

ST. JAMES *Plantation*



RULES & POLICIES HANDBOOK

POA BOARD APPROVED APRIL 23, 2015

www.stjamespoanc.org

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Introduction

The primary purpose of the St. James Plantation Property Owners' Association (POA) is to provide for the operations, maintenance, preservation and repair of the Common Areas and Limited Common Areas described in the "Declaration and Master Development Plan for St. James Plantation," and "to enforce by any proceedings at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions..." of the Master Declaration and Bylaws.

Structure: The organization was formed as a private, nonprofit corporation, effective October 2, 1990. The affairs of the organization are managed by a Board of Directors. At present there are thirteen (13) members: six (6) are elected by the property owners for three year terms, and seven (7) are appointed by the Developer. The Developer's majority and his responsibility for excess POA expenditures will continue until one of three conditions as outlined in the June 1997 Revision of the Master Declaration is met.

Services: In addition to the primary purpose outlined above, other functions of the POA may include but are not limited to the following:

- Operation and maintenance of all landscaping and other flora, structures, and improvements situated on the common properties and the private streets within the development.
- Provision and/or operation of amenities to include: POA owned lakes/ponds, the Beach Club on Oak Island, picnic pavilions, parks, amphitheater, park bathrooms, playgrounds, dog parks, community gardens, kayak launch, gazebos, etc. located on common properties.
- Lighting of entrances and exits, neighborhood monuments, boardwalks, sidewalks and walking paths.
- Gate Attendants and Patrols/Rovers.
- Insect and pest control within common properties, in supplement to State, County or other municipalities.
- Architectural Control for New Construction and Existing Home Exterior Modifications including landscape approval of private homes.
- Management of Volunteer Committees including but not limited to: Activities, Architectural Control, Communications, Finance, Information Technology, Infrastructure, Investment, Landscape, Nominating, Ponds, Rules & Enforcement, Safety & Security and Transitions. Sub-Committees are also in existence such as the Community Garden which is a committee under the direction of the Landscape Committee. Ad-Hoc Committees are formed as needed.
- Maintenance only of the St. James Library (owned by the St. James Plantation Chapel and operated by its own Board of Directors).

1.0 General

1.1 Property Owner Concerns and Suggestions

Meetings of the Board of Directors are held monthly. Once a quarter, The POA Board Meetings are open to the property owners. An Annual Property Owners' Association Meeting held in October is also open to all property owners. The POA Board hosts an Open Informational Meeting at 4:00 p.m. on the first Thursday of each month at the Town of St. James Community Center unless otherwise noted. The Open Informational Meeting is an open forum for property owners. The Board Members brief the property owners on the status of the POA including current and projected projects. Property Owners are given the opportunity to inquire on issues for which the Board Members respond. Between meetings, property owners may contact individual Board Members, the POA Office and/or Committee Chairs to discuss concerns and suggestions. The Board has adopted the following procedure for considering specific requests submitted by property owners.

1.1.1 Content

Property owner requests for the Board to consider a specific concern or suggestion may be submitted in writing. The written request should include a brief discussion of the concern or suggestion, any requested action, and any additional information that may be helpful to the Board in considering the matter.

1.1.2 Submission Process

Requests should be received by the close of business (5:00 p.m.) on the Thursday prior to the next scheduled Board Meeting. Requests shall be mailed or delivered to the St. James Property Owners' Association office addressed as follows:

St. James Property Owners' Association, Inc.
Attn: POA Board of Directors
4140 Southport-Supply Road, Suite B
Southport, NC 28461

Requests may be emailed to the following address: poa@atmc.net. The POA Community Manager will deliver all emails to the Board of Directors. Written communication is required for a response. Telephone communication will not be accepted.

1.1.3 Review Process

The Board President or Vice President will review Requests received prior to the deadline and if appropriate for Board Action, placed on the Agenda for the next POA Board Meeting as New Business. Requests may also be referred to the Community Manager and/or a Committee Chair for a response. The Board may also defer the request for consideration to a later meeting of the Board. The Board will consider all Agenda Items and contact committee members, staff, or property owners as necessary to assist in determining any appropriate action. Matters which remain open at the conclusion of any monthly meeting will be deferred to a committee or classified as old business for consideration at the next meeting.

1.1.4 Communication

Minutes of all POA Board Meetings with the exception of Executive Meetings of the Board of Directors are available on the St. James Plantation POA website (stjamespoanc.org).

1.2 Policies and Procedures Regarding Fines and Hearings

Pursuant to the Master Declaration of Covenants, Conditions, and Restrictions for St. James Plantation and the North Carolina Planned Community Act, the POA is authorized to impose fines for violations of the Master Declaration, any applicable Restrictive Covenants, and any rules and regulations of the POA.

Without limiting the authority of the POA under the Master Declaration and applicable law, the Board of Directors has adopted the following policy and procedures regarding fines and adjudicatory hearings.

1.2.1 Warning

The POA may, but shall not be required to, issue a warning with respect to any non-compliance issue/rule violation.

1.2.2 Notice of Rule Violation

Prior to imposition of a fine, a Notice of Rule Violation shall be issued to the person(s) being charged. For rule violations of the Motor Vehicle Rules of the POA, the notice will include the amount of the applicable fine as set forth below, but failure to include the amount shall not affect the validity of the rule violation notification.

1.2.3 Hearing

Unless waived by the person charged (payment of fine), a hearing shall be held before the POA Rules & Enforcement Committee to determine if the person(s) should be fined for the rule violation. The person(s) charged shall be given an opportunity to be heard and to present evidence, and receive notice of the hearing decision. A person charged with a rule violation of the Motor Vehicle Rules may waive the hearing if they pay the applicable fine by the due date.

1.2.4 Fines

For rule violations of the Motor Vehicle Rules, the first violation shall be subject to a fine tier structure: 1) exceeding the speed limit up to 9 miles per hour-\$35.00; 2) exceeding the speed limit over 10 to 19 miles per hour-\$50.00; and, 3) exceeding the speed limit 20 plus miles per hour- \$100.00. Subsequent violations within a three year period are \$100.00 per rule violation.

The POA may impose a fine for other rule violations not to exceed \$100.00 per rule violation or incident. If compliance has not been met after 2nd notification of the violation within five (5) days, the POA may impose a fine of \$100.00 per day until compliance is met. All fines shall be assessments secured by liens under N.C. Gen. Stat. § 47F-3-116 pursuant to Section 47F-3-107.1. The POA does not have to file a claim of lien immediately, but has the authority to do so.

1.2.5 POA Rules & Enforcement Committee

The POA Rules & Enforcement Committee shall consist of no fewer than three (3) members of the POA appointed by the Board of Directors. Property Owners who are not currently serving as officers of the Property Owners' Association or members of the POA Board are candidates to serve on the POA Rules & Enforcement Committee.

1.3 Policy Regarding Delinquent Assessments

Pursuant to the Master Declaration of Covenants, Conditions and Restrictions for St. James Plantation, and the North Carolina Planned Community Act, the POA is authorized to levy assessments against property located in St. James Plantation which is subject to the Master Declaration. The POA may also levy special assessments and segment assessments as provided in the Master Declaration. An assessment, together with interest and costs of collection (including attorneys' fees), may be secured by a lien on the property against which the assessment is made. Each such assessment, together with interest and costs, is also a personal obligation of the person(s) who owned such property at the time the assessment first became due and payable. Without limiting the authority of the POA under the Master Declaration and applicable law, the Board of Directors has adopted the following policy regarding delinquent assessments.

1.3.1 Due Dates

Regular annual assessments shall be payable in semi-annual installments. Assessments shall be billed by the POA and shall be due on January 1 and July 1. Payments received more than ten (10) days after the due date shall be subject to interest and penalties.

1.3.2 Interest on Late Payments

Any assessments or installment thereof that are not paid within thirty (30) days of the billing date shall bear interest from the due date at the maximum rate of one and one-half percent (1.5%) per month.

1.3.3 Enforcement of Lien

In the event that any assessment or installment thereof is not paid within six (6) months of the billing date, the POA shall file a Claim of Lien in the office of the Clerk of Superior Court of Brunswick County. The POA, at the direction of the Board of Directors, may foreclose the Lien with Board approval as provided in the Master Declaration and in accordance with applicable law.

1.3.4 Enforcement of Personal Obligation

The POA, at the direction of the Board of Directors, may begin an action at law against any property owner or former property owner personally obligated to pay an assessment and such action may seek interest and costs (including reasonable attorney's fees). The institution of an action at law shall not preclude the POA from thereafter instituting a foreclosure action, nor shall a foreclosure action preclude a subsequent action at law, to collect any sum then remaining owed to the POA.

1.4 Vacant Lot Maintenance

In accordance with the POA's governing document [*Master Declaration of Covenants, Conditions and Restrictions, Article VI, Section 9 in part*] every Property Owner shall be responsible for the repair, maintenance and upkeep of his/her property within St. James Plantation, whether improved or unimproved. The POA Board of Directors has determined that all unimproved lots in developed neighborhoods must be maintained per the Annual Vacant Lot Maintenance Program Schedule. All vacant lots require maintenance; mowing/bush hogging, weed removal, downed trees/branch removal, and pine cone mulching/removal, if applicable, etc. during each phase (a schedule is mailed out with the program information annually in January) throughout the year. In addition, all dead/fallen trees must be removed from a lot prior to the start of the annual program (February-March; again, not just to facilitate scheduled maintenance but also to avert any potential exposure to flooding, fire or damage to adjacent properties). Tree service is not included in the POA Vacant Lot Maintenance Program Fee.

The POA provides an optional Annual Vacant Lot Maintenance Program through an outside Contractor for vacant lot property owners wanting to take advantage of consistent scheduled maintenance, which adheres to the mandated guidelines. Correspondence for the annual program is mailed to all vacant lot owners who require maintenance in January for the current year's program. The correspondence includes the program information/fee, tentative schedule and response form. Vacant Lot Owners with email addresses on file with the POA Office are given notice of each phase schedule via email blasts.

All vacant lots require maintenance. The POA Board of Directors may exempt vacant lots that recently have been platted in "undeveloped" areas.

A property owner who opts out of the POA Vacant Lot Maintenance Program, must have the vacant lot self-maintained or maintained by a vendor of your choice during the time frame allotted as noted per the Vacant Lot Maintenance Annual Phase Schedule. If a property owner chooses not to return the Application Form and does not maintain the vacant lot as required, the POA Contractor is authorized by the POA via this policy to perform the required maintenance on the lot and the property owner will be

charged accordingly at \$100 per phase of maintenance. The property owner will receive notification of the phase charge via letter which will include before and after dated pictures of the lot.

The above referenced maintenance charge for non-paid or no maintenance vacant lots of \$100 will not be waived.

All inquiries regarding this program must be forwarded in writing via email, stjamespoavlm@gmail.com or mailed to St. James Plantation POA, 4140 Southport-Supply Road, Suite B, Southport, NC 28461. A timely response will be in writing.

1.5 Open Fire Burning Policy

Open fire burning of vegetation, construction materials, yard waste, or any other materials within St. James Plantation is prohibited. Normal and acceptable methods of outdoor grilling/cooking are permitted in commercially acquired cooking appliances or Architectural Control Committee (ACC)-approved outdoor cooking or heating structure. Installation of Outdoor Fire Pits require ACC approval.

1.6 Soliciting

1.6.1 General Rule – No Soliciting

Except for charitable solicitations and political campaigning allowed by these rules, general solicitation is not permitted in St. James Plantation. No person shall use the common properties of the POA for the purpose of conducting a general solicitation. For purposes of this rule, general solicitation shall include the placement of business cards, advertising, or other printed materials on vehicles or dwellings or in mailboxes (unless delivered through the U.S. Mail).

1.6.2 Charitable Solicitation/Political Campaigning

Solicitations on behalf of recognized charitable organizations or candidates for elected office may be conducted by property owners of St. James Plantation, provided that such solicitation must be done in person. Placement of printed materials on vehicles or dwellings or in mailboxes is not permitted (unless delivered through the U.S. Mail).

1.6.3 Newspaper Slots may be used for:

- Newspapers.
- Announcements/activities/requests by St. James organizations such as the St. James Fire Department, St. James POA Activities Committee and other related organizations such as the Fire Department Auxiliary and St. James Service Club.
- Requests and information from charitable organizations when sponsored by a St. James Plantation property owner or owners, whose name(s) must appear on the flyers.
- Information about and invitations to various neighborhood parties and events when sponsored by a St. James Plantation property owner or owners.
- Political information sheets and flyers (national, state, local, and community when sponsored by a St. James Plantation owner or owners, whose name(s) must appear on the flyers. Political flyers may be distributed only for two (2) months prior to elections.

1.6.4 Newspaper Slots may not be used to:

- Advertise or otherwise promote businesses and profit-generating organizations.

No other use of the newspaper slot is permitted.

1.7 Open House Policy and Procedures

1.7.1 Hours Authorized

Open Houses for the purpose of showing real estate for sale by an individual owner and/or licensed real estate agent shall be restricted to 12 Noon to 5:00 PM on Saturdays and Sundays.

1.7.2 Signage

Real Estate Agent, Company and/or property owners(s) are reminded that St. James Plantation POA Covenants stipulate that “No billboards, posters or signs of any kind (specifically including “for sale” or “for rent” signs or posters) shall be allowed to remain in any window, or on the exterior of any improvement, or on any lot.” Furthermore, no type of signage, balloons, posters, flags, markers, etc., will be allowed on POA areas and/or right-of-way for properties holding an approved Open House.

1.7.3 Coordination with Security

The Real Estate Company or property owner sponsoring the Open House must provide the POA with a draft of their proposed advertising no later than seven (7) business days before the scheduled Open House. Once written approval is issued by the POA, advertisement may go on and sufficient flyers shall be provided to the Security Personnel at the Main Gate. These flyers will be distributed to individuals who identify themselves at the Main Gate as interested parties responding to said advertised Open House. Note – any discrepancy from approved advertisement and/or directional flyer on the day of the Open House may result in denied access to Non-Residents.

1.7.4 Real Estate Agent Responsibility

At all times, other than Open House situations, real estate agents must accompany prospects when listed St. James Plantation properties are being viewed. Realtor Access Passes are available through the POA Office.

1.7.5 Advertising

All advertising (newspapers, magazines, etc.) is not to imply that St. James Plantation is holding an Open House, but rather that the listing brokerage company or property owner is holding an Open House at St. James Plantation.

1.7.6 Solicitation

No person shall be given access to St. James Plantation for the purpose of general solicitation.

1.8 Guidelines for Responsible Pet Ownership

Common sense judgment with pets’ interaction in the community will provide for equal enjoyment for everyone. These guidelines and procedures are set forth to clarify the Covenants of the POA and the laws of Brunswick County as they refer to pet ownership and possible nuisances. St. James Plantation property owners may keep or maintain dogs, cats or other household pets, as long as the following conditions are met:

- The Restrictive Covenants require that animals be kept in compliance with all applicable laws and ordinances of Brunswick County. The Brunswick County website outlines specific requirements that St. James Plantation pet owners are expected to meet.
- Pet Owners shall exercise best efforts not to allow pets to excrete on common property and will clean up after them.
- Dogs are not to be allowed to roam unattended. It is the responsibility of the owner to have physical control of their pets when they are out of doors and/or off their property (leashes and regular or electronic fences are considered as means of physical control).

Rules regarding the exercising of dogs at POA common areas are as follows:

- Dogs must be under attended leashed control at all times. The Dog Parks on St. James Drive near the St. James Fire Department and in the Woodlands near the Amphitheater are available for off-leash activities. (**Note:** See Section 2.8 for Dog Park Rules).
- Dog owners are responsible for cleaning up after their dogs whether on a leash or not.
- Dogs are not allowed on cement floors (service dogs are an exception) under the pavilions, the amphitheater or in or around the playground equipment at any time.
- Pets making noises, which might reasonably be expected to disturb other property owners, are considered a nuisance and are in violation of the St. James Plantation Restrictive Covenants.

1.8.1 Animals

No domestic animals, livestock or poultry shall be raised, bred, kept or pastured within St. James Plantation for any use, included but not limited to all sizes and types (if applicable), of cows, horses, goats, ducks, geese, chickens and pigs. No exotic animals (meaning as listed in the English Dictionary) and/or feral animals are to be kept in St. James Plantation.

1.8.2 Beekeeping

Beekeeping is allowed only when the following specific requirements are met by the requesting property owner. In all other situations beekeeping within St. James Plantation shall be prohibited unless authorized by a POA Board resolution.

- Minimum size lot shall be 0.5 acres, and corresponding density of up to two (2) hives for the first 0.5 acre of lot area, plus the opportunity to have one (1) additional hive for each additional 0.25 acres of lot area.
- 10-foot minimum setback from property lines for beehives is required.
- A constant and adequate on-site source of fresh water shall be provided, and shall be located closer to the hive than any water source on adjacent property.
- Beehives are not permitted in the front or the sides of a yard.
- Beehives will be permitted on lots with single family homes only, i.e., no condos, townhouses, etc.
- Beehive entrances shall be directed away from neighbors' property lines.
- Be hives are not permitted on properties adjacent to a lot with a swimming pool.

A POA beekeeping permit must be secured. The permit application must include a plot plan that indicates the number of beehives, the location of the beehives and water source(s), and their respective distances from property lines. The POA will contact abutting property owners for their written permission. All abutting property owners must give written approval for the installation of any hives.

Prohibited:

- Beekeeping on any POA common property, e.g., parks and community gardens.
- Beekeeping for commercial purposes.

1.9 Rules Related to Political Signs

- Only one sign per property which is visible from outside the lot is allowed.
- Signs may not be larger than 24" X 24".
- Signs may only be displayed in the period between forty-five (45) days ahead of an election and seven (7) days after the election.

- No signs may be placed in any POA common properties which generally extend from the edge of the pavement for an additional twenty (20) feet toward residences. Other common properties include locations such as the amenities (Waterway Park, Amphitheater, Community Gardens, etc.) where no signs will be permitted.

1.10 Posts on Private Property/POA Common Areas

There may be an occasion that the POA will install "standard" white posts on POA common property to preclude property damage.

Contractors may be required by the Architectural Control Committee (ACC) to install standard white posts in any lot opposite or adjacent to their worksite to prevent parking and subsequent damage to property, and these need to be removed when construction is complete. Contractors and crew shall not park on opposite and adjacent property to the construction site without prior written permission of that property owner.

All other existing markers on site are to be removed by homeowners or they will be removed and disposed of by the POA. If there are specific areas where a homeowner considers that posts are required to prevent damage to their property, an application must be made to the ACC and approval granted prior to installation. In such instances if approval is granted, the homeowner is responsible for providing, installing and maintaining the "standard" white posts.

1.11 Trash and Vegetative Refuse

All property owners desire St. James Plantation to look neat. In order to accomplish this, a limited time window is allowed to have the trash and vegetative matter visible. The Town of St. James contracts for pickup of vegetative debris on **improved lots only**.

For normal pick up of trash and recycle bins, they are to be placed at curbside no earlier than Sunday evening at 6:00 PM and returned to their screened stage area by Monday evening by 9:00 PM. Vegetative material is to be placed at curbside no earlier than Tuesday prior to the scheduled Thursday pick up for the designated area. Refer to the Yard Debris Removal Schedule on the Town of St. James' website.

1.11.1 Sub-Associations

Marshwinds, Club Villas, Shipwatch Villas, Harborwalk, Harborside, Players Club Golf Cottages, Regency Lakes, SeaSide Village and Lakeside Commons Sub-Associations shall be treated as individual property sites. Each Sub-Association is responsible for cleaning their common areas and placing the yard waste in a single location where it will be picked up by the Town Contractor. The POA and the Sub-Association shall agree upon the location.

1.11.2 Golf Courses

The POA is not responsible for any cleanup or debris removal from Golf Course properties.

1.11.3 Non-Platted Properties

The Developer is responsible for any clean up or debris removal from non-platted properties.

1.12 Policies and Procedures Regarding Home Occupations

Pursuant to the Master Declaration of Covenants, Conditions and Restrictions for St. James Plantation and the North Carolina Planned Community Act, the POA is authorized to regulate the exterior appearance of private and common property within the plantation. The POA is authorized to impose fines for violations of the Master Declaration, and any applicable restrictive covenants, and any rules and regulations of the POA. Without limiting the authority of the POA under the Master Declaration and applicable law, the

Board of Directors of the POA has adopted the following policy and procedures regarding prohibitions and fines relevant to home occupations. It is required that property owners maintain sufficient control over their property such that resident tenants are required to adhere to all POA rules and procedures.

1.12.1 Definition

A home occupation (customary) is a business whereby all, or a portion, of revenues attributed to a proprietary enterprise are generated from services, manufacture, assembly, sale, and/or resale of commercial goods within a residential dwelling or accessory structures.

1.12.2 Rules and Conditions

- The home occupation must clearly be incidental to the residential use of the dwelling and must not change the essential residential character of the dwelling.
- A home occupation conducted in an accessory structure shall be housed only in a garage or other accessory structure typically associated with a residential dwelling.
- Permanent advertising signage is prohibited on the premises. Any signage which is displayed on a vehicle, and is greater than two hundred (200) square inches in total area, shall not be visible during non-work hours, including overnight, weekends, and holidays. This may be accomplished by inside (garage) parking, magnetic sign covers or removal of magnetic signs, or similar means.
- Traffic and parking associated with the use shall not be detrimental to the neighborhood or create congestion on the street where the home occupation is located. The need for parking shall be met off the street. Vehicles used primarily as passenger vehicles shall be permitted in connection with the home occupation. Only one commercially licensed vehicle shall be allowed. This vehicle shall not exceed one ton capacity rating.
- No display of goods, products, or services shall be visible from off site. There shall be no external evidence of commercial activity at the site including window displays, outside storage, smoke, noise, odors, electrical or magnetic interference, vibration, heat, glare, or other nuisances emitted from the premises.
- No hazardous materials may be stored, processed, or disposed of on the premises. The home occupation shall not discharge any amounts of waste-products, including toxic chemicals, infectious waste, waterborne or airborne contaminants, sewage or gray water onto any pervious or impervious surface, or, into any watercourse including ponds, creeks, swales, ditches, or the Intracoastal Waterway.
- Outdoor kilns used for the firing of pottery shall be provided with a semi-opaque screen to obstruct the view from the street and from adjacent properties and shall have a secured work area and shall be a minimum of ten (10) feet from abutting property lines. Such structures shall comply with Architectural Control Guidelines of the POA and shall be approved by the ACC.
- A home occupation shall not store excessive amounts of flammable materials, explosives, ammunition, fireworks, or any other unstable substances on any property. For example, ammunition to be used recreationally for hunting or target shooting, or for purposes of home defense shall not be considered "excessive". Ammunition which is held for resale shall not be stored in bulk inventory in amounts greater than for normal inventory turnover. Excessive amounts of such materials shall, without exception, be reported to the St. James Fire Department.
- A home occupation shall not raise, breed, or keep farm animals or exotic animals (large carnivores). The raising, breeding, or keeping of venomous reptiles is strictly prohibited within the boundaries of the properties controlled by the POA without the express written consent of the POA Board.
- The home occupation shall comply with all local, state, and federal statutes, rules, and procedures.

1.12.3 Fines

The POA may impose a fine for rule infractions of Section 1.12.2 (as amended from time to time) not to exceed one hundred dollars (\$100.00) for each violation or incident. If the condition in violation has not been remedied within fourteen (14) calendar days from the date of notice of violation, the POA may impose a fine of one hundred dollars (\$100.00) **per day** for each calendar day until the condition is corrected.

2.0 Infrastructure Amenities

2.1 Beach Club Rules and Guidelines

2.1.1 POA Members

The Beach Club and other facilities are owned by the POA and maintained for the benefit of its members (property owners in St. James Plantation). These facilities are available to POA members and their resident tenants and house guests. Members (residents and non-residents) are initially issued two permanent Beach Club passes per property. If a beach club pass is lost or stolen, an additional beach club pass can be purchased at the POA for a fee of \$15.00. The property owner shall have the passes available when using the facility. The St. James Plantation Beach Club Attendant may request individuals to show their Beach Club pass at any time while using the facility. The Beach Club Attendant has the right to refuse permission to use the facility to anyone not having proper documentation. Failure to comply with instructions from the Attendant or these rules can result in withdrawal of Beach Club privileges.

2.1.2 Marketing Guests

The Beach Club facility is available to registered St. James Plantation marketing guests, who will be issued a temporary parking tag and Beach Club pass. The parking tag must be visible through the windshield and the Beach Club pass shall be available on their person when using the facility. The same rules apply to marketing guests as apply to POA members relative to the Beach Club Attendant.

2.1.3 St. James by the Sea Beach Club

The Beach Club facility, other than the parking lot, is available to property owners in St. James by the Sea. The property owners will receive an annual Beach Club pass which shall be displayed when using the facility. House guests of a registered St. James by the Sea property owner may use the facility, other than the parking lot, but must be personally accompanied by the St. James by the Sea property owner or immediate family member of the owner(s). Long term or seasonal tenants of the St. James by the Sea property owner(s) are not permitted to use the Beach Club facility. The Beach Club Attendant can and will restrict their usage.

2.1.4 Capacities

The Brunswick County Board of Health has determined that the maximum capacity in the pool area to be 55 individuals (this includes the pool itself as well as surrounding deck). The upper pavilion capacity has been determined to be 35 individuals. The Beach Club Attendant will monitor and maintain these levels.

2.1.5 Pool Rules

The rules for using the Beach Club facility will be posted at the pool. Users must comply with all safety and sanitary rules. These rules include the proper use and disposal of diapers.

2.1.6 Restrooms

The restrooms at the Beach Club are **not** open to the public. A control lock restricts access. The code for this lock is published on the POA website under Beach Club or by contacting the POA Office. The Beach Club Attendant can and will refuse access to unauthorized individuals.

2.1.7 No Pets

Dogs and other pets are not allowed on or within the Beach Club facility, and shall not be brought through the Beach Club to enter the public beach, except for a trained service animal assisting a person with a disability.

2.1.8 Grilling

Use of grills anywhere on the Beach Club facility, including the parking lot, must have prior approval of the POA Community Manager, who will inform the Beach Club Attendant.

2.1.9 Private Parties

The POA office will handle reservations for the Beach Club similar to reservations currently done for Waterway Park and the Woodlands Park Amphitheater and Picnic area. The Amenity Reservation Form can be printed from the POA website (www.stjamespoanc.org). The following rules apply:

- Beach Club reservations for group functions during the regular pool season can be made for no more than 12 people. A POA Member is restricted to one reservation per month. Reservations are accepted **only** for Monday through Thursday during the following time slots; 9 a.m. to 1 p.m.; 1 to 5 p.m. and 5 p.m. to 9 p.m. The POA will not accept reservations for a Friday, Saturday and Sunday, a holiday or holiday weekend.
- Groups of any size which have non- St. James property owners will have to make a reservation with the POA.
- An approved function will be posted on the Beach Club calendar located on the POA website.
- Roping off or barricading the party area is prohibited and other authorized users must be allowed free access to the pool and restrooms.
- The POA member hosting a function must be present at all times and is responsible for their guests and clean up and for the repair of any damage to the facilities.

2.1.10 Public Beach

The Oak Island beachfront is public and is available to anyone. Users are asked to respect the beauty of the beach by removing trash and using available receptacles for disposal.

2.1.11 Dunes and Ponds

Please stay off sand dunes and out of the ponds around the Beach Club.

2.1.12 Smoking

Smoking is prohibited at the Beach Club facility including the parking lot.

2.1.13 Parking at the Beach Club

Oak Island has restricted certain parking areas along the beachfront, including streets adjacent to the St. James Beach Club. Beach Club users with the POA-issued Beach Club Sticker affixed to the back of the vehicle's rear view mirror or "Special Guest Parking" pass are to park in the Beach Club's parking lot or appropriate street parking spaces only. Oak Island residents and property owners' cars are distinguished by decals or hurricane stickers that are available through the police department.

2.2 Waterway Park and Woodlands Park Rules and Guidelines

2.2.1 POA Members

Waterway Park and the amenities in the Woodlands are maintained for the benefit of POA members (property owners in St. James Plantation). These facilities are available to POA members, their resident/tenants and guests. The POA will hold a pending requested reservation date for one week. A completed application with the reservation deposit must be received within one week to guarantee the requested reservation date. The Amenity Reservation Form can be printed from the POA website (www.stjamespoanc.org).

2.2.2 Grilling

Charcoal grilling or other cooking is allowed only in designated areas. When depleted, all charcoal ashes must be removed from the grill bed and disposed of properly and safely.

2.2.3 Pets

Rules regarding the exercising of dogs at Waterway Park and the Woodlands are as follows:

- Dogs must under attended leashed control at all times in common areas of St. James Plantation. The dog parks are available for off leash activities. (NOTE: See Section 2.8 for Dog Park Rules)
- Dog owners are responsible for cleaning up after their dogs whether on a leash or not.
- Dogs are not allowed on cement floors (service dogs are an exception) under the pavilions, the amphitheater or in or around the playground equipment at any time.

2.2.4 Group Functions

A POA approved group function to be held at the Parks must be reserved at least two weeks prior to the event by submitting a completed Reservation Form to the POA Office. Roping off or barricading the function area is prohibited and other POA users must be allowed free access to all areas. The POA member hosting a function must be present at all times and is responsible for cleanup and for the repair of any damage to the facilities. The cost of repairing damage and clean-up that the POA must perform in lieu of the responsible POA member will be assessed against the member's deposit.

All trash must be placed in existing trash containers. Waterway Park has plastic bag inserts (supplied by the POA) which must be used and properly installed by using supplied fastener (large rubber bands) to insure top of plastic bag stays attached to the top edge of the container. Do Not Overfill. Ensure that lid will close and seal before using an additional container. During, or at the end of the function, move the full containers with lids fully down to the trash can receptacle storage area (in the parking lot) and place them back inside. Your function is not limited on how many containers you may use.

The POA requires Security to inspect the amenity once the cleanup has been completed. Please contact Security at (910) 253-7177 to schedule the inspection once you are ready to leave the premises.

While group functions are permitted when scheduled by a St. James Plantation property owner, no fundraising event shall be permitted unless the event is scheduled with the POA Office and attended exclusively by St. James Plantation property owners. The POA Board reserves the right to change this policy if it is felt that such events impact on the enjoyment of this facility by St. James Plantation property owners.

Any tents or temporary structures must be approved by the POA. Any such structures or tents must be removed by noon the day following the event.

2.2.5 Parking

No vehicles may be left overnight in the parking lots. Overflow parking must not obstruct street, driveways or fire hydrants.

2.2.6 Fire Safety

Except for designated grilling area, open flames or fires of any kind are strictly prohibited.

2.2.7 In Case of Emergency

The POA has installed a Direct 911 Phone at the pavilion at Waterway Park. There is also a 911 Phone at the Woodlands Park restroom building (ladies room side). The 911 Phones connect directly to Brunswick County Emergency Management in Bolivia. Automated External Defibrillators (AED) are available at both locations inside the Men's Room.

2.2.8 Waterway Park Playground

The POA has installed playground equipment at Waterway Park for use of children, grandchildren and guests' children of POA members. Children must be under the supervision of an adult at all times whenever they are playing in the playground. Reports of damaged equipment should be made to the POA Office or POA Security.

2.3 Pond and Lake Rules and Policies

2.3.1 Maintenance

In general, the POA is responsible for maintenance of ponds and lakes located in POA common properties for the purpose of managing storm water runoff and drainage. The POA is authorized but is not required to control or remove vegetation, except as necessary for storm water management purposes. Where the edge of a pond or lake is located within or abuts an improved lot, the owner of such lot is responsible for maintaining the edge and bank of the pond or lake and for controlling erosion or sedimentation due to storm water or other runoff from within the lot. Vacant lots are not required to do maintenance on the edge or bank of a pond or lake.

2.3.2 Irrigation

No person or property owner shall draw or pump water from any pond or lake exclusively located in POA common properties for irrigation purposes or otherwise.

2.3.3 Fishing

Fishing is allowed in community ponds subject to the following rules. These rules are provided for the protection of our ponds, fish, plant life, as well as the wellbeing of our residents and guests. Violation of these rules can result in the loss of pond fishing privileges.

Residents should obtain a copy of the St James Plantation Fishing Guidelines from the POA office or POA website for additional information on pond fishing and the location of recommended fishing ponds that have been enhanced with fish habitat and stocking.

RULES FOR FISHING ST. JAMES PLANTATION POA PONDS

- North Carolina fishing regulations apply to our community ponds. As such, residents and their guests that are at least 16 years old must have a N.C. Fishing License in their possession while fishing at the ponds.
- Only St. James residents and their guests are permitted to fish the community ponds. Residents must accompany their guests while fishing. In addition, property owners and their guests may fish on their own private property.
- Fishing is not permitted:
 - On golf courses property or on other residents' developed and undeveloped lots.
 - Within construction zones or areas restricted by the St James POA, Town, Developer, or their representatives.
 - From wetlands and areas with sensitive or protected plant life.
- Fishing is only permitted from sunrise to sunset.
- Fishing in St. James Plantation POA ponds is catch-and-release. Caught fish must be returned to the pond immediately.
- Parking is not permitted in areas that impede traffic or cause damage to private or community property, including irrigation, landscaping or terrain.
- Common sense courtesy should be exercised so as not to disturb neighboring resident, and conservation practices should be observed for the protection of natural habitat.
- Be responsible; make sure you don't leave debris, including cans, bottles, fishing tackle, unused bait, etc.

2.3.4 Boats/Kayak Launch

In general, boats may not be used on ponds or lakes in POA common properties, except by the POA for maintenance purposes. In Regency Park, owners of certain lots abutting ponds are permitted to construct small piers and use small boats on the ponds, as provided in the applicable Restrictive Covenants for that POA.

The St. James Plantation POA kayak/canoe launching area is located on the pier at Waterway Park. For the safety of all who use the park, vehicular traffic is not allowed within the park itself. Boaters utilizing the launch site must leave their motor vehicles in the parking lot off St. James Drive or at the cul-de-sac at the end of Harborside Way. The watercraft must then be walked to the launch site from the parking area. Due to overall park utilization and purpose, watercraft may not be stored or left unattended in the park. The use of non-motorized assisted carts is allowed. Driving across park property is prohibited.

2.3.5 General Restrictions: Assumption of Risk

Swimming or wading is prohibited in POA ponds and lakes. Littering, open fires, or use of illegal drugs is prohibited in all POA common properties. Anyone conducting any activity on common property including ponds or lakes does so at his or her own risk and is responsible for any accident, injury or damages that may result.

2.3.6 Club Property

All property of the Founders Club, Members Club, Players Club and the Reserve Club, including all ponds and lakes located on such property, is subject to control by the respective Club.

2.4 Storm Water Drainage Rules

2.4.1 POA Maintenance Responsibility

In general, the POA is responsible for maintenance of storm water drainage structures and facilities located in POA common properties for the purpose of managing storm water drainage. The POA is not required to control or remove vegetation or to clean out drainage swales or ditches located in common properties, except as necessary for storm water management purposes. Owners must follow the storm water rules which are stated in the applicable storm water permits, Restrictive Covenants for each Regime, and the Architectural Control Committee Design Guidelines.

2.4.2 Property Owner Maintenance Responsibility

In general, each lot owner is responsible for controlling erosion or sedimentation on the owner's lot, and for routine maintenance of drainage swales located on the lot or within the street right of way abutting the lot. Routine maintenance includes mowing the grass and removing any vegetation or debris that blocks or impedes drainage. Where the edge of a pond or lake is located within or abuts an improved lot, the owner of such lot is responsible for maintaining the edge and bank of the pond or lake and for controlling erosion or sedimentation due to runoff from within the lot. Owners are reminded per the storm water permits that they are prohibited from altering or filling in the storm water conveyance devices.

2.4.3 Home Construction

Maximum impervious or built upon area limitations and certain other requirements are set forth in the recorded Restrictive Covenants for each plat or section of lots. Site plan and storm water drainage requirements for new home construction and renovations or additions are set forth in the Design Guidelines published by the POA Architectural Control Committee, as modified or supplemented from time to time. Property owners and contractors should follow the current version of the Guidelines and any supplemental information or requirements issued by the Architectural Control Committee.

2.4.4 Maintenance of Driveway Crossings

Where a drainage swale runs along the side of a street, the owner of each lot abutting the street is responsible for maintaining a culvert under the driveway crossing for such lot. Maintenance includes removing any vegetation or debris that blocks or impedes drainage, and replacing or installing a culvert as needed. If the POA becomes aware of a driveway crossing that is blocking or impeding drainage, the POA may require the lot owner to replace or install a culvert. In this situation, the POA, at its expense, will have an engineer investigate the situation and prepare a plan specifying the location and size of the required culvert, along with the depth for the installation of the culvert and any other necessary specifications. Upon request, the POA will also provide the name of one or more contractors that can give the lot owner a cost estimate for the work. The lot owner is responsible for getting the work completed and paying the contractor.

2.5 Storm Clean Up Responsibilities and Procedures

St. James Plantation is a Planned Unit Development and as such individual property owners and Regime POAs are required to maintain their property as defined in the Master Declaration, Article VI, Section 9, and in accordance with the Declaration of Restrictive Covenants of the St. James Plantation POA, Section 16. Since the roads and common properties are privately owned by the POA, debris removal after a weather event is the responsibility of the POA as specified in the Master Declaration Article V, Section 1. The Federal (FEMA), State, and County governments, as well as the Town of St. James, have no direct financial responsibility in the cleanup process.

Before, during and after any major incident as described in Situation #3 (below), it is the responsibility of the Town of St. James Emergency Management Team to direct appropriate cleanup actions.

2.5.1 Situation Classifications

There are three (3) classifications of storm damage. It is the responsibility of the POA Community Manager to coordinate assessment of the damage and provide the appropriate response. Given the size of the Town, specific areas may be classified differently depending on local conditions in the immediate area and the type of storm that has occurred, i.e., tornado, hurricane, or extremely high wind event. In all cases the property owner cleanup must be within ninety (90) days as specified within the Restrictive Covenants. The POA may grant exceptions in special circumstances. Placing yard debris on non-occupied properties or common properties is prohibited and will result in enforcement action by the POA.

Heavy rain or strong winds (well below hurricane strength) that result in small branches and limbs down will not be addressed by the POA. Individual property owners have the responsibility to clean up their lots. Leaving debris by the road side for long periods of time will result in an enforcement action by the POA. The property owner is expected to make arrangements for debris removal as quickly as possible.

Situation No. 1

Typical cause: Winds approaching hurricane strength, torrential rains, hail storm.

Typical results: A large amount of small branches and limbs down. Some small trees down but virtually no home damage.

Situation No. 2

Typical cause: Damage resulting from much higher winds.

Typical results: Trees down, some minor home damage (shingles, shutters, or other housing materials).

Situation No. 3

Typical cause: A major catastrophic event including high winds and flooding.

Typical results: Many trees down, home damage due to wind, rain, falling trees, and flooding.

2.5.2 Response for Situations 1, 2 and 3

Branches and limbs must be cut to a maximum of four (4) feet in length and placed on the edge of the owner's property (but **NOT** on the road) only if this is an improved lot. Debris should not be placed where it could impede the flow of water in culverts and swales beside roads. Only natural vegetative materials will be picked up. Clean up and removal from the premises of any housing material, housing contents including clothing or appliances is the responsibility of the property owner to remove from the premises. If other materials are found included with the vegetative material, **NOTHING**, will be picked up and **ALL** debris removal becomes the responsibility of the property owner. Trees lying across public access will be cleared from the road by the Fire Department. Common properties will be cleared by the POA. A pickup time will be established by the POA. Unimproved lots may be cleared by a contractor hired by the POA with the owners charged accordingly if the owner refuses to do so after receiving notification of required clean up.

2.6 St. James Chapel

2.6.1 Purpose

According to the Bylaws of the St. James Plantation Chapel, the Chapel is an interfaith non-denominational facility where religious activities (including but not limited to: worship services, weddings, funerals, memorial services, baptisms, Bible Studies and religious educational programs) may be held and individual meditation and prayer may be conducted.

2.6.2 Organization and Structure

St. James Plantation Chapel is a 501c3 nonprofit organization. The corporation has no members and no capital stock. A Chapel Board of Directors manages the affairs of the corporation.

2.6.3 Worship Services

A non-denominational worship service with visiting pastors is held on the second Sunday of the month at 9 a.m. The Chapel is available to property owners for weddings, baptisms, memorial services and other religious activities. To reserve the Chapel, contact Teesie McClure (910-253-7410) or Sandra Bell (910-253-0660).

2.7 St. James Library

2.7.1 Purpose

The St. James Library is owned and operated by the Chapel Board. The Library serves as a central location for books (hard cover and paperback), puzzles, books on tape, videos, DVDs, etc. which the Chapel Board deems appropriate for sharing. Property owners are welcome to donate and borrow items that are on display in the Library.

2.7.2 Volunteers

The Library Committee is responsible for maintaining the orderliness of the facility. Bins are provided for new donations and returns.

2.7.3 POA Responsibility

The POA is responsible for the maintenance of the Library Building.

2.8 St. James Dog Parks

2.8.1 Purpose

The purpose of the St. James Dog Parks is to provide a safe location for dogs to run off-leash within the St. James Plantation community. The POA currently have two (2) Dog Parks (adjacent to the Fire Station on St. James Drive and in the Woodlands near the Amphitheater bathrooms).

2.8.2 Rules of the Dog Parks

The following rules are provided for the protection of our canine residents and their owners/custodians. The hours of operation are between 7 a.m. to dusk. Please provide water for your dog(s).

- Dog owners agree and acknowledge that they are using the Dog Park at their own risk and assume all risk associated with their use.
- Dogs must have current vaccinations and display a rabies tag as required by Brunswick County Ordinance.
- Children under the age of twelve (12) are not permitted inside the Dog Park area.
- Be considerate – owners are required to clean up after their dogs. Waste stations are provided.
- Dogs acting in an aggressive manner must be muzzled and/or removed. All dog attacks should be reported to the Brunswick County Sheriff's Office and then the POA Office.
- Dog owners are responsible for any damage or injury caused by their dogs and acknowledges that use of the Dog Park may expose them and their dogs to injury.
- Food, toys, glass containers and alcoholic beverages are prohibited.
- Eyesight supervision and vocal control of all dogs is required.
- Dogs are not to be left unattended at any time.
- Dogs must be leashed upon entering or leaving the Dog Park.
- Female dogs in heat are prohibited.
- Puppies less than four (4) months of age are prohibited.
- No more than two (2) dogs per visitor.
- Owners or custodians of dogs are responsible for filling holes dug by their dog(s).
- Anyone failing to comply with the rules of operation will have Dog Park privileges suspended.

3.0 Communications

The St. James Plantation POA provides the property owners/residents with the following communications vehicles:

- POA website (www.stjamespoanc.org) is a reference tool and information source for POA activities, contacts (board and committees), amenities, services, calendar, community bulletin board, directory and resources, as well as for the events of the community's clubs, groups, and volunteer and charity support.
- Monthly *Cat-Tales* magazine provides a window into life in the community as well as upcoming events.
- Weekly email newsletter – *What's Up St. James?* – provides information on POA, community and local area upcoming activities.
- Email blasts, as needed, provide POA announcements that require timely dissemination.
- Monthly informational POA meetings inform property owners of POA plans, activities and accomplishments and provide a communications forum between residents and the POA Board.
- Quarterly open board meetings give the residents insight on the POA board's projects and decisions.
- A semi-annual financial update is included in the assessment notification.

The POA Communications Policy defines the restrictions on who can use these communications vehicles and the types of information that can be published. The policy is as follows:

- The POA will not publish communications unfavorable to the St. James Plantation developer, Town of St. James or the POA.

- The POA will not sell, advertise, sponsor or endorse commercial, for profit, objectionable or illegal products and services in any communications vehicle.
 - Exception: *Cat-Tales* advertising space that covers the magazine's printing and distribution costs can be purchased via the printer. However, the POA is not responsible for any claims made by advertisers.
 - Exception: Because there is a nonprofit Artisans of St. James component within the Artisans Gallery structure, a new artisan can be introduced once in a *Cat-Tales* article.
- The POA will not publish partisan political notices for any party or candidate.
- The POA will not publish petition notices.
- *Cat-Tales*, *What's Up St. James?* and the POA website will not include ads, announcements or articles:
 - From real estate firms other than from St. James Properties, LLC.
 - Consisting of advertorial information endorsing or written about specific individual vendor products or services.
 - Pertaining to political or religious beliefs.
- Articles of interest may be included that present pros and cons on local issues or items.
- *Cat-Tales*, *What's Up St. James* and the POA website's Calendar and Community Bulletin Board can include announcements of interest to and benefiting the St. James community for:
 - Organized events with multiple vendors, such as farmers/flea markets, craft shows, festivals and tournaments and, as long as no individual vendor is showcased.
 - Artistic/musical performances
 - Free informational seminars.
 - Resident-organized activities (maximum two events per year per resident) where fees are collected solely to cover the expenses of the activity, such as a group excursion to a dinner and show.
- Property owners, Town of St. James, the developer and the following organizations can submit information for publication in any of the POA communication vehicles except those associated with the POA meetings:
 - Organizations and groups whose membership is exclusively contained within St. James, for example, Service Club, Activities Committee, Ladies Golf Association, Fishing Club and Quilters Too group.
 - Organizations which are not exclusively contained within St. James, provided:
 - They are IRS-approved nonprofit entities; the POA has the right to obtain verification of nonprofit status prior to publication.
 - Their events are chaired or sponsored by a St. James resident or property owner.
- Property owners or family members of residents can submit announcements to the POA website's Community Bulletin Board for the following:
 - Classified: garage sale-type items and domestic animals to sell or give away; no property sales and rentals or for-profit commercial products and services.
 - Wanted: items, products, services and recommendations, including property rental, commercial products or services and domestic animals.
 - Lost and Found: items and domestic animals.
 - Memorial Page: community members that have passed.
 - Other items of community interest that conform to this policy.

3.1 St. James Plantation POA Website

With the addition of an internet site as part of the communications system, the POA Board has adopted the following guidelines with regard to notices and all published material for the website. The POA's Communications Committee has operational control of the website.

3.1.1 Authorized Use of POA Website

The website may be used to access the following information. Some information is available to the public, some require validated access through a user name and password and other is restricted to specific POA board, committee and staff members.

- Communications vehicle archives
- Community Calendar and Bulletin Board
- POA Board news and meeting reports
- Town of St. James information (links to Town website)
- POA document and forms library
- POA Board and Committee membership and information
- St. James clubs, groups, and activities information
- Amenities information
- Directory of full and part-time residents
- Directory of property owners (restricted)
- Clubs @ St. James (Troon) notices (Link to the Clubs website)
- Activities of local area interest (Brunswick County, Southport)
- Other items of general interest.

3.1.2 Editorial and Content Authority

The Communications Committee will have editorial and content authority and control over the POA website subject to these guidelines and the POA Communications Policy as included above. The committee or its designee will approve in advance all information to be posted on the POA website.

3.1.3 Unauthorized Use

User names and passwords to access certain pages of the website and user profiles are provided to property owners as a benefit of their POA membership. The user names and passwords remain the sole and exclusive property of the POA. The members agree to maintain their respective user names and passwords as private and confidential information. Any unauthorized use of the user names, passwords or website is strictly prohibited.

If a POA member needs a user name and password, or needs assistance in logging into the website, call the POA office or send an email request for a user name and password via the homepage link "Contact POA."

3.1.4 Posted Information

A POA member requesting website posting represents and warrants to the POA that such member will not post or request a posting of any information that infringes on the trademark, copyright or other intellectual property rights of any other person or entity. The member requesting such posting agrees to indemnify and hold harmless the POA from all costs and expenses (including attorneys' fees) incurred by the POA related to or arising from any breach of this representation and warranty.

3.1.5 Website Privacy Policy

The website follows the POA's privacy policy that describes how all personal and confidential information posted on restricted areas of the POA website will be treated. Should the POA make changes to this policy it will post the changes to the privacy policy and notify its members.

The POA will share POA website, operational and member information with the Town of St. James Emergency Management Volunteers, the St. James Fire Department, government authorities when legally required to do so, and may cooperate with these authorities investigating claims of illegal activity such as (but not limited to) illegal transfer or use of copyrighted material, or postings or e-mail containing threats of violence. Except under the limited circumstances described above, the POA does not disclose website

information to third parties. No POA member shall provide access to the online directory of full and part-time residents or database of all property owners to any unauthorized party for any reason whatsoever.

3.1.6 Website Security

No computer system is safe from intrusion. Website information and/or e-mail may pass through many computer systems, and should not be considered a secure means of communication unless encrypted. Even then, information is only as secure as the encryption method. Therefore, although the POA takes precautions to protect the information technology systems servers, it cannot guarantee the security of any data on any server, including "secure servers."

3.1.7 Links and Cookies

The POA may provide links on the POA website to other websites of interest to POA members, which are owned, operated and/or maintained by third parties. Persons or companies who own/operate such websites may use cookie technology. The POA does not control the use of cookies by such linked websites. Cookies are files written to a user's hard disk and read by server programs to inform a website if the user has previously visited that site.

3.1.8 Copyright and Service Mark Notice

This website is maintained for the POA board, committee and staff members as well as the St. James property owners and residents. Unauthorized copying or reproduction is prohibited. Information on this website may not be used for commercial purposes. The St. James Plantation name is a service mark of the developer and used under license. The names and logos of the Clubs and the Marina at St. James Plantation are service marks of the respective entities. Unauthorized use of any such service mark is prohibited.

3.1.9 Resident/Property Owner Information

The POA website provides authorize POA users (who have a user name and password) to full and part-time resident information, including name, address, telephone number(s) and email addresses. The POA also maintains a restricted database with all property owners. This information is kept on limited access computers. Any POA member may have their specific information removed from the online directory by sending a written request to the POA.

To maintain current directories, property owners are requested to log in online to update their profile (address, emails and telephones) or notify the POA office of profile changes via the website homepage link "Contact POA." The directories are updated weekly. Directory information is protected under the POA's privacy policy and should be handled as limited sharing and dissemination authorization outside of St. James.

3.1.10 Calendar

The POA website has a calendar that is accessed via Resources/Community Calendar tabs. The calendar includes the schedules of POA board meetings, clubs, groups and local area events. To add an event to the calendar, use the Calendar Submission Form that is accessed via Resources/Calendar Submission Form. The calendar event is limited to 500 characters (including punctuation and spaces).

3.1.11 Community Bulletin Board

The POA website has a Community Bulletin Board for free ads by property owners in the following areas: garage sale-type items for sale, items/services wanted, unit for rent, seeking rental and Memorial Service information for residents that have passed. To submit an ad, complete the online website form. The ad will be reviewed by a Communications Committee member or designee within 24 hours to ensure compliance with the Communications Policy before it is posted. Ads will be deleted no later than submitter notification or one week from date of posting.

3.2 *Cat-Tales*

The POA's monthly magazine, *Cat-Tales*, is managed and produced by the lead editors with oversight by the Communications Committee. The magazine is mailed to property owners as well as posted to the website.

To submit an article, announcement or photographs for publication or to become a member of the *Cat-Tales* team send an email to cttalesed@gmail.com. The editors are always looking for new ideas and additional contributors. Articles will conform to a limit of 500 words (one page); announcements will be published a maximum of two issues. Submitted information may be reformatted, text edited and shortened to meet publishing specifications, style guidelines, and page length limitations. Submitted material will not be returned and can be used in any POA communications vehicle.

3.3 *What's Up St. James?*

This electronic newsletter, published weekly every Monday, provides the St. James Plantation community with timely information on upcoming events within the POA, St. James organizations and local area venues. The announcements are kept short and to the point so that the newsletter is quick to read. Additional information is accessible by a link to another page or to the POA website Announcements Section. Announcement (maximum 100 words) are to be emailed to whatsupstjames@gmail.com no later than noon Friday before the publishing day which is every Monday morning. Information may be reformatted and text edited to meet publishing specifications and style guidelines.

3.4 Blast Email/Phone Message System

The POA maintains a master list of property owner and resident information. This master list feeds the POA's email distribution lists for residents and all property owners as well as the POA's and Town of St. James' broadcast email and Emergency Telephone Notification System.

Residents and property owners need to update their profile and contact information via the POA website. If problems doing so, notify the POA office which will provide assistance. The POA does not delete your name if you elect to 'unsubscribe' to this service. It is required to have this option available; however, if an owner's name is removed from the master list, no information would be sent electronically, including emergency information.

3.5 Meetings

3.5.1 Monthly Informational POA Meeting & Board Meeting Reports

The POA holds a monthly informational meeting with residents to provide status on the board, committees and staff members' accomplishments and plans as well as have a Question and Answer portion of the meeting where residents can ask status or discuss issues. The meeting report is archived on the POA website.

A meeting report from the POA Board meeting is also archived monthly on the POA website.

3.5.2 Annual Properties Owners' Association Meeting

An Annual Property Owners' Meeting is held in early October. The POA Board announces the meeting date via U.S. mail, website and blast email. Guidelines for submission of questions for the POA Board are provided prior to the meeting.

3.6 2-Way POA (Communicate with your POA)

The 2-Way POA feature on the POA website enables on-line communication with members of the POA Board and Committee Members. Property Owners are welcome to submit questions/comments to the

Board/Committee Members or the POA Community Manager and staff. A response can be expected to be received within ten (10) business days of receipt.

4.0 Safety & Security

4.1 Motor Vehicle and Parking Rules

Motor vehicles shall be operated within St. James Plantation in accordance with all laws of the State of North Carolina. Except as otherwise permitted by these rules, any motor vehicle operated within St. James Plantation must bear a valid license plate and registration sticker issued by a state in the United States. The driver of any motor vehicle must have a valid, state-issued operator's license.

4.1.1 Speed Limits and Signs

All speed limits and traffic signs shall be strictly observed. The speed limit within St. James Plantation is twenty (20) miles per hour unless otherwise posted. Thirty (30) miles per hour is posted in the following areas: St. James Drive from entrance to just prior to the Founders Club; St. James Drive beginning at the Marina to the west end of St. James Drive; Members Club Drive to Irwin Drive; Ridge Crest Drive; Wyndemere Drive north of the Reserve Club; Regency Crossing in the area from the Regency Gate to the point where Skeffington Court intersects with Regency Crossing (south side of Regency-near the golf cart crossing); Oceanic Drive; Bridgewater Drive; and Moss Hammock Wynd.

There are a number of roads in St. James Plantation that have directional signs posted, for example, KEEP RIGHT, when a road goes around an island or a median divider-also, on a one-way street such as on the traffic circles. Many of these areas do not have sidewalks but are favorite places for use by pedestrians, dog walkers, baby strollers, bicycle riders, roller skates, guests and grandchildren. These individuals are used to traffic in the area coming from one direction-not two. Disobeying a directional sign causes a dangerous and unsafe condition and is subject to a fine.

4.1.2 Off-Road Vehicles

No off road vehicles of any type, including but not limited to, go carts, dirt bikes, and all-terrain vehicles, shall be operated within St. James Plantation, except those vehicles used for permitted construction and development, golf course maintenance, common property maintenance, and related purposes.

4.1.3 Use of Golf Carts; Crossing Rules

No golf carts shall be operated on any streets within St. James Plantation, except by golfers on designated crossings and connections between portions of a golf course, and use by golf course personnel for course management of related purposes. A handicapped property owner may operate a golf cart on streets in St. James Plantation if (a) the golf cart bears a valid license plate and registration sticker issued by the State of North Carolina; (b) the license plate is a handicapped license plate or the golf cart bears a handicapped windshield placard issued by the State of North Carolina; and (c) the operator has a valid, state-issued operator's license. Golf carts shall stop before entering the street and wait if any vehicles are approaching.

4.1.4 Parking on Common Properties

Parking in Association common properties for fishing or other purposes is permitted only in designated parking spaces. The Board of Directors of the POA may provide a limited waiver of this rule for special events or otherwise at their discretion. Parking on any property of the Founders Club, Members Club, Players Club, or Reserve Club is subject to control by the respective Clubs. Parked cars/vehicles must not block fire hydrants.

4.1.5 Overnight Parking on Streets

Unless otherwise posted, property owners may use the street adjacent to their properties for temporary parking; provided that no boat, trailer or vehicle shall be parked for longer than twenty-four (24 hours)

within the right of way of any road or street within St. James Plantation. The Board of Directors of the POA may provide a limited waiver of this rule in its sole and absolute discretion, for good cause shown. Use of Common Properties or unimproved property for regular parking of any vehicle is prohibited. Parked cars/vehicles must not block fire hydrants.

4.1.6 Parking of Boats and Large Vehicles on Lots

No boat, bus, trailer, commercial vehicle, camper, recreational vehicle, truck larger than a half-ton pickup truck, or inoperative or unlicensed vehicle shall be parked on any lot for longer than twenty-four (24) hours in such a manner as to be visible from any road or street within St. James Plantation; such a boat, trailer, or vehicle may be parked in a garage if it can be fully covered with the garage door closed. The Board of Directors of the POA may provide a limited waiver of this rule at their sole discretion for good cause shown. Parked cars/vehicles must not block fire hydrants.

4.1.7 Advertising on Personal Vehicles

Property Owners shall not use their vehicles to advertise their own or other businesses while parked at their property or elsewhere within St. James Plantation except when that vehicle is currently being used as part of that business enterprise.

4.1.8 Violations

Violators of the foregoing rules are subject to warnings, fines and loss of privileges. For contractors, employees, guests and others who are not property owners, a second or subsequent offense may result in loss of privilege to enter St. James Plantation. In addition, violators of rule 4.1.5, 4.1.6 or 4.1.7 are subject to having their boats trailers or vehicles towed at the owner's expense.

4.1.9 Guidelines for Sharing of Roads and Sidewalks

The POA has a brochure, *Guidelines for Bicyclists, Pedestrians and Motorists to Promote Courteous Sharing of Roadways and Sidewalks*, that details the guidelines to ensure safe streets and sideways for residents, property owners and visitors.

4.2 Motor Vehicle Rule Enforcement Policy

The Board of Directors of the POA has adopted the following procedures for POA security and administrative personnel for enforcement of the Motor Vehicle Rules. Verbal and/or physical abuse of POA Staff, employees and security staff by property owners, guests, contractors, vendors and all others is unacceptable and will not be tolerated. Reported incidents will be reviewed by the POA Rules Enforcement Committee. If a finding by the Committee determines there has been a violation of this rule, penalties, including fines, loss of privileges and other sanctions deemed appropriate, will be issued by the POA Rules and Enforcement Committee (see also 4.2.7).

4.2.1 General Duties of Security Personnel

Security personnel shall be familiar with the Motor Vehicle Rules of the POA. During regular patrols of the POA's streets and other common elements or when called to investigate a possible violation, and otherwise during the course of performing security duties, security personnel shall observe traffic and vehicles for the purpose of detecting motor vehicle violations. Security personnel shall be knowledgeable in the use of speed detection equipment and methods.

4.2.2 Stop Suspected Violators

When a rule violation is observed, security personnel shall, by use of flashing lights or other appropriate means, request suspected violator to stop. Security personnel shall not engage in any pursuit that endangers the safety of the suspected violator or others. Security personnel shall not engage in any pursuit onto private property without consent of the property owner.

4.2.3 Record Information

Upon stopping and/or suspected rule violation is observed, security personnel shall request and record the name, address, and driver's license number of the person along with the make/model and color of vehicle, registration number, nature and circumstances of the violation, location of violation and any other relevant information. Security personnel shall not use any force to obtain such information. If a suspected violator will not stop or will not furnish the requested information, security personnel shall record the available relevant information including a description of the driver and a rule violation will be issued.

4.2.4 Delivery of Information to POA Office

Security personnel shall, on a daily basis, deliver a signed incident report or other record of each rule violation to the POA Office.

4.2.5 Notice of Violation Fines

POA staff shall review each rule violation or incident report to determine whether the person charged is a first time suspected violator or if previous violations have been incurred. The POA shall issue a letter notifying the violator of appropriate procedure to follow. If the suspected violator is a contractor or someone else who is neither a property owner, a member of a property owner's household nor an employee, the POA shall determine whether additional sanctions are appropriate, which sanctions may include the loss of privileges to enter St. James Plantation.

4.2.6 Hearing for Property Owners

Property owners and members of a property owner's household shall be entitled to a hearing before the Rules and Enforcement Committee in accordance with the POA's Policy and Procedures regarding Fines and Hearings.

4.2.7 Public Vehicular Access (PVA)

Roads within St. James Plantation are designated as PVAs. This allows the State Highway Patrol and Sheriff to enforce North Carolina motor vehicle laws on the roads within St. James Plantation.

5.0 Architectural Control

Detailed ACC Rules and Policies are referenced in the St. James Plantation POA Architectural Control Design Guidelines.

5.1 Responsibilities of Property Owner

5.1.1 Architectural Control Committee (ACC) Responsibility

The ACC is responsible for the review and approval of all plans for new construction, exterior modifications to existing structures, including repainting and landscaping. However, approval by the ACC does not constitute a representation or warranty as to the quality, fitness or suitability of the designs and materials specified in the plans or the ability of the contractor or builder to execute the job.

5.1.2 Property Owner Responsibility

Property owners are responsible for working with their architects, designers and contractors to determine whether the design and materials are appropriate for the intended use. Owners are also responsible for ensuring that their architects, designers and contractors comply with the provisions of the Master Declaration, the applicable Restrictive Covenants, the Design Guidelines and the approved plans.

5.1.3 ACC Cautionary Notice

Approval by the ACC does not assure approval by any government agencies that required permits for construction. Owners are responsible for obtaining, or ensuring that their contractors obtain all required permits before commencement of construction.