

CYPRESS ISLAND HOA, INC.

Rules and Regulations

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

Rules and Regulations

1) General

- Each homeowner is responsible for the conduct of his or her family members, tenants, guests, and service personnel. **WHEN CHILDREN UNDER FOURTEEN (14) YEARS OF AGE ARE ON THE GOLF COURSE, TENNIS COURT, BASKETBALL COURT, IN THE POOL, BY THE PONDS, OR IN THE CLUB HOUSE THEY MUST BE SUPERVISED BY AN ADULT AT ALL TIMES. SUPERVISION MUST BE BY AN ADULT 18 YEARS OR OLDER. A CHILD THAT IS BETWEEN 14 AND 18 CANNOT SUPERVISE ANY OTHER YOUTH UNDER 18 OR CHILD UNDER 14.**
- Each homeowner, his or her family members, tenants, guests, and service personnel are subject to the Rules and Regulations of the Cypress Island Association.
- Security is the responsibility of each resident. Notify the Managing Agent or one of the law enforcement agencies of any suspicious people or activities on the property.
- **Skateboards, rip-sticks, wake-boards, scooters, roller blades, skates, non-licensed motorbikes, recreational vehicles, etc. are not allowed on the common ground, walkways, streets and parking areas.**
- **A golf cart may only be used on our streets during daylight hours unless it has a NC State License Tag on it.**
- Personal items may not be left or stored on any of the common area or walkways.
- Natural Trail is for "foot traffic" only.

2) **Facilities**

- **You must sign in to play golf and your Red Facility Tags are required to be visible when playing on the golf course. (Sign in at the Clubhouse)**
- The facilities of the property are for the exclusive use of owners, tenants and houseguests. No guest or relative of any Owner or tenant other than a house guest or relative actually in residence shall be permitted to use **the swimming pool, club house, tennis court, or golf course unless granted permission by an owner or resident by using their key card or fob.**
- No one shall interfere with the normal operation of watering apparatus or lighting devices in the common areas to include all Town home Common Area. All exterior post lights should be maintained in the “on” position – automatic sensors, where applicable, will turn these lights off during daytime hours.

3) **Children**

- Reasonable supervision of children by a responsible adult shall be maintained at all times.
- ***WHEN CHILDREN UNDER FOURTEEN (14) YEARS OF AGE ARE ON THE GOLF COURSE, TENNIS COURT, BASKETBALL COURT, IN THE POOL, BY THE PONDS, OR IN THE CLUB HOUSE THEY MUST BE SUPERVISED BY AN ADULT AT ALL TIMES. SUPERVISION MUST BE BY AN ADULT 18 YEARS OR OLDER. A CHILD THAT IS BETWEEN 14 AND 18 CANNOT SUPERVISE ANY OTHER YOUTH UNDER 18 OR CHILD UNDER 14.***
- Special attention must be exercised when driving on community property to insure the safety of all children.
- The Cypress Island Speed Limit is 15 MPH
- The landscaped areas, the Club House and other identified common areas are not to be used as play ground areas.

4) **Pets**

- **All cats must be kept indoors and not allowed to run free.**
- Pets are not allowed in the Club House, Tennis Court, Golf Course or the pool area, **unless it is a certified service animal.**
- All pets shall be on leashes or under the control of their owners at all times.
- Pet owners **MUST** clean up after their pets. Pet owners will be charged a \$50 fine per violation. There will be no warning process.
- Failure to observe these rules will result in the enforcement of the Cypress Island Pet Rule Enforcement Policy. See Pet Rules and Regulations for further details.

5) **Noise**

- Loud parties and high volume from televisions, radios, stereos, or musical instruments is prohibited – quiet time is from 11:00 PM until 8:00 AM.

- The use of fireworks, explosives, firearms, or other hazardous devices is prohibited on Cypress Island property.
- Notify the Managing Agent of any disturbances during business hours. After business hours, call the local Police.

6) **Trash**

- All residents are expected to share in the responsibility of maintaining clean grounds throughout the common area.
- All household garbage and refuse **MUST** be put in plastic bags, tied, and placed in personal trashcans.
- The Association shall provide receptacles for trash. The trash receptacle must be kept in a screened area, accessory building or other storage facility and not visible from the street, except on trash pick-up days. Emptied items must be removed from the street on the day the trash is picked up.
- All boxes are to be broken down, tied and deposited in the trash can. If you are participating in the recycling program, your recycling containers must be kept inside your home, garage or storage building.
- Clean any spillage immediately.
Do not discard cigarettes on the lawn, landscaped areas, Club House, Golf Course, Tennis Court or pool areas.

7) **Hazardous Materials**

- **Homeowners are responsible for seeing that flammable materials such as gas are stored in an appropriate container. Hazardous materials such as explosives should never be brought into our Community.**

8) **Exterior Appearance**

- **No one, without the approval of the Architectural Committee, shall alter the exterior of a building or install a building. Please see the Architectural Guidelines which are posted on the web page. cihoa.com**
- No television antennas, radio antennas, or satellite dishes other than those permitted by the Association are allowed. (20" in diameter, installed in the back or side yard if not visible from the street.)
- No one, except through the action of the Association shall alter, modify, or install any fixture, monument, decorative item, tree, or shrub in any common area.
- **Yard, garage, estate, or moving sales, etc. are not allowed within our community.**
- **Only one for rent sign may be displayed in the window of the home or town home for rent. No additional for rent signs may be placed in any yard or any other location.**
- No boat, motor boat, bicycles, scooters, baby carriages camper, motor home, trailers, recreational vehicles, automobiles on cinder blocks, tractor trailer trucks or cabs or similar types of vehicles to any of the foregoing items shall be permitted to remain on any lot or in any common area at any time, unless by consent of the Association.

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

9) Parking

- Paved parking is provided for each lot. No vehicle belonging to an owner or to a member of the family or guest, tenant, employee or vendor of an owner shall be parked in such a manner as to impede or prevent ready access to a driveway, block or impede emergency vehicle access, normal traffic flow and U.S. Mail delivery. The owners, their employees, servants, agents, visitors, licensees and the owner's family will obey the parking regulations posted on the private streets and drives and any other traffic regulations promulgated in the future for the safety, comfort and convenience of the owners.
- Residents may park on the street for a limited period of time for the following special events: Annual Meeting, moving in and out, construction being done on property, Annual Home Tour, approved Community functions. At no time shall a vehicle block a neighbor's mailbox or driveway and no vehicles (excluding emergency vehicles) are allowed to park on the grass lawns.
- **Overnight parking on streets, including cul-de-sacs is prohibited. Guests must use any designated Visitor Parking and must have sign placed on driver's side dash stating date, name, address and phone number where they are visiting.**
- Vehicles in violation will be towed at owner's expense. **(See Parking Citation)**

10) Leases

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

11) **Damages**

- Any damage to the general common areas or common personal property caused by an owner, guest or tenant, including children of the preceding, the owner, **will be held responsible to pay for all repairs or replacement parts. The HOA will handle all repairs and then bill the owner. If the bill is not paid within thirty days, then the use of the facilities will be denied until it is paid. If not paid within thirty days, the owner will be subject to interest charges on the amount owed and a lien being placed on their property,**

12) **Golf Course Rules and Regulations**

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

- The golf course is open every day from 7:00 a.m. until sundown.
- Players are prohibited from playing when there is a frost or the ground is frozen.
- Players are allowed to use individually owned pull carts, but please remember to keep carts and bags off the green. **Golf carts may be used on the golf course by any physically challenge individual if their application is approved. Contact the Management Agent to obtain the form or go to the HOA Web Page.**
- This is a soft spike facility. No metal spokes allowed on the golf course.
- Proper golfing attire is required on the golf course (shirts, shoes, shorts or long pants). Bathing suits, including bikinis, are prohibited.
- Use discretion in inviting a guest to play golf. Make sure that the guest understands and abides by the rules of golf etiquette. Please remember that a breach of etiquette by your guest reflects on you. **You the owner are responsible for the actions of your tenants, relatives and guests.**
- One member of each group must display a facility pass.
- **For safety reasons, children under fourteen (14) years of age are not to be on the golf course without parental or other adult (18 or older) supervision.**
- Dogs and cats are not permitted on the golf course.
- Golfers should use the poolside entrance of the golf course for access to the rest rooms. This will minimize tracking grass, etc. in the Club House.
- Owners are responsible to fully inform their family members and guests of the rules of the golf course.
- Tees must be used on all tee boxes.
- All players should repair their Ball Marks, Rake Traps and Replace Divots.

- When the play of a hole has been completed, players should immediately leave the putting green.
- Golf is a gentleman's/lady's game. If you damage the course or anyone's property, you should contact the owner of the property or property management to arrange a resolution to the issue.
- If a player causes damage to a house, the golfer must pay for half the cost based on the lowest of three estimates.
- Residents, unless handicapped or having special permission from the Directors must accompany any guests using the Golf Course.

13) **Swimming Pool**

Swimming hours will be posted at the clubhouse. In view of the fact that the pool does not have life guards on duty, **PERSONS USING THE SWIMMING POOL DO SO AT THEIR OWN RISK.** Children under fourteen (14) years of age using the pool must be accompanied by an adult. Other regulations are as follows:

- Shower before entering the pool.
- **No diving allowed.** Violators will be asked to leave the pool area and privileges may be suspended.
- Adult swim hours will be set each year and will be posted.
- No night swimming
- **Do not climb on or over the fence at any time.**
- Adults should not swim alone.
- No animals or pets allowed in the pool or on the pool pad.
- Pool furniture must **not** be reserved. Do not leave towels, clothing, etc. on the chairs or lounges to reserve them. All pool furniture is available on a first come, first serve basis.
- Appropriate attire conforming to conventional swimsuits is required.
- Playing radios around the pool is discouraged. If you insist on playing radios, the volume must be kept low or headphones used.
- Pneumatic floats or other similar paraphernalia are prohibited. Swimming aids or "kiddy" floats are allowed in the pool.
- No running, rough playing or ball playing allowed in the pool.
- If using suntan oil, please cover pool furniture with a towel.
- Do not bring glass or breakable items to the pool. Only plastic glasses and containers are allowed in the pool area.
- No alcohol or smoking within the fenced pool area.
- Chemicals must be used in the pool for health reasons. The Association is not responsible for any reaction to clothing, hair, etc. to the chemicals used in the pool.
- No person under the influence of alcohol or drugs should use the pool.

- All persons using the pool do so at their own risk. Owners and the Association is not responsible for accidents or injuries.
- Management and owners reserve the right to deny use of the pool to anyone at any time.
- A first aid kit is located in the main lobby of the Club House.
- An emergency phone is located on the Club House.
- If an infraction occurs, it will be recorded. The person will be sent a warning letter.

Second offense – a fine will be issued and pool privileges will be suspended for two weeks. If the fine is not paid within two weeks then the facility privileges will be suspended until the fine is paid.

Third Offense – a fine will be issues and facility privileges will be suspended for the rest of the year. If the fine is not paid by the end of the year then the facility privileges will be suspended until the fine is paid.

Fourth offense – If an owner, their tenant, or their guest violates the facility rules during the time when their privileges have been suspended a fine will be issued.

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

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

14) Tennis/Basketball Court

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

Basketball games will end at 7 PM when pool opens until end of September. October 1, they will end at 6 PM.

Tennis shoes and shirts must be worn to play. All other rules and regulations will apply as to any amenity. Tennis players will have priority over basketball games.

15) Club House

See Cypress Island Homeowners Guidelines for use of Clubhouse

Contact information is posted on the Community Bulletin Board.

16) ID Tags & Key Cards

Two ID Tags and one key card are issued to the property owner. It is the responsibility of the owner to transfer the ID Tags and key card (or extra key card or fob) to their tenants, or rental agents or to the new owner if the property is sold. Homeowners must give use of all facilities to their tenants and said homeowner is not permitted to use the amenities while his/her property is occupied by tenants.

17) Complaints

Please address any violations you witness to the management agency. Any formal complaint regarding actions taken by the management agency must be made in writing and presented to the Board of Directors.

18) The foregoing Rules and Regulations are designed to make living for you and your neighbors at Cypress Island pleasant and comfortable. The restrictions made are for the mutual benefit of all. Violations of these Rules and Regulations are to be reported to the Cypress Island Board of Directors in writing. They, or their designee, will call the matter to the attention of the Violating Owner, lessee or guest for corrective action.

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

RULE ENFORCEMENT POLICY:

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

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

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

FIRST WARNING

Upon the discovery of the existence of a Rule Violation within the community or on the property, the Management Agent shall notify the violator, either by phone, e-mail, or by letter. If the violator is not an owner, the owner will also be contacted. The owner will be asked to help with correcting the rule violation. This contact shall be made on the first business day after the violation is reported. If a deadline has to be given in order to have the rule violation corrected, then a letter will be sent specifying said date.

FIRST LEVEL FINE

If, following the first warning described above, the subject is observed continuing to be in violation of the same rule, the management agent will contact the owner that an official request for a fine of \$20 (Twenty Dollars) will be presented to the Hearing Panel. The owner will be notified that they may appeal the fine before said Panel. The owner may appeal in person or send their representative to handle their appeal. The Hearing Panel will hold its meetings on Tuesday two weeks before the regular HOA Board Meeting.

SECOND LEVEL FINE

If, following the first warning and first level fine described above, the violator(s) is/are observed to be in continuing violation of the same rule, the management agent will contact the owner by letter and submit a \$50 (Fifty Dollars) fine to the Hearing Panel.

THIRD LEVEL FINE

If, following the first warning and second level fine describe above, the violator(s) is/are observed continuing to violate the same rule, the management agent will contact the owner by letter and submit a \$100 (One Hundred Dollars) fine to the Hearing Panel.

SPECIAL PET FINE:

If the rule to clean up after their pet is violated, a \$50 fine per incident will be issued. This fine is subject to appeal only to the HOA Board of Directors.

JUDICIAL ENFORCEMENT:

Should the violator be observed in violation of the same rule following the levy of the third level fine, the management agent will notify the Board of Directors and request permission to proceed with any legal means available to enforce the Rules and Regulations as adopted by the HOA Board of Cypress Island. The management Agent is hereby granted permission to seek the recovery of all legal fees and expenses involved in such action taken to enforce said rule.

DUE PROCESS:

Once any fine has been upheld by the Hearing Panel, the Management Agent will notify the owner and suspend all privileges to Cypress Island Facilities until said fine is paid or reversed by the HOA Board of Directors. Any owner may appeal any action or fine before the HOA Board of Directors by addressing their request in writing, to the Management Agent or the President of the Board of Directors.

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

THE ABOVE REPLACES THE CURRENT RULE ENFORCEMENT POLICY AS ADOPTED IN 2006.

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

Blue Atlantic Management – Agent
5129 Oleander Dr. Ste. 101
Wilmington, NC 28403
Telephone: 910-392-3130
Fax: 910-395-4343

Architectural Committee Chairman – posted on Community Bulletin

Board

EMERGENCY TELEPHONE NUMBERS:

**POLICE DEPARTMENT 911
FIRE DEPARTMENT 911
RESCUE SQUAD 911**

You will be asked to provide:

- 1) The name of the Community - *Cypress Island*
- 2) The **name of the Street** where you live
- 3) The **number of the house or town home** in which you live.

Revised 6/2/2011

