



OVERVIEW OF RULES AND REGULATIONS



This is a revised version of the document previously titled *The Handbook of Frequently Encountered Rules and Regulations* that 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 September 5, 2018.

This handbook contains an overview of the 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. 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 decal or pass on the vehicle. Passes must be displayed on the vehicle's dashboard at all times. Decals are issued to members for vehicles that they own, provided they are current on payment of all KICA assessments, fees and penalties. Owner decals 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 routinely.
- B. Members may obtain guest passes for their non-rental guests by calling the main security gate (843-768-5566) or toll free at (866-596-7184). Owners requesting rental passes for their renters can email renterpassrequest@kica.us to have the passes emailed to the renter ahead of their arrival. 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.
- 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.
- F. Employee decals and passes allow employees to travel to and from their work site only. 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 skateboards, hoverboards, motorized bicycles and similar motorized vehicles are not permitted on Kiawah's roads or leisure trails.
- E. Neighborhood Electric Vehicles (NEVs) or Low Speed Electric Vehicles (LEVs) 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 by the Director of Security 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.
 - b. By South Carolina law, all golf carts must be operated by a licensed driver.
 - 2. Grandfathered golf 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 LEISURE TRAILS

- 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. Where riding or skating is permitted on roads, please ride single file, near the curb, and with the flow of traffic.
- B. Unauthorized, gas or electric 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.
 - 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 and obey all SC laws.
 - 4. Utilize reflectors and a light on bicycles after dark. Reflective or light-colored clothing after dark is recommended.
 - 5. Not ride on golf cart paths.
- D. Kiawah Island leisure trails are for the exclusive use of members and their guests staying on the island. Use of leisure trails by unauthorized persons is strictly prohibited and they shall be deemed trespassers.

SECTION 4 BOARDWALKS

- A. On boardwalks pedestrians, bicyclists, skaters and scooters:
 - a. Walk, not ride, bicycles across boardwalks to the beach.
 - b. Do not walk or ride on, or through, the dunes.
 - c. Park bicycles at boardwalks only in designated areas.
 - d. Do not ride skates or skateboards on the boardwalks.
- B. Congregating along or impeding pedestrian access to boardwalks is not permitted.
- C. Kiawah Island boardwalks are for the exclusive use of members and their guests staying on the island. Use of boardwalks by unauthorized persons is strictly prohibited and they shall be deemed trespassers.

SECTION 5 KICA FACILITIES & AMENITIES

- A. The Sandcastle and its pools, recreational facilities, Rhett's Bluff pavilion, 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/recreation, or at KICA's offices.
 - 1. Members, spouses, their dependents, lineal family members and guests of members are permitted entry to the Sandcastle and its pools and parking area provided the appropriate fees and assessments have been paid and the member is in good standing. Lineal family member and sponsored guest registration forms are available at www.kica.us/recreation/sandcastle-community-center.
 - 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 and pool areas 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. Short-term rental guests are not eligible for admittance to the Sandcastle and its pools or other KICA facilities.
 - 4. 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.
 - 5. Rental guests shall not bring boats onto Kiawah Island unless proper storage has been arranged.
 - 6. Rhett's Bluff and Eagle Point usage is from sunrise to sunset.
 - 7. Jet skis, wave runners and other similar watercraft may not be launched from KICA facilities.
 - 8. Boating and/or swimming is not permitted in any island ponds. Please beware that alligators inhabit ponds on the island.

SECTION 6 BEACH

- 1. Walking, biking or other activities on the dunes is not permitted, for the health of the island's dune system and may violate South Carolina law.

2. Cars, trucks, dune buggies, motorcycles, ATVs, or other motorized vehicles are not permitted on the beach, unless authorized specifically by the Town of Kiawah Island.
3. Fires are prohibited on the beach, unless prior approval is received from the Town of Kiawah Island.
4. Glass containers are not allowed on the beach (by Town of Kiawah Island ordinance).
5. Loud music is not permitted on the beach (by Town of Kiawah Island ordinance).
6. Dogs are permitted on the beach year round, however there are Town ordinances regarding locations dogs are permitted, as well as leash laws. Regulations regarding dogs can be located at www.kiawahisland.org/beaches.
7. The Town of Kiawah Island has additional regulations for the beach, which may be found at www.kiawahisland.org/beaches.

SECTION 7 PARKING

- 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
 - ◆ Ocean Course Clubhouse
 1. Members and their non-rental guests may park at any of these locations. They may also park at the Sandcastle.
 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) of 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, other approved enclosure or with approved vegetative screening.
- D. Vehicles may not be parked on road shoulders at any time, without the permission of KICA's COO, director of operations, director of security or director of livability. Persons parking on a road's shoulder/right-of-way (with or without permission) are responsible for any damage they cause.
- E. Vehicles shall not 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 in a manner that permits the free passage of emergency vehicles. For example, vehicles may not park directly across the road from each other.
- 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 (except in Ocean Park, the Preserve and the Settlement) 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 KICA member, filed with KICA's Livability Department.
- I. Vehicles may not park on the street within the circle of a cul-de-sac, in order to maintain emergency vehicle access at all times.

SECTION 8 ANIMALS

Domesticated 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. Household pets running loose, unconfined and/or exhibiting aggressive behavior 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 island ponds.
- C. Horses are not permitted at any location on Kiawah Island, unless granted express permission by the COO.
- D. With the exception of working animals, with documentation provided to the director of security or designee, contractors and island employees are prohibited from bringing animals on the island.

Wildlife

- E. American alligators inhabit all ponds on the island. Caution should be used at all times near ponds or in the presence of an alligator(s). Swimming or entering a pond is strictly prohibited.
- F. Feeding or taunting of alligators is not permitted. 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.
- G. 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 9 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 10 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 11 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), unless otherwise exempted. 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 an annual requirement for gaining access to the island. Please contact the ARB (843-768-3419), the KICA Land and Lakes Department (843-768-2315) the KICA Livability Department (843-768-2315) and Town of Kiawah Building Services (843-768-9166) for further guidelines and information.
- B. All home/property improvement jobs require an encroachment permit granted by KICA.
 - 1. Encroachment permit is required prior to issuance of an ARB permit or a building permit issued by the Town.
 - a) All permits/waivers must be satisfactorily closed.
 - b) Contractors must repair, to KICA's standards, any property damaged during construction, to include road rights-of-way, curbing, etc.
 - 2. For new home construction or driveway construction, a site plan, a drainage plan along with a Autocad file, must be submitted to KICA for review prior to obtaining an encroachment permit.
- C. An Architectural Review Board (ARB) building permit and/or Town of Kiawah Island building permit may be required for building and/or landscape improvements. Please

consult with each entity prior to proceeding with any work.

- D. Members are responsible for preventing the development of unclean, unsightly or unkempt conditions of their buildings and grounds.

E. GENERAL LANDSCAPE MAINTENANCE

1. Dead trees and snags should be left as habitat for wildlife unless they endanger individuals or other property. If a tree is endangering a home, roadway, trail, or other public area, on unimproved lots, they must be promptly felled. On improved lots, they must be felled and removed.
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 Land & Lakes Department, the ARB and possibly the State's Office of Ocean and Coastal Resource Management. Please contact KICA Land & Lakes Department at 843-768-2315 for additional information.

F. ROUTINE LANDSCAPE MAINTENANCE

The following requirements set by KICA and ARB set forth the association members' responsibilities for landscape maintenance:

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. Annual replacement of pinestraw or other mulch. 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.

G. BUILDING MAINTENANCE REGULATIONS

General Building Maintenance

1. Building claddings, roofs, stairs, handrails and foundations must not be in a state of disrepair, to include, but not limited to:
 - a. Broken, rotting wood, including stairs, railings and lattice, etc.

- b. Driveways or walkways showing deterioration, cracking, crumbling, discoloration or root intrusion.
 - c. Fences with broken or deteriorated wood or components.
 - d. Private docks in disrepair including, rotting or broken wood, and missing flotation.
2. Members are responsible for identifying, curing and correcting any unsafe or unsightly conditions on his/her property.
 3. Power washing must be performed as necessary to remove mold/mildew stains and residue from pollen and dirt.
 4. Painting shall be performed if paint is faded, stained or chipping/peeling.
 5. Broken windows, doors and screens shall be repaired.

H. MISCELLANEOUS REGULATIONS

1. Trash cans and recycling receptacles must be stored "out of sight" (i.e., not generally visible from, and screened in a manner, 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).
 - a. 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. 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.
2. 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.
 - d. 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.
 - e. 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. "Yard Art" or other decorative elements may be limited to the number of decorations displayed based on the size of the property, the size of item(s) and surrounding views.

3. Silk or artificial flowers or plants are not allowed in landscape beds or containers which are visible from the street or neighboring views.
 4. 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. Decorations or displays that involve illuminating light or emit sound that carries must be turned off no later than 9 pm each evening, and turned on no earlier than 9 am.
 - b. Inflatable decorations must not exceed 9 feet in height.
 - c. Winter holiday (Christmas, Hanukah, Kwanza, etc.) displays including but not limited to lights, greenery, wreaths, etc. may be displayed between Thanksgiving Day and January 15.
 - d. Holiday decorations or displays must not interfere with the quiet enjoyment of the residential homes within the surrounding area.
- I. 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.
- J. 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 will be removed by KICA Security.
 2. Littering or throwing of trash, limbs, grass, etc. into ponds, onto a neighbor's property, or onto other private or common property.
 3. Removal of vegetation from KICA property and easements, near ponds 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 12 DRONES

- A. Use of Electronic Equipment and Unmanned Aircraft (Drones) is prohibited.
1. No unmanned aircraft is permitted to operate on, over or around Kiawah Island, without written notice and consent from the COO, Director of Security or Director of Operations.
 2. No photography, video, surveillance, or other imagery may be taken from an unmanned aircraft operating on, over and around Kiawah Island, without written notice and consent from the COO, Director of Security or Director of Operations.

3. Commercial use of "unmanned aircraft" (re: real estate sales) may be permitted, provided the company is properly licensed and express permission granted by KICA. Permission will be limited to a specific location with no photography, video, or other surveillance of adjacent properties.

SECTION 13 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. Solicitation and/or distribution of bulk materials or advertisements (except by U.S. Mail).
 4. Crab pots/traps in 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. Use of portable storage containers must be approved by the COO, the director of operations, or the director of security. Such equipment must be removed within 24 hours of its arrival unless otherwise approved by the above-named personnel.
- G. 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 KICA Director of Security (843-768-8240).. Member Guest Passes may not be used for any type of commercial work or deliveries.
 1. Work trailers must be dropped on-site where the construction is being performed and not on the roadways.
 2. 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.
 3. Heavy duty lifting equipment including but not limited to dolly lifts, scissor jacks or similar type of equipment may not be driven on any roadways.
 - a. Lifts or similar type of equipment may be stored overnight on an approved jobsite with permission of the Director of Security, Director of Livability or the Director of Operations.

SECTION 14 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. Ensure that copies of *KICA Rules and Regulations* and *Guest Guide* are available in each property.
- F. Rental guests must be issued rental guest passes. Member guest passes may not be authorized for any rental guests.
- G. Rental guests are not entitled to admission to the Sandcastle and pool.
- H. Obtain all necessary business or other license(s) required by the Town of Kiawah Island (843-768-9166).
- I. Take action to correct any unsafe conditions on his/her property.

SECTION 15 ENFORCEMENT AND PENALTIES

- A. KICA security & livability departments are empowered, with cooperation from other entities, to enforce all rules and regulations in this handbook and those set forth at www.kica.us/governing-documents. Penalties which may be imposed by KICA are outlined on the inside back cover. Violators may also be subject to criminal fines 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.
- D. Per the *Declaration of Covenants and Restrictions of the Kiawah Island Community Association*, as amended in March 2018, the following enforcement authority is granted:
 - a. In addition to any rights the Association may have against a KICA member's family, guests, tenants or occupants, as a result of such person's violation of KICA documents, KICA may take action against the KICA member as if the KICA member committed the violation.
 - b. Types of enforcement actions may include:
 - i. Suspension of rights to use of common property.
 - ii. Suspension of voting rights.
 - iii. Imposing reasonable penalties which shall constitute a lien against the member's property.
 - iv. Using self-help to remedy a violation.
 - v. Bringing an action for injunctive or other equitable relief, including specific performance.
 - vi. Recording a notice of violation in the Charleston County land record identifying an uncured violation.
 - c. Prior to imposing penalties or the suspension of rights, KICA shall provide written notice to the KICA member which, among other things:

- i. Identifies the violation, suspension and/or penalty being imposed.
 - ii. Advises the KICA member of the right to request a violation hearing before the KICA board of directors.
 - d. Violation Hearing:
 - i. Any written request for a violation hearing must be received within ten (10) days of the date of the violation notice.
 - ii. Upon receipt of a request, the KICA board of directors shall schedule a violation hearing in executive session.
 - iii. If the KICA member fails to timely request a violation hearing, the KICA member waives the right to contest the violation.
 - iv. The KICA board of directors may establish rules of conduct for the violation hearing, including, but not limited to, limits on the amount of time one person can speak and limits on the number of participants who may be present at one time.
 - e. The minutes of the violation hearing shall contain a written statement of the results of such hearing.
- E. No Violation Notice and Hearing Required: Per the *Declaration of Covenants and Restrictions of the Kiawah Island Community Association*, as amended in March 2018, there are instances when no Violation Notice or Hearing is required before a penalty is levied. Such instances include, but are not limited to, the imposition of late charges and the suspension of voting rights for a member's failure to timely pay assessments.

SECTION 16 MISCELLANEOUS

- A. These rules and regulations do not necessarily apply to security, Town of Kiawah Island officials, law enforcement and emergency personnel who are acting in their official capacity and carrying out their official duties.
- 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, as well as state and federal laws. Questions about the rules and regulations in this handbook may be directed to the Director of Security and/or the Director of Livability. You may reach the Director of Security by 843-768-9194 or 1-866-226-1770. You may reach the Director of Livability by calling 843-768-9194 or 843-708-3611. 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 OR COO. 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 & 4	Leisure Trails & Boardwalks	warning to \$25	\$50	\$100	\$200
5	KICA Facilities & 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
6	Beach	warning to \$25	\$50	\$100	\$200
7	Parking	warning to \$25	\$50	\$100	\$200
8	Animals	warning to \$25	\$50	\$100	\$200
9	Firearms and Fireworks	warning to \$100	\$100-\$300	\$300-\$500	\$300-\$500
10	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.			
11	Grounds Additions, Maintenance, Vegetation Removal, etc.				
11	Architectural Maintenance				
11	Architectural Review Board Violations	To be assessed by the ARB at the time of infraction(s)			
12	Drones	warning to \$25	\$50	\$100	\$200
13	Health & Environmental Control	warning to \$50	\$50-\$100	\$50 - \$200 daily until violation ceases	
14	Rental Properties	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 KICA offices located at 23 Beachwalker Drive, Kiawah Island, SC 29455, where a record of violations is maintained.

KIAWAH ISLAND COMMUNITY ASSOCIATION

23 BEACHWALKER DRIVE
KIAWAH ISLAND, SC 29455
Phone: 843-768-9194
Toll free: 866-226-1770
Fax: 843-768-4019 - 24 hours
E-mail: memberservices@kica.us
Hours: MONDAY-FRIDAY, 9a.m. - 4 p.m.

LIVABILITY DEPARTMENT

Phone: 843-768-9194
E-mail: livability@kica.us
Hours: MONDAY-FRIDAY, 7 a.m. – 3 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 / RECREATION DEPARTMENT

Phone: 843-768-3875
Fax: 843-768-3889
E-mail: Sandcastle@kica.us

MAINTENANCE DEPARTMENT

20 Kestrel Court
Kiawah Island, SC 29455
Phone : 843-768-2315
Fax : 843-768-0298
Email : kicaland@kica.us
Email : kicalakes@kica.us
Email : kicamrr@kica.us
Hours : MONDAY-FRIDAY, 7 a.m -3 :30 p.m.

Additional copies of this handbook are available on the KICA Web site at www.kica.us. The complete text of KICA's rules, policies, procedures, guidelines, and member forms and agreements are available at www.kica.us.