

# Fripp Island Property Owner's Association

## Rules and Regulations

Approved Date: May 21st, 2022

Revised Date: September 23<sup>rd</sup>, 2023

Revised Date: November 27<sup>th</sup>, 2023

### Ticket Plea Negotiation

1. Leave fine the same
2. Reduce by 50%
3. Reduce to \$50.00
4. VOID

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## A. INTRODUCTION

Pursuant to the *General Declaration of Covenants and Restrictions*, the Association has the authority to develop reasonable Rules and Regulations, including Architectural Guidelines and Private Property Maintenance Standards, and to enforce such Rules and Regulations, the Declaration, and Bylaws. The Rules and Regulations shall apply to all property owners, residents, occupants, visitors, guests, and tenants. These Covenants and Restrictions are accepted by property owners upon purchase of the property and are an obligation of property ownership and/or residency.

The *General Declaration of Covenants and Restrictions* that govern Fripp Island take precedence over any conflicting language that may appear in the Rules and Regulations, Private Property Maintenance Standards, or Architectural Guidelines.

It is important to note that while Fripp Island is a private community, owners and guests remain responsible to adhere to all existing federal, state, local laws, regulations, and ordinances. This includes any and all environmental and wildlife regulatory matters.

## B. DEFINITIONS

The following words and terms, when used within these Rules and Regulations, shall have the following meaning:

1. **Abusive Conduct** is defined as, but not limited to, abusive language, insults, threats, unwanted advances (physical or otherwise), or assault or battery.
2. **Association** means the Fripp Island Property Owners Association.
3. **Commercial Vehicle** means all motor vehicles and equipment they are engaged in commercial activity.
4. **Community Path** means the paved paths throughout the community used for the enjoyment of all property owners, residents, occupants, visitors, guests, and tenants Community paths are regularly used by walkers, joggers, bicyclists, maintenance equipment and golf carts.
5. **Firearm** is defined as a barreled weapon of any description from which any shot, bullet or other missile can be discharged. It includes any prohibited weapon whether a lethal weapon or not.
6. **Habitual** means three or more times in 12 consecutive months.
7. **Inoperable Vehicle** means any vehicle that cannot be moved by its own power.
8. **Member** means any individual listed as the legal property owner of record.
9. **Overnight parking** means any vehicle which is not being operated between the hours of 3:30 a.m. and 5:30 a.m.
10. **Pedestrian** means any person afoot and shall include, without limitation, persons standing walking, jogging running or otherwise on foot.
11. **Political** means anything relating to the government or the public affairs of a country, state, county, or municipality.
12. **Recreational Vehicle** means any vehicle designed to be used as temporary living quarters for recreational, camping, travel, or seasonal use that either has its own motor power or is mounted on or towed by another vehicle. Recreational vehicle includes camping trailers, fifth-wheel trailers, travel trailers, lightweight trailers, Class A motor homes, Class B motor homes, and Class C motor homes. Recreational vehicle also shall include boats, boat trailers, jet skis, and all-terrain vehicles.
13. **Resident** means any individual with lawful authority to reside within a dwelling on Fripp Island.
14. **Security Officer** means a person who provides security services by performing any

security function as defined in Title 40, Chapter 18 of South Carolina law. In Section 40-18-110, authority and arrest powers of a licensed armed security officer, who is hired or employed to provide security services on specific property is granted the authority and arrest power given to sheriff's deputies.

15. **Vehicle** means any conveyance which can be used to transport any person or property.
16. **Vicious Dogs** means any dog evidencing an abnormal inclination to attack persons or animals without provocation.
17. **Service Animal** a service animal is defined as a dog that has been individually trained to do work or perform tasks for an individual with a disability. The task(s) performed by the dog must be directly related to the person's disability.
18. **Abandoned** means any vehicle that is left unattended, on Association property, roadway, or common area, for more than forty-eight hours.
19. **Delinquent Acts** means those acts which violate the laws of the United States, or the statutes of the state or the rules and regulations of the Fripp Island Property Owner's Association.
20. **Minor** means any person under the age of eighteen (18) years residing with a parent as defined herein.
21. **Parent** means mother, father, legal guardian and any other person having the care or custody of a Minor or any person acting in the parent's stead who has custody or control of the child.

## C. GENERAL CONDUCT

*Certain rules are established to ensure that all residents, members and their guests enjoy their experience at Fripp Island. As such, it is imperative that everyone takes personal responsibility for those actions that impact the community as a whole.*

1. The Rules and Regulations shall apply to all property owners, residents, occupants, visitors, guests, and tenants. Property owners and residents are responsible for their own conduct and the conduct of their family members, tenants, and guests.
2. Criminal acts pursuant to all Federal, State local laws and ordinances, will not be tolerated and violators will be prosecuted to the extent of the law.
3. Members residents Resort Club members guests, employees, and vendors will be held legally and financially responsible for any damage intentional or otherwise, to Association property.
4. The General Manager is responsible for the performance and conduct of Association employees. In order to promote harmony in the workplace and protect employees and volunteers, abusive conduct toward an Association employee, committee member board member or other volunteer in the conduct of Association business is prohibited. Any complaints about an Association employee shall be made to the General Manager.

## D. ACCESS CONTROL

*Fripp Island is a private, gated community, and entry by the general public is prohibited. Persons seeking entry must be identified at the gatehouse to determine their purpose e. The Association reserves the right to limit access to any per on when it considers it to be in the best interest of the community.*

1. AU vehicles entering the community must display the appropriate decal, pass or possess other approved access authority to be permitted on the island. Drivers of vehicles without a valid decal or pass must stop and be processed at the security gatehouse for authority to enter the island.
2. Residents and members must preauthorize all visitors via phone internet, or mobile app or provide a list of visitors by name to the Security Department. If a visitor has not been preauthorized and the resident or member cannot be reached access may be delayed or denied.
3. Residents and members must preauthorize individuals and companies conducting business on Fripp Island. However, anyone conducting business on the island must have a daily pass or annual decal. Some exceptions apply and are at the sole discretion of the Association, e.g., emergency services, government vehicles public utilities or medical health professionals.
4. Any contractor, subcontractor, service provider, vendor, or individual seeking access to Fripp Island to provide a service for a resident or commercial operation will be required to purchase a daily pass or annual commercial decal. Commercial pass holders may access the island Monday through Saturday from **7:30 am – 7:00 pm** excluding holidays, unless otherwise approved in advance by the Fripp Island Property Owners General Manager or Assistant General Manager. **Trash services are permitted access the island no earlier than 6:30 am.** Additionally, Deliveries/Pick-Up/Service Providers for any Fripp Island Resort Commercial Facilities may be allowed on island prior to the **6:30 am** designated time provided that the service or work being performed can be done so in a quiet manner.

Should any provider breach the above Rules, the fine will be \$500.00.

## E. VEHICLES AND TRAFFIC

*Drivers of all vehicles, including golfcarts and bicycles when driven upon a roadway, must comply with the Rules of the Road for the state of South Carolina, which may be found in the South Carolina Code of Laws, Title 56 - Motor Vehicles, Chapter 5, Uniform Act Regulating Traffic on Highways and the Rules and Regulations of the Association. Additionally, The Association has the following specific traffic enforcement rules.*

### Section I: VEHICLES AND TRAFFIC

	Citation Amount
A. Exceeding the Speed Limit	
01 - 10 Miles Over the Limit	\$25.00
11 - 15 Miles Over the Limit	\$50.00
16 - 20 Miles Over the Limit	\$100.00
21 - 25 Miles Over the Limit	\$150.00
26+ Miles Over the Limit	\$200.00
B. Disregard of a Stop Sign or other traffic control device.	\$100.00
C. Improper Passing or overtaking in a designated no passing zone.	\$50.00
D. Failure to Signal the turn or movement left or right of a motor vehicle on the roadway.	\$50.00
E. Careless Operation or Failure to Exercise Due Care of a Motor Vehicle is prohibited.	\$200.00
F. Operating a Motor Vehicle without a valid License.	\$200.00
G. Operating an Unregistered or Unlicensed Motor Vehicle.	\$100.00
H. Operating a Motor Vehicle Without Property, Personal Injury, and Property Damage Liability Insurance	\$200.00
I. Operating a Moped, Scooter, or similar motorized vehicle without a Helmet, under the age of 18.	\$50.00
J. Unregistered GolfCarts, Mopeds, or similar motorized vehicles are prohibited.	\$200.00
K. Unauthorized Possession or Use of a Motor Vehicle without owner's consent.	\$100.00
L. Walkers, Bikers, Skaters and any Non-Motorized Vehicle not utilizing the bike path when available.	\$25.00
M. Operating a Motor Vehicle on the Beach, Bike Path or other Restricted Area, except for motorized handicap conveyances.	\$200.00
N. No Tarp on Load of a Motor Vehicle hauling debris or other items.	\$100.00
O. All-Terrain Vehicles, Mules, Gators, and other off-road vehicles are not allowed on Association property, except for Commercial or Public Safety use, with permission from Security.	\$300.00

- P. Motor Vehicles must yield the Right of Way to Pedestrians, Bicycles, Golf Carts and other conveyances accessing the roadway from a community or golf cart path that intersects the roadway. \$200.00
  
- Q. All vehicles entering the island must stop at the security gatehouse, failure to stop or bypassing access control is prohibited. \$300.00
  
- R. Improper Display of the Association's Decal or Pass: The Association's decal must be displayed in the lower left-hand corner of the driver's side windshield and adhered to the windshield with the adhesive side of the decal unless otherwise approved by Security. The pass must be displayed on top of the dashboard, in the left-hand corner of the driver's side of the dashboard. The decal and the pass shall be displayed in a manner that is clearly visible through the windshield. \$50.00

**F. PARKING**

*control of parking is essential to maintain the aesthetic of the community, public safety, and to ensure emergency vehicle access. The Association has the following specific parking enforcement rules.*

**Section II: PARKING**

- A. Parking in a designated No Parking area is prohibited. \$50.00
  
- B. Improper Parking on the Association Right of Way: Vehicles parking on the Association s Right of Way (ROW) must have all wheels off of the roadway, parked parallel to the adjacent roadway, must not block access to mailboxes, driveways, community paths, fire hydrants, traffic control devices or regulatory signage. \$50.00
  
- C. Stopping, Standing or Parking in a designated Fire Lane is prohibited. \$100.00
  
- D. Parking in a Handicap Parking Space without Proper Handicapped designated License Plate or Tag is prohibited. \$100.00
  
- E. Parking in an Unsafe Manner that obstructs traffic control devices, the vision of others, or in any way creates an unsafe situation is prohibited. \$200.00

- F. Overnight parking on Association property without the permission of Security, between the hours of 3:30 am and 5:30 am is prohibited. \$100.00
- G. Vehicles parked in an unlawful manner, on Association property, are subject to tow, at the owner's expense and charged an administrative processing fee. \$200.00
- H. Vehicles abandoned on Association property are subject to tow at the owner's expense and charged an administrative processing fee. \$200.00

**G. GOLF CARTS**

*Streets within Fripp Island have multi-modal (pedestrian, bicycle, and golfcart) paths that intersect with the roadway. When driven upon a roadway, golf carts shall comply with the Rules of the Road for the state of South Carolina, which may be found in the South Carolina Code of Laws, Title 56 - Motor Vehicles, Chapter 5, Uniform Act Regulating Traffic on Highways and the Rules and Regulations of the Association. Additionally, the Association has the following specific traffic enforcement rules regarding golf carts.*

**Section III: GOLF CARTS**

- A. Unregistered Golf Cart: All privately-owned golf carts are required to be registered with the Association's Security Department. \$200.00
  - Golf Cart Registration Fees**
  - 1. Rental Golf Cart(s): Gas - \$25.00 and Electric - \$15.00
  - 2. Guest Golf Cart(s): \$100.00
  - 3. Owner Golf Cart(s): No Charge
- B. Unregistered golf carts parked on the Association's common property are subject to tow at the owner's expense and charged an administration fee. \$100.00
- C. Golf cart owners must have and maintain liability insurance on all golf carts operating on Association property or roadways. \$100.00
- D. Any person operating a golf cart must have in their possession a valid driver's license. \$100.00
- E. Golf cart capacity limits must be observed, and all passengers must be seated. Standing or hanging on to the cart while in motion is prohibited. \$100.00
- F. Operating a Golf Cart without Proper Equipment, to include operational head lights, taillights, brake lights, and a rear-view mirror. \$100.00



- G. It is the parent, guardian, or adult caretaker's responsibility to ensure that all children are safely secured while traveling in a *golf* cart. Further, it is a violation of Fripp Island rules for a child to be transported on the lap of the golf cart operator. \$200.00
- H. Golf carts that are disabled, abandoned, unlawfully parked, or parked in an unsafe manner on Association property, are subject to tow at the owner's expense and charged an administrative fee. \$200.00

**H. PUBLIC SAFETY**

*The Association strives to create a safe and welcoming environment for residents and visitors alike. The public safety mission is to serve, protect, prevent, and deter crime and social disorder, while working in concert with the community to problem solve and address quality of life challenges. The South Carolina Code of Laws, Title 16 defines the criminal code, that all residents and visitors are subject to. Additionally, the Association has the Jo/Lowing specific rules regulating public safety.*

**Section IV: PUBLIC SAFETY**

- A. Unlawful Discharge of a Firearm: It shall be unlawful, for any person, to unlawfully discharge any type of firearm on Fripp Island, which is a designated Wildlife Sanctuary under South Carolina Law. \$200.00
- B. Open Carry of a Firearm Prohibited: Open Carry of a Firearm on Association property is prohibited. \$500.00
- C. Unlawful Discharge of a Firearm - Non-Gun Powder or another Weapon:  
It shall be unlawful for any person, to unlawfully discharge any pellet or bb gun, air soft or paint ball firearm, sling-shot, bow and arrow, cross bow, or any similar device on Association property. \$100.00
- D. Unlawful Discharge of Fireworks: It shall be unlawful to discharge or cause to be ignited or discharged any type of fireworks. \$100.00
- E. Disorderly Conduct: It shall be unlawful for any person to create or assist in creating a breach of the peace, or to engage in any conduct that alarms or disturbs another person.
  - 1. Any person who shall act in a violent or tumultuous manner toward another, whereby any person is placed in fear of safety or wellbeing;
  - 2. Any person who shall act in a violent or tumultuous manner toward another, whereby property of any person is placed in danger of being destroyed or damaged;

- ght, brawl or riotous conduct so as to endanger the life, limb, health or property of another;
4. Any person who utters in the presence of another, any lewd, obscene or offensive words or epithets;
  5. Any person who shall create or cause any disturbance as annoyance to the comfort or repose of any person;
  6. Any person who, within public view, urinates, defecates, or displays body parts in a lewd manner. \$1000.00
- F. Curfew: It shall be unlawful for a minor, under the age of 18, to be on the roadway or any other common area, between the hours of 12:00 AM and 5:00 AM unless accompanied by their parent or guardian. \$50.00
- G. Curfew - Golf Cart: It shall be unlawful to operate any golf cart by persons under 18 years of age between 12:00 AM and 5:00 AM on any roadway or common area. \$50.00
- H. Excessive Noise: It shall be unlawful to willfully disturb any person(s) with excessive noise, through the use of any devices or other means which is audible from a distance of one hundred (100) feet from its source. \$100.00
- I. Trespassing: It shall be unlawful for any person to enter any area or property of another, that is posted for No Trespassing or after being ordered to leave the property by the appropriate authority. \$100.00
- J. Criminal Damage to Property: It shall be unlawful for anyone to damage the property of others or the Association, without the owner's consent. \$1000.00
- K. Unlawful Possession or Consumption of Alcohol by a Minor: It shall be unlawful for any person under the age of 21 to purchase, possess, or consume an alcoholic beverage or knowingly provide false information to obtain alcohol. \$200.00
- L. Littering: It shall be a violation for any person to willfully dump, throw, drop, deposit, discard or otherwise dispose of litter or other solid waste from solid waste from a vehicle or otherwise; upon public or private property. \$200.00
- M. Dumping: Dumping any type of debris, natural or otherwise on Association or other private property, without permission, is prohibited. \$200.00
- N. Open Burning or Recreational Fires: Recreational fires and the open burning of leaves, trash, underbrush, or similar materials on Association or common property is prohibited. \$100.00

0. Solicitation: [it is unlawful for any person to distribute spread or scatter handbills posters advertisements menus booklets, or other papers upon community paths, streets or into or upon any public or private premises or on or into any vehicles. \$100.00

P. Except as otherwise provided below, no person owning or operating a passenger aircraft or helicopter shall land on or take-off from any single-family residential lot located on Fripp Island or Fripp Island Property Owners Association Common Areas. The following are exceptions to the above restrictions: (1) A declared emergency condition by the aircraft in question; (2) An emergency condition, where human life or property is in clear or eminent danger; (3) Medical transport to a hospital that facilitates landing of aircraft in emergency situations.

Nothing contained herein shall preclude the landing of aircraft or helicopters operated by or under the control of any duly authorized police, military, Coast Guard, fire or law enforcement agency.

In the event of a violation of Section IV (P) related to take-off and landing of personal helicopters or other aircraft the minimum penalty for violation of Section IV (P) is \$1000.00. Penalties for successive violations shall increase to \$2,000.00 for a second violation, \$5,000.00 for a third violation and \$10,000.00 for any further violations.

## I. PARENTAL RESPONSIBILITY ACT

*South Carolina has enacted a statute known as a "parental responsibility law:" These are civil laws that can be used to hold a parent or legal guardian financially accountable. for certain injuries or damages their minor children cause South Carolina's civil liability Law is covered under Section 63-5-60 of the South Carolina Children's Code. Under Sec. 63-5-60, a parent can be held liable for damages incurred as a result of their son or daughter's misconduct. That is if the minor is under the age of eighteen and living with the parents and the minor maliciously or willfully caused personal injury to s o m e o n e , or damaged, destroyed, or stole someone else's property.*

### Section V: PARENTAL ACCOUNTABILITY ACT

Parental Accountability: A parent can be held liable for damages incurred as a result of their son or daughter s misconduct. That is if the minor is under the age of eighteen and living with the parents and the minor maliciously or willfully caused personal injury to someone, or damaged destroyed or stole someone else's property.

- A. Where a parent fails to exercise reasonable control over a Minor, where the Minor commits the act while unsupervised by a parent or guardian or where the Minor commits the act while also violating curfew without lawful authority, it shall be presumed that such failure to exercise reasonable control has a causal relation hip to the Delinquent Act.
- B. Parental Accountability: It shall be a violation of the Fripp Island POA Rules and Regulations for a parent who fails to exercise due control over their respective Minor(s), where the Minor commits a delinquent act, which does not include traffic violations.

\$250.00

- C. Civil Liability: Pursuant to Section 63-5-60 of the South Carolina Children's Code a parent can be held liable for damages incurred as a result of their son or daughter's misconduct, up to \$5,000.00 per incident.

**J. ANIMAL CONTROL AND WILDLIFE PROTECTION**

*The Association's goal is to create an environment that allows our diverse wildlife population to safely coexist with our residents, visitors, and support personnel. Fripp island is a designated Wildlife Sanctuary under the South Carolina Code of Laws, Title 50 - Fish, Game, and Watercraft Chapter 11 - Protection of Game, Section 50-11-880, whereas Wildlife Sanctuaries declared in certain areas; makes it is unlawful to discharge a firearm or attempt to take or kill wildlife. Further, all State of South Carolina and Federal laws applying to the preservation and protection of wildlife are applicable on Fripp Island.*

*Violation of any local, state, or federal wildlife protection laws will be reported to the appropriate authority for enforcement, species such as sea turtles, alligators, and raptors inhabit Fripp Island. Additionally, the Association has the following specific rules regulating animal control and the protection of wildlife.*

**Section VI: ANIMAL CONTROL AND WILDLIFE PROTECTION**

- A. Dog(s) running at Large or Unleashed: A dog is deemed to be running at large if off the premises of the owner or keeper and not under the physical control of the owner or keeper by means of a leash or other similar restraining device. \$50.00
  
- B. Failure to Properly Dispose of Dog Waste: Domestic pet owners or their designee who is responsible for their pet(s), are required to appropriate clean up their domestic pet's waste and dispose of it in the appropriate container. \$50.00
  
- C. Possession of a Vicious Dog is Prohibited: Possession of any dog evidencing an abnormal inclination to attack persons or animals without provocation is prohibited. \$500.00
  
- D. Taunting, Tormenting, Striking, Harassing, or Harming in any way Domestic Pets or Wildlife is prohibited: It is prohibited to willfully or maliciously harass, taunt or harm domestic pets or wildlife. \$500.00
  
- E. Interference with the Use of a Guide Dog or other Service Animal is Prohibited: It is unlawful for any person or the person's dog, who has received notice that his/her behavior is interfering with the use of a guide dog or other service animal by obstructing, intimidating, or jeopardizing the safety of the guide dog or service animal or its user. \$250.00
  
- F. Approaching, Enticing, Feeding, Disturbing, Harassing, or in any way Harming Alligators is Prohibited: No person shall approach, entice, disturb, harass or in any way harm alligators. \$1000.00

- G. Feeding deer or other wildlife on Association property or common area is prohibited. \$100.00

## **K. ENFORCEMENT AND NOTICE OF FINES**

Pursuant to the *Covenants*, in the event of a violation of the Declaration (of Covenants), Bylaws, or Rules and Regulations, the Association, by its Board of Directors, shall have the power to take any of the following actions separately or simultaneously:

- A. Suspend all rights to use the Common Property;
- B. Suspend all voting rights of a violating Owner;
- C. Increase an Owner's annual assessment to cover any outstanding fines or fees;
- D. Impose reasonable fines, which shall constitute a lien on the violating Owner's lot;
- E. Owners are ultimately responsible for the fines imposed upon any occupant, guest, renter, or invitee;
- F. Bring an action for damages, permanent injunction, temporary injunction, and/or specific performance to compel the Violator to cease and/or correct the violation; and
- G. Record in the Beaufort County land records a notice of violation identifying any uncured violation of the Legal Documents regarding a property.

## **L. APPEALS PROCESS**

An individual who has been issued a citation or summons has the right to have their case reviewed by the Appeals Committee. The individual requesting an appeal must notify the General Manager in writing within ten (10) calendar days of the issuance of the citation and pay the fine to post as bond pending the outcome of the appeal. The Appeals Committee must acknowledge receipt of the request for an appeal and notify the appellant that the Appeals Committee has scheduled the appeal for review. Once the Appeals Committee has reviewed the case and rendered a decision it will notify the appellant of the outcome in writing.

