share assigned gate codes without permission by the Board of Directors. Persons using an unauthorized gate code shall be considered to be trespassing.

**SECTION XIV  
ANIMAL CONTROL**

Section 14.1: Pet Code Regulations. Members shall adhere to the Beaufort County Animal Control Code. A valid metal rabies tag and a Beaufort County license tag must be attached to a collar or harness and worn by pets at all times. Violations of any animal control regulations shall subject the member to fines. In cases where an animal persistently creates a nuisance, the animal shall be prohibited from Bay Pointe Vistas.

Section 14.2: Pet Leash Regulation. All pets on common property must be under the control of a leash.

Section 14.3: Pet Cleanup. Pet excrement must be immediately removed and disposed of in a sanitary manner.

Section 14.4: Wildlife. Feeding of deer, alligators, raccoons, geese or any wildlife other than song birds is prohibited.

**SECTION XV  
PROPERTY UPKEEP & APPEARANCE**

Section 15.1: Litter & Debris. No litter, rubbish or debris of any kind shall be left on common property.

**SECTION XVI  
FIREWORKS**

Section 16.1: Fireworks. No fireworks, other than those provided or authorized by the Association, are permitted within Bay Pointe Vistas.

**SECTION XVII  
MARCHES, PONDS & SALTWATER IMPOUND**

Section 17.1: Fishing. Fishing, crabbing, clamming, etc. is allowed from common property or water vessels. Please respect member-owned lots along the impoundment.

Section 17.2: Boating. Other than facility maintenance and repair authorized by the Board of Directors, no boat powered by a combustion engine shall be allowed on any body of water within Bay Pointe Vistas. Small boats with electric trolling motors, kayaks, canoes or rowboats are allowed. Vessels must be launched from common property. Member-owned lots along the impoundment should be respected.

Section 17.3: Docks. No docks shall be erected within Bay Pointe Vistas other than those on community property constructed by the Association.

**SECTION XVIII  
PERSONAL PROPERTY**

Section 18.1: Personal Property Responsibility. Each member, guest or tenant assumes sole responsibility for his or her personal property while using common property. The Association is not responsible for any loss, damage or theft to any private property used or stored on common properties.

Section 18.2: Personal Property Removal. Any personal property that has been left in or on common property for 10 or more days, without written permission or payment of any applicable storage fees, may be disposed of by the Association without notice. Proceeds from the sale of any such personal property shall belong to the Association. As applicable, the Association shall comply with Beaufort County ordinances in the towing and/or removal of such personal property.

Section 18.3: Association Property Removal. No person shall remove any items belonging to the Association from any common property without written authorization from the Board of Directors.

**SECTION XIX  
FINES & PENALTIES**

Section 19.1: Privilege Revocations. Fines may be assessed and/or a member's common property use privileges may be suspended by the Association for an infraction of any of the following.

(a) Failure to abide by the rules and regulations set forth in this document or allowing a residential guest, non-residential guest or service provider to do so.

(b) Non-payment of Association fees.

Bay Pointe Vistas Property Owners' Association, Inc.

(c) Treating other members and/or Association service providers in a disrespectful or abusive manner or allowing a residential guest, non-residential guest or service provider to act in a similarly unacceptable manner.

(d) Renting or leasing a home to occupants who violate the rules and regulations set forth in this document or treat other members and/or Association service providers in a disrespectful or abusive manner.

Section 19.2: Privilege Revocations & Association Fees. A member whose privileges have been suspended is not entitled to any refund of any member contribution, member dues or any other Association fees. During the suspension or restriction period, dues and other charges shall continue to accrue and shall be paid in full prior to reinstatement as a member in good standing.