

# Colony Square Homeowners Association, Inc.

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## Rules and Regulations

These Rules and Regulations ("Rules") have been adopted and implemented by the Home Owners Association ("HOA", "HOA Board of Directors") to protect the owner's investment and enhance the values of their Units in Colony Square.

These Rules apply to Owners, Tenants, guests and their hires and are intended to be a guide for the efficient and prudent operation of the Buildings and grounds; for Building maintenance and cleanliness; for pleasant living; and as a means of a reminder that each of us has a responsibility to one another and that all residents must be congenial to one another and to the HOA as a whole.

These Rules and Regulation are enforceable under authorization of the HOA's Declaration and its Bylaws. Infractions will be brought first to the attention of the Management Company. Violators may be subject to an injunction as well as liability for damages, and may also be liable for attorney fees, fines and other costs incurred by the HOA in such actions. Past failure to enforce these Rules and Regulations does not in any way waive validity or future ability to enforce. The Rules and Regulations may be modified, repealed or amended at any time by a resolution of the HOA Board of Directors when deemed necessary in the best interest of unit owners/residents and the community. Furthermore, every resident of Colony Square must observe all city ordinances, Laws and Codes of the City of Myrtle Beach.

### **GENERAL**

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Pursuant to the Master Deed as amended and By-Laws, the following Rules and Regulations are promulgated for the residents of Colony Square. Each dwelling is hereby restricted to residential use by the owner or owners thereof, their immediate families, Tenants or guests. No improper, offensive or unlawful use shall be made of the Common Elements or Limited Common Elements. No owner or occupant shall obstruct or interfere with the right of other occupants of Colony Square or annoy them by unreasonable noises, nor shall any such owner or occupant undertake any use of practice, which shall create and constitute a nuisance to any other dwelling occupants.

Any questions, suggestions or complaints should be made directly to the Management Company and not to HOA Board Members unless it is an emergency. The Board will request that all owner concerns are submitted in writing to the Management Company so that they can be submitted to the Board for review. The Board may defer any requests to be discussed at the next scheduled Board meeting. It is asked that everyone follow this procedure so that all requests may be handled in a timely and orderly manner.

### **HOMEOWNERS RESPONSIBILITY**

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1. Homeowners are responsible for the conduct of their families, Tenants, animals, vendors and guests at all times, to include any damages and or fines that may result. Failure to abide by the Rules and Regulations and/or Master Deed may result in fines to the owner. Residents and/or Guests are not permitted to engage in any activity in the parking lot, sidewalks, courtyard, swimming pool or tennis courts that could cause damage, are against DHEC regulations or are in violation of the Rules and Regulations and/or Master Deed of Colony Square. This includes any disturbance of the quiet enjoyment of the common areas of Colony Square.
2. Residents are required to update their contact information annually or whenever there is a change in information. This includes a valid mailing address (one at which the owner receives certified mail without being forwarded). This is critical information, and in the event a disaster

strikes, the Management Company needs to be able to contact owners or residents. The HOA nor the Management Company can be held responsible for the inability to communicate due to outdated contact information.

3. Each owner or resident must furnish access to their unit for emergencies and annual termite inspection or be liable for their own or possibly adjacent unit's damage should damage occur. Keys are securely stored with the Management Company and no one, including HOA Board Members, have access or permission to use keys except in the event of an emergency. If you notice outside pests, please contact the Management Company to arrange for spraying.
4. Owners will be responsible for all costs to replace or repair any damage of common elements incurred by themselves or their tenants and/or guests. This includes applicable attorney fees that may be incurred as a result of the damages.

## **CONDUCT**

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Being thoughtful of one's neighbors is essential in a multifamily community. Due to the placement and height of buildings, sound carries tremendously. The City of Myrtle Beach has a noise ordinance from 10:00 pm until 8:00 am. Anyone in violation of this ordinance will be reported to the local police and may be subject to violations and associated fines, up to and including legal action.

1. Drunk and/or disorderly conduct to include vulgarity within the common elements is PROHIBITED.
2. No Unit Owner or guest shall make or permit to be made any noise or disturbance that will unreasonably interfere with the rights, comforts, or conveniences of their neighbors within the patios and common areas. Loud noise from televisions, stereo equipment, musical instruments, motorized vehicles and people should be kept to a minimum. Noise transmission between units is a civil matter and should be reported to Myrtle Beach Police.
3. Please respect people's privacy by not peering into patios/windows or entering onto patios without permission.

## **SECURITY & SAFETY**

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The security and safety of our community is paramount and is dependent upon every resident/guest being alert and aware and responding appropriately to security threats or issues. Depending upon the situation, the resident/guest is asked to contact either the Management Company or Myrtle Beach Police.

In case of an emergency, please dial 911.

City Of Myrtle Beach Police for non-emergencies: 843-918-1300 or 843-918-1382

Waccamaw Management after hours Maintenance emergency line: 843-272-8705

## **OUTDOOR GRILLS**

1. Grills are permitted on ground level patio areas ONLY.
2. Grills must NOT have any building structure above and must be located a safe distance (10 feet) away from any flammable structures.
3. Grilling on 2nd floor balconies or landings is strictly PROHIBITED.
4. Large smokers & grills that produce a large amount of smoke or chemical smell are PROHIBITED.
5. Owners will be liable for any and all smoke or fire damage caused by themselves, guests or tenants operating outdoor grills.
6. The HOA will handle 'nuisance' smoke incidents on a case-by-case basis.

## **FIREWORKS**

1. The discharge of fireworks and/or any other type of noise-making or explosive devices is PROHIBITED.
2. Storing fireworks in storage closets is PROHIBITED.

### **FLAMMABLE OILS OR FLUIDS**

1. No resident shall use or permit to be brought into the interior of the unit or storage closet, any flammable oils or fluids (excess amounts of lighter fluid, storage cans of gasoline or kerosene, or other explosives or articles are deemed extra hazardous).
2. Tiki torches are considered a fire hazard and are PROHIBITED.
3. Fire columns, fire bowls, fire pits whether free standing or table top are PROHIBITED on patios or common areas.

### **TOBACCO PRODUCTS & SMOKING**

1. Please be respectful. Smoking in the Common and Limited Common areas is presently allowed. However, breathing second hand smoke is dangerous, even for a second. Many people are allergic to smoke or have health problems like asthma. Please make sure that the smoke does not drift in the direction of others, especially within the vicinity of pregnant women, infants and the elderly. Please refrain from smoking in pool area when children are present.
2. For aesthetic and environmental reasons DO NOT throw cigarette butts on any common grounds within Colony Square. This includes Common and Limited Common areas such as streets, sidewalks, patios, grass areas, flower beds etc. Please dispose of cigarettes properly. Never toss hot cigarette butts or ashes in the trash.

### **HURRICANE & SEVERE STORM PREPAREDNESS**

1. Remove or tie down firmly all exterior furniture and loose items. Secure all doors and windows to prevent shattering.
2. Shut off the main water valve to your unit (located in front of your building, some are on back patios) and your water tank. In the event Horry County issues a mandatory evacuation, water and power may be disconnected.
3. Have a plan ready in the event of a hurricane and reach out to your neighbors before, during and after any severe storm. Neighbors are often each other's first responders during a natural disaster. When it is safe to do so, please contact the Management Company to advise them of any structural issues that are in need of repair.
4. Make sure Management has a current key to your unit at all times.

### **EXTERIOR APPEARANCE**

Each resident shall maintain and use his dwelling in such a manner so as not to create a fire hazard, damage to others and to preserve the exterior appearance of the dwelling.

1. Exterior antennas for radio or television, wiring, lights, security cameras or mountings for any purpose may not be installed on the exterior of the building or upon the common elements without written Board approval.
2. Window and door screens are the responsibility of the unit owner for repairs. All torn or damaged window and door screens must be repaired or replaced. Failure to repair or replaced torn or damaged window or door screens may result in violations and associated fines.
3. All window coverings that are visible from the outside must be either white or a neutral color. They must be either blinds or curtains and can't be torn or damaged. In no event should bed sheets or other temporary materials be used to cover the windows.
4. Signs, advertising or notices of any type, including but not limited to "For Sale" and "For Rent," are PROHIBITED if they are visible from the outside of any unit or any part of the common elements or limited common elements.

5. Flags, umbrellas and banners with any type of advertising within view of the common area are PROHIBITED, with the only exception being one American Flag.
6. No yard art, signs, benches, urns, patio furniture, toys, carriages, strollers, furniture, or other personal items shall be allowed to stay or be stored on any part of the common area, entry areas and/or flower beds or bushes.
7. Balconies, porches and patios may not be used for storage.
8. Temporary air conditioners (e.g. window units) or similar appliances such as swamp coolers, portable AC units, or fans placed in windows are PROHIBITED.
9. Hammock or swing chairs attached to balconies are PROHIBITED due to possible structural damage.
10. Dumping and/or the release of any materials, liquid or solid in the flower beds, or any common areas. (paint, oil, cat litter, solvents etc.) is strictly PROHIBITED.
11. Hoses are not allowed to be left in front of buildings, on sidewalks or flower beds.
12. No alterations or additions can be made to the buildings, i.e., paint color, window or door replacement, lighting, unit numbers, etc. without prior written approval from the Board.
13. All gates or barriers that restrict access in or out of patios must be approved by the Board. Items such as baby gates, boxes, crates etc. are PROHIBITED.
14. Patio Gates were not installed by original Developer and were not in original engineered plans or vision. Any new installation must be approved by the Board. Owners must submit drawings and measurements for all new gates. Maintenance of existing gates (no matter when they were installed) must include: matching existing paint color which can be obtained by contacting the Management Company, and fence construction with no visible diagonal supports, maintenance of the gate to prevent falling into disrepair. Any owner refusing to adhere to the above required maintenance may be subject to being removed at owner's expense.
15. No items are to be stored within front entries, under stairwells or in common area or walkways. Bicycles may be stored within the unit or on the back lower patio. Please keep your patios and balconies clear of unsightly items. Personal items such as floats, surfboards, and beach chairs should be stored away after drying.
16. Please be respectful of residents living on lower levels. Under no circumstances can tablecloths, dust cloths, towels, curtains, rugs, or articles of clothing be shaken off nor can dirt be swept from any upstairs balconies or stairs.
17. Any patio that contains household items, construction debris, dead plants and/or overgrown plants as well as not maintaining the patio and its patio surface may be subject to a violation notice and associated fines.
18. Decorations displayed for a legal holiday may not be left visible from the exterior of the dwelling or building for more than seven (7) days after the holiday. Decorations are only permitted to be on the front door and patio area.
19. No items, including wreaths (unless for a holiday), will be permitted on any area of the front entry stoop or walls except for an appropriate welcome mat.
20. Year round string, rope, decorative lighting or flax plant decorative screening is PROHIBITED.
21. Hanging towels or clothing on patio or balcony fencing is PROHIBITED.
22. Planters or any type of hanging plants must stay inside of the balcony and/or patio and must be living plants.
23. Plants within patios (Limited Common Element) are to be maintained by the unit owner. No plant may exceed the top of 2nd floor balcony or exceed 2 feet laterally over fence railings. Plants that grow through fence railings must be cut.
24. Patios and balconies are considered Limited Common Elements (LCE). LCE's are not owned by the respective Unit Owner but these areas have been designated for the exclusive use of the Unit Owner. Plants or climbing vines that are unsightly, may cause damage to interior patio walls, buildings or fence, will be asked to be removed or cut. If owner does not comply, the Board reserves the right to remove plant at owner's expense.

25. Planting in the common areas is strictly prohibited unless prior written approval is given from HOA. Plants that are invasive growers such as creeping euonymus, wisteria, ivy, elephant ears, canna lily etc. are no longer permitted in common areas. If the plant cannot be easily maintained by the landscaping crew, then it is no longer permitted in common areas. Owners will be asked to remove any plants on patios that continuously invade under fence onto common elements. – Any plants planted in the Common area will automatically be considered “gifted” to the Association and the Association has the right to remove/trim at any time.
26. Trees can no longer be planted by owners in the limited common area which includes patio areas, due to the possibility of pipe and line damage. Trees are defined as those that can grow over 20 feet tall and have trunks more than 2 inches in diameter at 4.5 feet above the ground.
27. Border material on or around patios must be aesthetically pleasing. Wood or logs used for soil containment are PROHIBITED due to termite, pest infestations and fence damage. Bedding rocks are no longer allowed due to them overflowing into common area. No wire mesh of any kind is permitted to be attached to fencing.
28. The HOA Board of Directors reserves the right to ask for any item(s) to be removed at their discretion.

## **SWIMMING POOL**

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The Swimming Pool is open from 9:00 am until 10:00 pm and may be closed seasonally at the Board's discretion. Safety and peaceful enjoyment is of the utmost importance to all of us. Violations and associated fines may be levied for residents and their children and/or guests who do not follow the rules. Any infraction of the pool rules can result in a request to immediately leave the premises.

### **All Residents must abide by the following DHEC Regulations:**

- A. There should be no solo swimming.
- B. There should be no running, boisterous or rough play.
- C. No person under the influence of alcohol or drugs should use the pool.
- D. There should be no spitting or blowing nose in pool.
- E. Persons with diarrheal illness or nausea should not enter the pool.
- F. Persons with skin, eye, ear or respiratory infections should not enter the pool.
- G. Persons with open lesions or wounds should not enter the pool.
- H. No animals allowed in the pool enclosure.
- I. No glass allowed in the pool or on the deck.
- J. No children should be in the pool without adult supervision.
- K. You should take a shower before entering the pool.

### **All Residents must abide by the following HOA Rules and Regulations:**

1. Residents/Guests are cautioned that use of the pool is at their own risk; there are no lifeguards on duty.
2. Glass of any kind is PROHIBITED in the pool area at any time. Broken glass in or around the pool could result in a need to drain, clean and refill the pool and is an added cost to the Association.

3. All children who are not potty-trained will be required to wear vinyl pants and Swim Diapers (such as "Little Swimmers") under their swimsuit. Cloth diapers and disposable diapers are PROHIBITED.
4. The pool gate can only be opened with a Card/Key Fob and must remain locked at all times. Please do not open the gate for anyone else. Under no circumstances should the gate be propped open.
5. Individuals observed or found to have jumped the pool fence or otherwise gaining unauthorized access to the pool area will be reported to the Myrtle Beach Police as trespassers.
6. Jumping from the pool furniture is PROHIBITED.
7. No pool furniture or equipment may be removed from the pool area or inappropriately used.
8. Close umbrellas upon exiting. Residents or guests found leaving the umbrellas open may be held financially accountable for damages.
9. Pool parties are not allowed without prior written Board approval, as the pool is for community enjoyment.
10. Because of limited seating, residents are limited to no more than six (6) people per unit at any one time to use the pool. Owner or tenant must remain present with their guests at all times.
11. Sitting or standing on pool rope is PROHIBITED. The pool rope must be in place at all times.
12. Only personal radios or digital music devices utilizing headphones or ear buds are allowed in the pool and surrounding areas. Personal items are not to be left or stored at the pool. The HOA is not responsible for lost, stolen or damaged items from pool use.
13. If suntan oil is used, make certain that a beach towel is used to cover the patio furniture.
14. Suntan oil and sand must be rinsed off before entering the pool.
15. To help maintain the safety and peaceful enjoyment for all, please report pool violations (date, time, etc) to the Management Company. The Board reserves the right to impose violations and associated fines for occurrences where residents are found in violation of these rules.
16. Animals are PROHIBITED in pool and pool area. If animals enter the pool, the owner may be subject to violations and associated fines, up to and including the cost of the chemicals required to clean the pool.
17. Strollers are PROHIBITED in pool area for safety reasons.

## **MOTOR VEHICLES**

Colony Square is a private property. Under certain circumstances, the HOA may impose special conditions upon keeping of particular vehicles. Vehicles violating the Rules and Regulations will be digitally photographed, logged, and recorded on-file and are subject to being towed at the vehicle owner's expense. Because of the need of access for emergency vehicles, abiding by the parking rules is critical.

1. The speed limit within Colony Square is 10 MPH, and those in violation may be subject to a violation and associated fines.
2. Parking, either temporarily or permanently, on any curb, grassy areas or blocking any ingress or egress is strictly PROHIBITED and vehicles may be towed without notice at the vehicle owner's expense. Parking in a marked space other than your own without prior written consent of that owner is strictly PROHIBITED and vehicles may be towed without notice at the vehicle owner's expense.
3. The parking of commercial vehicles, large commercial equipment, vehicles with visual signage and pickup trucks with exposed tools, work debris and supplies is strictly PROHIBITED. See Motor Vehicles Rule #4 for the only exception to this rule.
4. Commercial vehicles not owned by a unit owner or tenant that are needed for temporary overnight and/or week to week parking must notify the Management Company of location, duration and must have a visitor parking pass noting corresponding unit and stay duration. It is suggested that commercial vehicles of vendors in your hire park in your numbered spot.

5. Parking (even on a temporary basis) of jet skis, jet bikes, campers, toy haulers, and boats is PROHIBITED.
6. Trailers & PODS are allowed but limited to 48 hours & must be parked in your assigned, numbered parking spot. Anything longer must be approved my Management Company in advance.
7. Golf carts are PROHIBITED.
8. Visitor parking passes are required for any guests or additional vehicles parked at Colony Square overnight. Each resident is responsible for contacting the Management Company for his/her visitor parking passes. Guest passes for each unit may be provided; however, guest time is limited to two (2) weeks. The HOA recommends that guests park in the marked parking spot of the resident they are visiting. All parking passes MUST include the date range of the proposed stay at the bottom of the pass. Each pass will not be valid for longer than two (2) weeks.
9. Each resident must use his or her marked parking space. Owners are only granted one marked space per unit and one unmarked space per unit. Any additional spaces needed may be approved at the discretion of the Board. Three (3) bedroom units would be given priority for additional spaces
10. Residents are not permitted to park in any other resident's marked space without a prior written approval from the unit Owner. That written approval must be on file with the Management Company. Unauthorized vehicles are subject to being towed without notice at the vehicle owner's expense.
11. Vehicles, which are in a state of disrepair or not complying with South Carolina DMV requirements (expired tags or no insurance), are PROHIBITED on Colony Square property. Due to the critical need of access for fire equipment and emergency vehicles, those vehicles that are not operational or SC compliant will be towed without notice at the vehicles owner's expense.
12. Maintenance such as engine repair, oil changing, brake repairs, etc. is PROHIBITED. Only minor emergencies such as jumping a battery or changing a flat tire are allowed.
13. The entrances and exits for Colony Square are clearly marked and are one-way. All vehicles must follow directional signs with the exception of emergency vehicles.
14. Owners with motorcycles and motorbikes, motorized bicycles and scooters/mopeds must utilize their assigned parking spot; they are not permitted to be parked on the patios or balconies and must be registered with the Management Company. Owners may park their other vehicle in an unmarked spot, and must have and display their parking decal.
15. Damage to the parking lot from motorcycle kickstands and other vehicles, such as oil or gasoline leaks are the owner's responsibility. We recommend a wooden block for kickstands to avoid damage to the asphalt. Motorcycle and bicycle covers must be kept within the confines of the unit.
16. Bicycles may be ridden with the flow of traffic with due care and shall not be ridden in the courtyard.

## **ANIMALS /PETS**

Any animal exhibiting dangerous behavior as outlined below may be under review by the Board.

- Commits unprovoked acts (barking, growling, snarling, lunging) that would cause a person to reasonably believe that the animal will attack and cause bodily injury.
- Makes an unprovoked attack that causes bodily injury to a human being outside a pen or secured area.
- The owner knows or reasonably should know has a propensity, tendency or disposition to attack unprovoked.

The HOA reserves the right to impose special conditions upon keeping of a particular animal on the property. The City of Myrtle Beach has a leash law, any animals reported or seen unleashed and under the control of the Owner, are subject to collection by the animal shelter and reclamation will be the sole responsibility of the animal owner. Residents seen in violation of the animal rules are subject to the violation process and associated fines for each occurrence.

1. There is a limit of two (2) dogs per unit. Per City ordinances, any animals walked or maintained in common areas or limited common areas must be licensed and all vaccinations must be current. Violent and nuisance animals are PROHIBITED. This includes any animal whose conduct as permitted by the owner or keeper which disturbs the rights of, threatens the safety of or damages a member of the general public, or interferes with the ordinary use and enjoyment of their property, with such intensity or duration so as to constitute a continuing injury, annoyance, inconvenience or discomfort to the public health, safety and welfare.
2. There is a limit of three (3) cats per unit and they are also PROHIBITED from roaming free outside of residence in any common area or limited common area.
3. The Association may require the immediate contact of the animal control professionals to make an assessment of the animal's nature.
4. No animals will be allowed to create damage to any common area or limited common area. Any damages will be the responsibility of the unit owner. No animals are allowed in the pool or pool area. No animals are allowed in the tennis/basketball court area. No animals are permitted within the interior courtyard for any reason.
5. According to SC Law, all animals must be inoculated against rabies at a frequency to provide continuous protection of the animal from rabies.
6. Even if an animal is on a leash, held or in a carrier, animals are PROHIBITED within the courtyard, its breezeways, pool area, or on the tennis court.
7. Homeowners are responsible for damages incurred by their animal or by their tenant's animals, to include biting, digging, animal waste, etc. Animal waste not cleaned up, damage to property, barking on patios or any part of the common area, will be considered a nuisance.
8. All animals must be leashed by an individual capable of controlling the animal at all times. The leash must be held by an adult. Animals must be kept on a leash no longer than 6 feet. No animal shall be permitted to roam at large in the common elements or be kept on patios unattended. This includes cats.
9. Animal waste must be removed immediately and disposed of properly by the animal owner, regardless of location of animal waste. Allowing animals to defecate or urinate on balconies is PROHIBITED and will be subject to the violation process.
10. No bagged animal waste is to be left on front entries, sidewalks, patios or balconies.

## **RENTALS**

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1. Homeowners are responsible for any damage or rule violations of their guests, tenants and of their tenant's guests.
2. Each unit owner who leases their unit shall maintain a copy of these rules and regulations in the leased unit.
3. Tenant abandoned property after eviction must be removed from curb within 24 hours or the owner will be subject to the violation process and associated fines.

## **TENNIS COURT**

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1. The tennis courts are for tennis and basketball play only, and only soft-soled shoes shall be worn on the tennis court surface.
2. Courts are available on a first come, first serve basis. If residents are waiting, play is limited to one hour.



3. Individuals observed or found to have scaled the fence or otherwise gaining unauthorized access to the tennis court will be reported to the Myrtle Beach Police as trespassers.
4. Absolutely no food, sticky drinks, parties, bicycles, scooters, roller blades, roller skates, skate boards or any other wheeled vehicles are allowed on the tennis courts at any time.
5. Animals are PROHIBITED in tennis court area.
6. No glass containers, alcoholic beverages or tobacco products are permitted in the tennis court area.
7. Only personal radios or digital music devices utilizing headphones or ear buds are allowed on the tennis court or surrounding areas.
8. Do not shout across the court and do not use foul language. Anyone causing a disturbance will be required to leave the tennis court area. Disturbances include, but are not limited to fighting, foul language and audible music.
9. To respect the privacy of homeowners, balls lost in private rear yards are LOST. Do not disturb homeowners to retrieve balls.
10. Sitting or leaning on the nets can be damaging and is strictly PROHIBITED.
11. No scaling the fence to retrieve balls.
12. Do not leave any items such as trash, unwanted tennis balls or cans on the tennis court.

## **TRASH**

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1. The Colony Square trash dumpsters are for use by residents only.
2. Trash dumpsters are provided for the disposal of regular household trash only. The City or Waste Management, which picks up our garbage, DOES NOT pick up any "Bulk Waste Material" or any trash left outside the dumpsters.
3. Items that are PROHIBITED to be disposed of in dumpster are: mattresses, major appliances, furniture, large rugs, car tires, lumber, plumbing, furniture, paint, cabinets or construction or remodeling debris of any kind. Owners are responsible for the disposal of trash by renter and vendor and if in violation are subject to automatic fine of \$100.
4. Littering is prohibited (bottles, wrappers, tobacco products, cups, etc.)

## **BUSINESS ACTIVITY (Commercial and/or Self-Employed)**

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1. Daily package delivery or high visitor traffic for business is PROHIBITED.
2. Posting or distribution of signage, literature, flyers for business, restaurants, handy person, cleaning, childcare, garage/yard sales, etc. on Colony Square property is PROHIBITED.

## **CONCLUSION**

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The purpose of these Rules and Regulations is to ensure peaceful enjoyment of our community for all residents and guests. They were not set-up arbitrarily, nor were they created to work a hardship. Our Rules and Regulations are based primarily on the Colony Square Master Deed. If any section, subsection, sentence, clause or phrase of these Rules and Regulations for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining portions of these Rules and Regulations. Failure to comply with these Rules and Regulations may result in written violations and associated fines.

Colony Square HOA reserves the right to change, revoke or add to existing Rules and Regulations from time-to-time as, in their opinion, shall be necessary or desirable for the safety, investment, betterment, and protection of the HOA property and its residents/guest and to promote cleanliness and order of the property to assure comfort and convenience for all.

## **HOMEOWNER APPEAL HEARING PROCESS**

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1. ***Homeowner's Request for Hearing*** - A homeowner choosing to appeal a fine or penalty shall request such a hearing within 10 days of the date of the notice by written notification

to the Management Company by mail, fax or email. Contacting a board member will not be considered a valid request for hearing. The homeowner can request a ruling via email or can request a hearing in person with the board members at the next regular HOA Board meeting.

2. **Hearing Process** - The Hearing Chairperson shall call meeting to order and indicate, for the purpose of the record, those parties who are in attendance and will be participating in the process. The appealing homeowner will have the responsibility to make a short presentation, outlining reasons why the fine or penalty should not be assessed. The appealing homeowner shall be given an opportunity to respond to issues that were brought up or any additional information pertaining to homeowner's appeal.
3. **Notification of Hearing Rulings** - After a decision has been made, the appealing homeowner shall receive written notification of the Board's decision.
4. **Finality** - Action by the Board shall be final. No further appeal to the Board shall be available.