



# **RULES AND REGULATIONS**



The Handbook of Frequently Encountered Rules and Regulation was adopted by the Board of Directors of the Kiawah Island Community Association, Inc. ("KICA") on March 30, 1990. Revisions are approved by the board and this latest edition was adopted on November 1, 2010.

This handbook contains many frequently encountered rules and regulations imposed by the Kiawah Island Community Association that apply to Kiawah property owners ("members"), guests, renters, commercial visitors and all others on the island. Additional rules, regulations, standard operating procedures, guidelines and agreements that specifically govern the members' use of KICA's common properties as well as members' activities on and alterations to their residential properties are found at KICA's Web site, [www.kica.us](http://www.kica.us). For example, *KICA's Gate Access Policy and Procedures for Vehicle Barcode/Decals and Passes*, the *Sandcastle Admission Policies and Recreation Operating Manual*, the *Landscape Management Guidelines for Association Members*, the Rhett's Bluff and Eagle Point launch agreements all govern member conduct and, along with other policies found in KICA's archives, are incorporated herein by reference. Members should refer to and familiarize themselves with the documents on KICA's Web site.

This handbook is intended to give an overview of KICA's rules and regulations, however, is not intended to be all encompassing and inclusive of all rules and regulations. The Board of Directors of the Kiawah Island Community Association has approved this handbook of rules and regulations and reserves the right to modify it, and the rules, regulations, policies, procedures and guidelines, at any time as allowed by KICA's governing documents. If you have a question or concern, please contact member services at 843-768-9194 or toll free at 866-226-1770. Members should make a copy of this handbook available to their guests, renters, commercial visitors and others who may be visiting or staying at their properties.

## **SECTION 1 ACCESS TO KIAWAH ISLAND**

- A. All of Kiawah Island's roads beyond the main security gate are privately owned. Vehicle access to these private roads is gained by displaying a valid barcode, decal or pass on the vehicle. Passes must be displayed on the vehicle's dashboard at all times. Barcodes are issued to members for vehicles that they own provided they are current on payment of all KICA assessments, fees and penalties. Barcodes are recorded in KICA's information system and do not require reissuance unless a member purchases a new vehicle. New decals are issued to employees, commercial entities and other authorized people periodically.
- B. Members may obtain guest passes for their non-rental guests and renters' passes for their rental guests by calling the main security gate (843-768-5566) or toll free at (866-596-7184). Renters may call the main security gate to request one-day renter guest passes. Renters must obtain passes of more than one day's duration for their guests from their rental agency or through the member, as the case may be.
- C. More detailed explanations of the access policy are contained in the document, *Gate Access Policy and Procedures for Barcode/ Decals and Passes*, which is available for review at the KICA offices or in the archives at [www.kica.us](http://www.kica.us).
- D. Violations of KICA's rules and regulations may result in denial of access, suspension of access privileges, complete forfeiture of access privileges, and/or financial penalties and fines.
- E. KICA's special events policy may be applicable to weddings, large parties, open houses and other large events that may result in unusual traffic or parking impacts. The policy requires the sponsor to notify KICA's Security Department and to provide information on required passes at least 45 days in advance of the event. Please contact KICA (843-768-9194) for further information. Vendors servicing special events may be charged a commercial access fee. For more information, see the special event application, which can be viewed at [www.kica.us](http://www.kica.us).
- F. Employee decals and passes allow employees to travel to and from their work site. Renter passes, renter guest passes, day passes, special event passes and Governor's Club passes restrict access to the locations for which they are issued. Those found in areas other than their designated site will be issued violation tickets.

## **SECTION 2 TRAFFIC RULES**

- A. All South Carolina laws are enforced. Please take notice that some of KICA's traffic rules and restrictions on its private roads are more restrictive than the traffic laws of the state of South Carolina.
- B. Speed limit is 25 mph unless otherwise posted.
- C. Driving or parking on the road shoulder/easements is not permitted, except in emergencies or by permission of the chief operating officer (COO), the director of operations, or director of security.
- D. Private motorcycles, mopeds, Segways, motorized scooters, motorized bicycles and similar motorized vehicles are **not permitted on Kiawah's roads or leisure trails**.
- E. Neighborhood Electric Vehicles (NEVs) are permitted on Kiawah's roads (but not on leisure trails) provided the vehicle is properly registered as a motor vehicle in accordance with state requirements and that the user has a valid driver's license. A KICA barcode/pass is also required.
- F. Golf carts are not permitted on Kiawah roads or leisure trails.
  - 1. Exceptions include golf carts approved for use prior to 2000 ("grandfathered carts") and those given permission due to extraordinary medical circumstances which are permitted on leisure trails and side streets.
    - a. A state permit and KICA decal/pass is required for use of golf carts. Grandfathered carts must be used in accordance with state laws and KICA's rules and regulations.
  - 2. Grandfathered carts may not be replaced, conveyed or transferred, and may be used only by members and their immediate family members.
    - a. In the event a member who owns a grandfathered cart sells their property on Kiawah Island, the grandfathered cart does not convey and the cart loses its grandfathered status.

## **SECTION 3 RULES FOR BIKING, IN-LINE SKATING, SKATEBOARDING, WALKING AND JOGGING**

- A. Leisure trails are provided along the following main roads: Kiawah Island Parkway, Governor's Drive, Ocean Course Drive and the cross-island portion of Flyway Drive. Biking, in-line skating, skateboarding, scooters, walking, jogging and similar non-vehicular activities are not permitted on these roads or road portions.
- B. Unauthorized, gas powered motor vehicles may not be used on leisure trails.
- C. On leisure trails pedestrians, bicyclists, skaters and scooters must:
  - 1. Keep to the right when approaching oncoming traffic and keep speed low enough to prevent accidents. Racing is not permitted. Areas where riding or skating is permitted on roads, you must ride single file, near the curb and with traffic.
  - 2. Clearly announce your presence when overtaking other trail users, and pass on the left. A helmet and horn/bell are recommended.
  - 3. Observe all STOP signs. Bikers are advised to dismount and walk their bicycles when crossing a street.
  - 4. Show reflectors and a light on bicycles after dark. Reflective or light-colored clothing after dark is recommended.
  - 5. Not ride on golf cart paths.
  - 6. Walk, not ride, bicycles across boardwalks to the beach. Do not walk or ride on, or through, the dunes.

7. Park bicycles at boardwalks only in designated areas.
  8. No skates or skateboards on the boardwalks.
- D. Kiawah Island leisure trails are for the exclusive use of members and guest staying on the island. Use by unauthorized persons is strictly prohibited.

**SECTION 4 USE OF AMENITIES** *(Please refer to Recreation Standard Operating Procedures for full details of all recreation-related policies and procedures.)*

- A. The Sandcastle Community Center and pool, Rhett's Bluff boat launch, Eagle Point boat launch, and the Cinder Creek pavilion/storage are provided for the use of members and their guests. "Guests" are visitors invited to a Member's property to whom the Member is extending hospitality during the course of their short-term visit and there is no exchange of any consideration, monetary or otherwise, relating to the visit. The term "Guests" does not include renters, lessees, licensees, timeshare members, vacation club members, or any other person who has paid, bargained, or bartered for the right to use the Member's property on a short-term basis. Admission to and the use of these facilities is governed by the Recreation Operating Manual, the Small Boat/Canoe Storage Contract (Cinder Creek), and the Rhett's Bluff/Eagle Point launch agreements, all of which can be viewed at KICA's Web site, [www.kica.us](http://www.kica.us), or at KICA's offices.
1. Members, spouses, their dependents, and guests of members are permitted entry to the Sandcastle Community Center, pool and parking provided the appropriate fees and assessments have been paid and the member is in good standing. Family member and guest permission registration forms are available at [www.kica.us](http://www.kica.us).
  2. Long term tenants who rent the property of a member in good standing for nine months or more of a calendar year may enter the Sandcastle Community Center and pool upon completion of the Long Term Lease Addendum and compliance with the terms thereof.
  3. Persons participating in vacation club memberships and those renting properties for less than nine months are deemed rental guests. Rental guests are not eligible for admittance to the Sandcastle Community Center and pool or other KICA facilities.
  4. A KICA member must accompany their guests who seek entrance to either the Rhett's Bluff or Eagle Point launch areas. Unaccompanied guests will be denied entrance.
  5. Overnight docking and/or vehicle parking at KICA's boat launch and storage facilities shall not be permitted except with the written permission of KICA's COO, director of operations, director of recreation or the director of security.
  6. Rental guest shall not bring boats onto Kiawah Island unless proper storage has been arranged.
  7. Rhett's Bluff and Eagle Point usage is from sunrise to sunset.
- B. The following are **NOT PERMITTED**:
1. Boats on lakes or ponds.
  2. Congregating along or impeding pedestrian access to boardwalks.
  3. Cars, trucks, dune buggies, motorcycles, ATVs, or other motorized vehicles on the beach (as prohibited by the Town of Kiawah Island ordinance) and jet skis, wave runners and other similar watercraft (may be determined by the COO).
  4. Fires on the beach, unless prior approval is received from the Town of Kiawah Island.
  5. Walking or other activities on the dunes.
  6. Glass containers on the beach (by Town of Kiawah Island ordinance).

7. Loud music on the beach (by Town of Kiawah Island ordinance).
8. Horses at any location on Kiawah (unless the COO grants prior authorization).

## **SECTION 5 PARKING AND BEACH ACCESS**

- A. Beach access parking is provided at: Night Heron Park (during hours of operation).
  - ◆ Duneside Road (west end) ◆ Ocean Course Drive (near firehouse) ◆ Ocean Marsh Drive
    1. Members and their non-rental guests may park at any of these locations. They may also park at the Sandcastle Community Center.
    2. Renters may park at any of these locations within the area authorized by their pass. For example; renters without a "V" on their pass are not permitted behind the Vanderhorst gate, and cannot use the beach access parking behind this gate.
- B. Parking is not permitted on the roads within 25 feet (in any direction) at pedestrian beach access locations.
- C. Boats, trailers, mobile homes, campers and vehicles over one-half ton capacity (other than SUVs) may not be parked on a residential property, except while loading/unloading or in an enclosed garage or other approved enclosure.
- D. Vehicles may not be parked on road shoulders at any time, without the permission of KICA's COO, director of operations, or director of security. Persons parking on a road's shoulder/right-of-way (with or without permission) are responsible for any damage caused by parking there.
- E. No vehicle shall be parked in front of or across the street from a driveway in any manner that impedes entering or exiting any driveway or access to a mailbox. Nor shall any vehicle be parked to impede access to or visibility of leisure trails.
- F. Vehicles may not be parked overnight on any road.
- G. Vehicles must be parked to permit the free passage of emergency vehicles. For example, do not park on both sides of the road on side streets.
- H. Except with the express permission of the COO or director of security, vehicles may not be parked on roads where solid yellow lines or medians exist.
  1. Commercial vehicles working at sites where the road has solid yellow lines, medians or double yellow lines must park in the driveway of the site or at another location where such lines or medians do not exist.
  2. Vehicles at construction sites may park on the shoulder/easement within the confines of the property only. Such vehicles may also park on adjacent undeveloped property with the written permission of the property's owner filed with KICA's Security Department.
- I. Vehicles may not park on the street within the circle of a cul-de-sac.

## **SECTION 6 ANIMALS**

- A. Only household pets are permitted on Kiawah. Pet owners must:
  1. Clean up after their pets and properly dispose of waste in trash receptacles on all areas of the island.
  2. Keep pets on a leash when not safely confined on the owner's/members/rental property, except as and when permitted on the beach by Town of Kiawah Island's Ordinance.

- B. Animals running loose and unconfined may be turned over to Charleston County Animal Control. The following is **NOT permitted**:
  - 1. Nuisance barking.
  - 2. Pets on golf courses, tennis courts, at swimming pools, running loose, or swimming in lakes and ponds.
  - 3. Feeding or taunting of alligators. Under Town of Kiawah Island ordinance, violators are subject to a fine of up to \$200 and/or 30 days in jail for feeding and/or enticing alligators.
- C. Town ordinance also provides that no person owning, harboring or having care of a dangerous animal may permit the animal to go unconfined on his premises. This means the animal must be confined securely indoors, securely behind an enclosed fence, or securely in an enclosed locked pen or run area.

## **SECTION 7 FIREARMS AND FIREWORKS**

- A. The carrying of a concealed deadly weapon by any person on KICA common property, which includes all streets, is prohibited, except as authorized by Town of Kiawah Island ordinance section 15-304 and state law.
- B. The use of dangerous instruments and weapons (i.e. firearms, air guns, paintball guns, stun guns, TASERS, BB guns, pellet guns, crossbows, etc.) is prohibited. Mechanical, electrical or chemical projectiles and/or explosive devices are also prohibited.
- C. Fireworks are prohibited except when permitted by the Town of Kiawah Island. Absent such permission, fireworks are subject to confiscation. Violators may be cited by KICA or the Town of Kiawah Island.

## **SECTION 8 TRADES, BUSINESS, ACTIVITIES CONDUCTED FROM A HOME**

- A. The board of directors has determined that, in today's world of technology, the following activities do not violate the meaning of residential use:
  - 1. When conducting business exclusively by remote means such as, telephone, PDA facsimile, computer, U.S. Mail, electronic mail or any other technologically advanced remote means.
  - 2. The use of one's residential address and telephone number in written advertising or directories, provided such does not appear on the residence or on materials or vehicles visible on-site at the residence, and does not invite visits to the residence.
- B. The trade, business or activity must not diminish the residential, private character of the island.
- C. The trade, business or activity must not require any external modifications that are not in keeping with the overall residential character of the community. (See section 9 re: ARB.)
- D. The trade, business or activity must not use equipment or processes that create noise, vibration, glare, fumes, odors, or electronic interference detectable at or beyond the lot line. No materials may be stored nor activities conducted that would require any state or federal permitting or licensing (e.g., storage of hazardous materials, chemicals or operation of a pest control business, etc.).
- E. From outside the residence, there must be no evidence that a trade, business or activity is being operated from within the dwelling or from the property.
- F. The trade, business or activity must not generate more than three vehicle trips in any one day, by people other than the owner(s) of the subject residence.

- G. Adequate off-street parking and/or extra garage space must be available at the applicable residence to accommodate cars coming to the subject residence for business purposes. Such vehicles may not be parked on the street.
- H. The use of a member guest pass for any type of business or commercial work is not permitted.
- I. Members who conduct such business activities within their residences should consult with the Town of Kiawah Island at (843) 768-9166 about its business license ordinance that may apply. Compliance with these rules and regulations does not assure compliance with the ordinances of the town.

**SECTION 9      GROUNDS MAINTENANCE, ARCHITECTURAL AND AESTHETIC CONSIDERATIONS**

- A. No structure may be constructed or modified on Kiawah Island without first obtaining the approval of the Kiawah Island Architectural Review Board (ARB). Structures include not just dwellings, but also everything that may be constructed or placed on the member’s property including swimming pools, play structures, basketball goals, fish ponds, exterior lighting, mailboxes and fences. Additionally, home remodeling, home additions and significant changes to landscaping (including vegetation and tree removal) must be approved by the ARB as well. Members shall comply with the *Landscape Management Guidelines for Association Members* and the *Dunes Management Guidelines*. Landscape contractors will be required to review Members Guidelines and pass a test which measures understanding of its content. This will be a requirement for gaining access to the island. Please contact the ARB (843-768-3419), the KICA Land and Lakes Departments (843-768-2315) and the KICA Encroachment Department (843-768-2315) for further guidelines and information.
- B. Members are responsible for preventing the development of unclean, unsightly or unkempt conditions of their buildings and grounds.
- C. LANDSCAPE MAINTENANCE REGULATIONS
  - 1. Dead trees and snags should be left as habitat for wildlife unless they endanger individuals or other property.
  - 2. Invasive tree or shrub species (i.e. Tallow Tree, Chinese and Japanese Privet) must be removed and are not allowed to be introduced.
  - 3. Members are encouraged to retain and/or return portions of their property to areas of native vegetation. A managed return to native areas, from a more formal landscape, can be achieved with consult and permission of the ARB and KICA.
  - 4. Line of sight must be maintained at all street corners and leisure trail intersections, per Town Code 12E-210.
  - 5. Foundation plantings installed along the homes foundation, around entranceways and features associated with the foundation are required by the ARB to be at least half the height of the foundation and must encompass the entire house.
  - 6. Nature curtains are areas of vegetation that screen the private living space and manmade structures from the public areas and adjoining properties.
    - a. Periodic cleaning of unwanted plant varieties, replacement of declining plants and pruning will be needed to maintain healthy nature curtains.
    - b. Adequate amount and appearance of vegetation must be maintained so that the property continues to be an asset to and compatible with the natural beauty of the island. See Land Management Guidelines.

7. Activities along pond and lake edges, such as removal of terrestrial or aquatic vegetation, planting of aquatic vegetation or installation of erosion control material requires the approval of the KICA Lakes Management Department and possibly ARB and the State's Office of Ocean and Coastal Resource Management.

D. Routine Landscape Maintenance

These are requirements set by the Pride in Community Committee and ARB in reference to association members' responsibilities in maintaining their property:

1. Lawns shall be regularly mown so that the grass does not exceed 4 inches in height.
2. Lawns at curbside and paved edges must be kept in a neat manner.
3. Lawns and plant beds must be weed-free in appearance.
4. Debris such as palm fronds, limbs and other yard debris must be removed from lawn areas.
5. A definite edge must be maintained between lawn and native areas or between lawn and plant beds.
6. Mulch when installed, particularly pine straw, must be tucked in neatly at the bed edges and under shrubs.
7. Driveways and walkways must be blown or swept clean twice per month.

E. BUILDING MAINTENANCE REGULATIONS

General Building Maintenance

1. Building, fences, stairs and foundations must show none of the following:
  - a. Repair of broken, rotting wood, including stairs, railings and lattice, etc.
  - b. Driveways or walkways showing deterioration, cracked, crumbling, discolored or root intrusion.
  - c. Private docks in disrepair including, rotting or broken wood.
2. Members must take action to correct any unsafe conditions on his/her property,

Routine Building Maintenance

1. Routine power washing to remove mold/mildew stains.
2. Painting, if paint is faded, stained or chipping/peeling.
3. Repair broken windows or screens.

F. MISCELLANEOUS REGULATIONS

1. Trash cans and recycling receptacles must be stored "out of sight" (that is, not generally visible from and screened in a manner such that they are not visible from the road).
  - a. If stored outside, animal-proof receptacles, in ARB-approved enclosures, are required.
  - b. Receptacles may be placed at the curb for pickup only on the day of pickup or after dusk of the evening prior, and must be returned to the storage area on the same day as the pickup.
  - c. Members with backdoor service must designate a storage location and place of pickup for garbage receptacles that is reasonably accessible (not in garage or behind closed doors) and unobstructed. Contact the town for information (843-768-9166).
2. Storm/hurricane shutters require review and approval of the ARB. Storm protection systems may only be utilized when the Island is in imminent danger due to the issue of a hurricane warning by the National Weather Service.
  - a. Systems must be removed or disengaged immediately after the warning is removed and may not be used as a means of securing the property during the homeowners' absence.

3. All Exterior lighting must be ARB approved and installed so as not to disturb neighbors or impair vision of traffic on nearby streets.
    - a. The use of exposed, non-hooded spotlights is prohibited.
    - b. Exterior lighting should be limited to areas where there will be pedestrian movement and should be extinguished when not in use.
    - c. The source of exterior lights should not be visible from property lines or streets.
  4. Noise generating exterior equipment including but not limited to chillers, pool equipment, and multiple unit air conditioning stands must be baffled, so that the sound does not infringe upon neighbors.
  5. Visible "Yard Art" or any other decorative element or object must be approved by ARB. Yard art including but not limited to such items as fountains, columns, columnar adornments, sculptures of all types, certain light generating structures, weathervanes, flagpoles, etc. that are placed in yards or on the outside of houses (that are not part of the approved plans), must be located within the privately used area of that property and not visible from the street or neighboring views.
  6. Silk or artificial flowers or plants are not allowed in landscape beds or containers that are visible from the street or neighboring views.
  7. Holiday displays may be displayed no earlier than ten (10) days prior to the holiday and must be removed no later than seven (7) days after the holiday.
    - a. Winter holiday (Christmas, Hanukah, Kwanza, etc.) displays including but not limited to lights, greenery, wreaths, etc. may be displayed between Thanksgiving Day and January 31.
    - b. They must not interfere with the quiet enjoyment of the residential homes within the surrounding area.
- G. KICA's Right to Maintain to Minimum Standards in accordance with covenants compliance rules (statement of covenant compliance responsibility, KICA will enforce its rules & regulations): The deterioration and unsightliness of any member's property and landscape adversely affects the property of other members and KICA. In the event that a member fails to maintain his/her property's landscape on Kiawah Island in accordance with KICA's guidelines, rules and regulations, KICA may, but is not obligated to, enter onto a member's property and perform landscape maintenance necessary to achieve KICA's minimum standards. The member shall be solely responsible for the costs of such services and shall promptly pay KICA's invoice for the same. KICA's exercise of this right to enter and maintain does not impose a continuing obligation to do so. KICA shall not be responsible for property damage in the event it exercises its rights hereunder. Each member is solely responsible for the condition and safety of his/her property.
- H. Some **prohibited** activities at Kiawah include:
1. The use of any stationary sign, including but not limited to dog fences, home security (except stickers placed in windows or glass doors), pest control or the purpose of identification, renting or selling a property is prohibited unless authorized by the ARB.
    - a. Approved signs must be removed promptly following completion of work.
    - b. Unauthorized signs may be removed by KICA Security.
  2. Littering or throwing of trash, limbs, grass, etc. into lakes, onto a neighbor's property, or onto other private or common property.
  3. Removal of vegetation from KICA property and easements, near lakes and native plant areas, or dunes and beachfront property absent written approval from KICA and/or ARB.
  4. Hanging beach towels, bathing suits, etc. where visible from the outside.
  5. Parking on unpaved or lawn areas of property.

6. All exterior lights on beachfront homes or boardwalks after 9 p.m. from May 15 to October 31, by town ordinance, in order to protect loggerhead turtles, which are an endangered species.

## **SECTION 10 HEALTH AND ENVIRONMENTAL CONTROL**

- A. Vandalism, public drunkenness or boisterous behavior may result in arrest or citation.
- B. Illegal drug consumption or possession is prohibited.
- C. Alcohol consumption or possession by a minor (defined as under age 21 in South Carolina) is prohibited.
- D. Prostitution and escort service operations are prohibited.
- E. Prohibited activities at Kiawah include, but are not limited to:
  1. Burning of trash and other debris.
  2. Use of charcoal, portable electric grills, propane and natural gas grills on wooden decks, patios, porches, balconies or stairways. Gas or electric grills are permitted on the decks of single-family dwellings only.
  3. Solicitors and/or distribution of bulk materials or advertisements (except by U.S. Mail).
  4. Crab pots/traps in lakes and ponds due to the depletion of the crab population.
  5. Noxious or offensive activity that might cause discomfort, annoyance or nuisance to the neighborhood. Examples are improper volume control of audio/video equipment, barking dogs, use of swimming pools, etc. Hours of quiet on Kiawah Island are from 11 p.m. to 7 a.m.
- F. Construction and other exterior contracting (e.g.: landscaping, painting, window cleaning, etc.) hours are from 7 a.m. to 7 p.m., Monday through Friday, and 8 a.m. to 5 p.m. on Saturday. No residential construction/contracting work will be performed on Sundays or KICA designated holidays. Work performed outside these hours must be specifically approved, in advance, by the ARB (843-768-3419). Member Guest Passes may not be used for any type of commercial work or deliveries.
  1. Contractors are not allowed to reside in a work site that does not have a Certificate of Occupancy or in one where any service utility such as water or electricity is interrupted.
- G. Use of portable storage devices must be approved by the COO, the director of operations, or the director of security. Such equipment must be removed within 24 hours of their arrival unless otherwise approved by the above named personnel.
- H. Members with mosquito misting systems shall notify KICA of the contractors installing and maintaining their system.

## **SECTION 11 RULES APPLICABLE TO RENTAL PROPERTIES**

The following additional rules apply to members who rent their properties, or host guests frequently, on a short term basis of less than 90 days. Such members must (either directly or through their rental agency):

- A. Provide contact numbers to KICA for each property, for use in the event of an emergency.
- B. Ensure that each property has reasonable and sufficient garage or storage area access, where practicable. Guests must store bicycles, beach chairs, toys and other such vacation, recreational and sporting paraphernalia out of sight.

- C. Provide backdoor trash services, as offered by the Town of Kiawah Island (843-768-9166), unless such services are covered through regime fees or assessments.
- D. License or rent the property only to responsible persons.
- E. Submit to KICA the maximum number of vehicles permitted overnight at each single-family dwelling, taking into consideration maximum occupancy and the absence of tandem parking. KICA reserves the right to adjust this number in consultation with the member or rental agency.
- F. Ensure that copies of *KICA Rules and Regulations* and *KICA Guest Guide* are available in each property.
- G. Rental guests must be issued rental guest passes. Member guest passes may not be authorized for any rental guests.
- H. Rental guests are not entitled to admission to the Sandcastle Community Center and pool.
- I. Obtain all necessary business or other license(s) required by the Town of Kiawah Island (843-768-9166).
- J. Take action to correct any unsafe conditions on his/her property.

## **SECTION 12 ENFORCEMENT AND PENALTIES**

- A. KICA Security is empowered, with cooperation from other entities, to enforce all rules and regulations in this handbook and those set forth at [www.kica.us](http://www.kica.us). Penalties which may be imposed by KICA are outlined on the inside back cover. Violators may also be subject to criminal penalties for those activities that also violate federal, state or town laws or ordinances.
- B. Members are responsible for any and all damages, penalties and/or fees left unpaid by their non-rental or rental guests
- C. KICA may assess penalties on a case-by-case basis. Penalties for ongoing violations may be assessed on a daily basis. Penalties are subject to periodic increases at the sole discretion of the KICA Board of Directors. KICA will pursue legal remedies if necessary for the enforcement of its Covenants and/or rules and regulations. Violators shall be responsible for reimbursing attorneys' fees to KICA for violations of Covenants, rules and regulations.

## **SECTION 13 MISCELLANEOUS**

- A. These rules and regulations do not necessarily apply to security, law enforcement and emergency personnel.
- B. This handbook is not intended to be all encompassing. Other restrictions, regulations and laws apply. These would include the Kiawah Island Community Association Covenants, the General Covenants, the ordinances of the town, the Architectural Review Board's *Designing with Nature*, all policies, procedures, guidelines and use agreements found at [www.kica.us](http://www.kica.us), as well as state and federal laws. Questions about the rules and regulations in this handbook may be directed to the director of security (e-mail: [joe.croughwell@kica.us](mailto:joe.croughwell@kica.us)). He may also be reached by calling 843-768-9194 or 1-866-226-1770. The rules may be supplemented by other authorities such as State of South Carolina, County of Charleston, Town of Kiawah Island, etc. KICA expressly reserves the right to adopt and impose rules and regulations that are more restrictive than federal, state or local laws, and the fact that any given KICA rule or regulation conflicts with or is more restrictive than a particular law does not indicate that the rule or regulation is superseded as the properties under KICA's management are private properties.

**KIAWAH ISLAND COMMUNITY ASSOCIATION, INC.**  
**PENALTY SCHEDULE FOR VIOLATIONS OF THE COVENANTS, RULES AND REGULATIONS**

THIS SCHEDULE SETS FORTH THE RECOMMENDED PENALTIES FOR VIOLATIONS OF THE KIAWAH ISLAND COMMUNITY ASSOCIATION COVENANTS, RULES AND REGULATIONS, AND IS SUBJECT TO MODIFICATION DEPENDING ON THE CIRCUMSTANCES ATTENDING A PARTICULAR VIOLATION, AND MAY BE CHANGED WITHOUT NOTICE AT THE DISCRETION OF THE ASSOCIATION'S BOARD OF DIRECTORS. THE PENALTIES THAT THE ASSOCIATION MAY IMPOSE INCLUDE SUSPENSION OF ACCESS AND OTHER PRIVILEGES IN ADDITION TO THE FINES SET FORTH.

Sec #	Violation Type	First Violation	Second Violation	Third Violation	Subsequent Violations
1	Access	warning to \$25	\$50	\$100	\$200
2	Traffic Rules (as applicable)	warning to \$25	\$50	\$100	\$200
3	Bicycle, etc. Rules	warning to \$25	\$50	\$100	\$200
4	Use of Amenities	warning to \$25 And/or suspension of access to amenities	\$50 And/or suspension of access to amenities	\$100 And/or suspension of access to amenities	\$200 And/or suspension of access to amenities
5	Parking and Beach Access	warning to \$25	\$50	\$100	\$200
6	Animal (pet) Rules	warning to \$25	\$50	\$100	\$200
7	Firearms and Fireworks	warning to \$100	\$100-\$300	\$300-\$500	\$300-\$500
8	Trade, Business, Activities Conducted from a Home	Warning to ongoing fines until violation ceases or is cured. The amount of the penalty is in the discretion of KICA, not to exceed \$ 100 per day, depending on the severity of the offense.  Contractors are required to obtain a KICA certification, maintain their certification status annually and abide by KICA certifications guidelines, and rules and regulations. Violation of these guidelines or rules and regulations may result in but not limited to fines, penalties and access privileges being denied.			
9	Grounds Additions, Maintenance, Vegetation Removal, etc.				
9	Architectural Maintenance				
9	Architectural Review Board Violations	To be assessed by the ARB at the time of infraction(s)			
10	Other Important Rules	warning to \$50	\$50-\$100	\$50 - \$200 daily until violation ceases	
11	Rental Property Rules	warning to \$50	\$50 - \$100	\$50 - \$200 daily until violation ceases	
Violation of rules not specifically addressed above		Warning to \$25	50	\$50	\$200

Penalties are to be paid within **30 days** at the security office, 23 Beachwalker Drive, Kiawah Island, SC 29455, where a record of violations will be maintained. Receipts will be issued. The security office may be contacted by calling 843-768-8240.

**KIAWAH ISLAND COMMUNITY ASSOCIATION, INC.**

23 BEACHWALKER DRIVE  
KIAWAH ISLAND, SC 29455  
Phone: 843-768-9194  
Toll free: 866-226-1770  
Fax: 843-768-4019 - 24 hours  
E-mail: [Kicaadmin@kica.us](mailto:Kicaadmin@kica.us)  
Hours: MONDAY-FRIDAY, 8 a.m. - 5 p.m.

**SECURITY COMMERCIAL PASS OFFICE**

Phone: 843-768-8240  
Toll free: 866-596-7184  
Fax: 843-768-1275  
Hours: MONDAY-FRIDAY, 7 a.m. - 3:30 p.m.

**MAIN SECURITY GATE (24 hours)**

Phone: 843-768-5566  
Toll free: 866-266-1770  
Fax: 843-768-1670

**SANDCASTLE COMMUNITY CENTER**

Phone: 843-768-3875  
Fax: 843-768-3889  
E-mail: [Sandcastle@kica.us](mailto:Sandcastle@kica.us)  
Hours: MONDAY – FRIDAY, 7 a.m. – 7 p.m. (Memorial Day thru Labor Day)  
Saturday, 8 a.m. – 7 p.m.  
Sunday, 10a.m. – 7 p.m.  
  
MONDAY – FRIDAY, 7 a.m. – 6 p.m. (Labor Day thru Memorial Day)  
Saturday, 8 a.m. – 6 p.m.  
Sunday, 11 a.m. – 6 p.m.

Additional copies of this handbook are available on the KICA Web site at [www.kica.us](http://www.kica.us). The complete text of KICA's rules, policies, procedures, guidelines, and member forms and agreements are available at [www.kica.us](http://www.kica.us). Please contact member services for assistance.