



RULES
AND
REGULATIONS
Renters

Adopted by the Board of Directors
August 2009

Updated March 2021

Summer Winds Condominiums, Inc
Summers Services, Inc.
1505 Salter Path Road
Atlantic Beach, NC 28512

These rules and regulations are designed to make visiting Summer Winds a pleasant and comfortable experience. While vacationing within a private community such as Summer Winds, each of us not only has certain rights, but also, certain obligations to other guests. We must remember that the restrictions we impose are for everyone's mutual benefit and comfort. The following rules do not supersede the Condominium Documents or any other legal obligation of the owners of Summer Winds.

It would be appreciated if any notice of violations would be directed to Summer Winds Executive Director and not to the Board of Directors or Officers of Summer Winds. If the Executive Director is unable to correct the violation, it may then be brought to the attention of the Board of Directors for assistance in making the necessary corrections.

These rules and regulations are kept simple and it is hoped they will suffice for comfortable and compatible vacationing. If found necessary, they may be changed from time to time.

Thank you for visiting Summer Winds.

Overview

Under Article 10 (Regulations Pertaining to the Use of Common Areas) of the Summer Winds Declaration of Unit Ownership and Bylaws, the Board of Directors is empowered to adopt rules and regulations for the use of the common areas.

Further, Article 21-B (Use and Occupancy: Prohibited Acts) states: "The condominium unit owners shall not permit or suffer anything to be done or kept in any unit which will increase the rate of insurance, or which will obstruct or interfere with the rights of other unit owners, or annoy other unit owners by unreasonable noises or otherwise. Further, the unit owners shall not commit or permit any nuisance, or any immoral or illegal act in or about the property."

One of the main purposes for defining the categories of Owners, Guests and Visitors is to distinguish between those who may use the common areas unattended (Owners and Guests), and Visitors, who must be *accompanied* in the common areas by an Owner or Guest. All owners, guests and visitors must observe the rules and regulations of Summer Winds. Owners and guests are responsible for the actions of their visitors.

Owner

For the purpose of this policy statement, an owner is someone who holds legal title to, or an interest in, a Summer Winds condominium unit.

Guest/Registered Guest

A guest is one who occupies and controls a unit and is responsible for the activities therein. This occupancy, control, and responsibility is granted either through a rental contract, or is freely given by the unit owner, to the guest. Guests also include other members of a party of people who occupy a unit under the same lease agreement (or private agreement with an owner), e.g. - if a man signs a rental agreement which includes himself, his wife, and three kids, the other family members are also considered guests.

If a rental contract exists, a guest is registered with the rental agency, which in turn notifies Summer Winds Security. If the guest is not via a rental agency, then a guest becomes registered by way of the owner notifying the Summer Winds Office or Security, either verbally or in writing, that one or more persons will be occupying the owner's unit as a guest.

As used in this policy, the terms "guest" and "registered guest" shall have the same meaning. Members of an owner's immediate family will generally be considered as guests.

Visitor

A visitor is one who temporarily stays with a registered guest or owner, and who does not assume control of, or responsibility for the unit. The stay may be for a few minutes, or a few hours. A visitor may not "holdover" in the unit if the registered guest or owner has departed from the unit. During the stay, when in the common area or using common area facilities, visitors must at all times be accompanied by the owner or registered guest of the unit which they are visiting.

Example: If a visitor is using a pool, the owner or guest would not have to be in the water, but must be in the proximity of the visitor.

Owners and guests must provide the name of each visitor to Security prior to their (visitors') arrival. If visitors arrive unexpectedly Security will call the unit to seek permission to allow access. Entry will be denied unless *the* Owner or Registered Guest grants permission for the visitors to enter. The number of visitors who are not staying the night may not exceed the number that the owner or guest can properly supervise, i.e. - they are not disturbing others' quiet enjoyment of the property, or generating complaints from owners, guests, or Security. Visitors who are not spending the night must exit Summer Winds by 1:00 a.m., unless their host has previously notified Security.

Visitors, Renters, Guests, and Homeowners are required to wear wristbands from Easter through Labor Day while enjoying Summer Wind's facilities. (Children under 10 years old accompanied by an adult family member are not required to wear wrist bands). RENTERS shall receive a packet of eight (8) wrists bands from Security upon arrival. The bands will be a different color each week and must be worn at all times by guests and their visitors over the age of ten (10). If more bands are needed, inform security when advising them of their guest or visitors arrival date and time. Bands shall be returned to security upon departure. Failure to return the wrists bands by renters to security will result in a call, by management to their rental agency to hold their security deposit until wrist bands are returned. The wrist band packets for RENTERS will be made up by security each week based on information received from the rental companies.

Occupants

Total overnight occupants of a rental unit are not to be greater than the sleeping accommodations of that unit:

Bedrooms	No Sleeper Sofa	Sleeper Sofa
2	4	6
3	6	8
4	8	10

Vehicles

Unless Security has been notified, not more than a total of *three* vehicles per unit, whether owned/operated by guests or visitors, will be permitted in the parking areas at any one time during the period from April 15th through September 15th. During said period, vehicles in excess of three are subject to being towed at the vehicle owner's expense.

Owners are required to have a decal in a readily visible area of their vehicles. Decals may be purchased for the members of the owner's immediate family. Decals are valid until the condo unit, or the decal-bearing vehicle is sold; otherwise, there is no expiration date on decals, except that Summer Winds may from time to time issue new decals and declare all previous issues to be invalid.

Guest and visitors are required to have a mirror-hanging car pass. These are distributed by the rental agency or Summer Winds Security, and must bear an expiration date, not to exceed 30 days from the date of issue. However, these passes may be renewed.

Electric Vehicles

There is no electrical vehicle charging on the property. All electrical vehicles need to be charged at a charging station. There is one located in Emerald Isle.

Rules and Regulations

General Rules and Regulations

PARKING

All vehicles must park in marked areas. All boats, trailers, campers and oversized vehicles must park on the turf stones beside the west entrance. Parking in loading zones is limited to 30 minutes. Vehicles parked improperly are subject to be towed at the owner's expense. All boats and trailers must be disconnected and parked separately each night and placed in individual spaces. Each unit is limited to four vehicles to include boats, trailers and motorcycles. All additional vehicles must park off the property. All vehicles parked in Handicap Zones must clearly display handicap tags. Illegal parking is subject to fines and towing as set forth by N.C. state regulations.

VEHICLE PASSES

All homeowners must notify Security to be put on status before or upon arrival. Vehicles are subject to towing if they are not identified with a guest or visitors pass displayed from the rearview mirror with the unit number and expiration date visible from the front windshield. Owners must have a permanent decal on the lower left corner of the front windshield.

PETS

Only homeowners and their immediate family members are permitted to have pets. Renters are not allowed to have pets in the units or on the grounds including therapy and emotional support animals with the exception of service animals, as defined by the Americans with Disabilities Act, are permitted in Ginger's Cafe, Sports Complex, or any of the enclosed pool areas (fenced-in areas) at any time. (N.C. Gen Stat. 130A-280=130A-282, Section 2530)

A designated "pet walk area" is provided on the front lawn adjacent to the Waste Treatment Plant for services animals to relieve themselves. Allowing service animals to relieve themselves on shrubs, trees, and buildings is prohibited. Violators will be required to remove the animal from the property to a kennel for the remainder of any stay. If "accidents" should occur in other areas, the owners are requested to show reasonable common sense and respect for all by cleaning up the "accident" and disposing of it properly. All feces waste should be picked up whether in the designated dog walk area or in other areas where an accident may have occurred including the beach. Summer Winds reserves the right to deny access to service animals aggressive or dangerous to others.

NOISE

Televisions, radios, computers, audio equipment and any other musical instruments, operated from the unit or unit balcony must be kept at a level that is not audible from

other units. After 11:00 p.m. any sound must be reduced so as not to disturb your neighbor. Security is required to strictly enforce this regulation.

TRASH

All garbage must be firmly secured in tied plastic bags before being placed in the trash receptacles located on the loading dock of each building. The garbage receptacles are for household garbage. These containers are located as follows:

- Bldg. A – West side of building in yellow loading dock area.
- Bldg. C – West side of building in yellow loading dock area.
- Bldg. B – East side of building in yellow loading dock area.

Disposing of appliances, mattresses or household furniture is not allowed and you will be charged a fine. A fee is charged by the landfill to dispose of these items.

Please do not place trash in grill area trash can.

Please do not place household trash garbage in the beach deck access trash cans, but place it in the designated receptacles described above.

LITTER

The community grounds and beach are not to be littered. Each person is responsible for disposing of his/her own litter in the proper containers.

DUNES

Access to the beach is to be made only by the walkways provided. North Carolina state law prohibits disturbing or picking of sea oats or other sand dune vegetation in order to preserve the dunes and protect beach property. **Littering the dunes is punishable by law.**

CLOTHING

The hanging of clothing, bathing suits, towels or other apparel on outside clothes lines or over decks and railing is prohibited.

APPLIANCES

All homeowners must shut off the main water valve, hot water heater and ice maker upon leaving the condos for three days or longer. Do not leave appliances (washer, dryer, coffee pot, etc.) unattended while they are turned "on". Old appliance disposals are the sole responsibility of each owner. (Please refer to trash section above.)

HAZARDOUS MATERIALS

No guest or owner shall use or permit to be brought into the condominium or storage closet any flammable fluids such as gasoline, kerosene or any other explosives or articles deemed hazardous to life, limb or property. **FIREWORKS ARE PROHIBITED ON SUMMER WINDS PROPERTY WHETHER LEGAL UNDER NC LAW OR NOT.** You may go below the high water line on the beach to discharge lawful fireworks.

SEAGULLS & ANY OTHER WILDLIFE

The feeding of seagulls and any other wildlife from the balconies or common area is prohibited.

SOLICITATIONS

Charitable or commercial solicitations are not permitted on the property.

PARKING LOTS

No vehicle maintenance such as oil changes, motor tune ups, car washing, etc. is permitted in the parking lots. Washing may be done in the boat storage area.

TRICYCLES, SKATEBOARDS, ROLLER SKATES, GOLF CARTS, ETC.

Tricycles, skateboards, roller skates, roller blades, scooters, hoverboards, and golf carts are not permitted on the property. Motorized wheelchairs are an exception. Bicycles must follow the same rules as automobiles. Skateboards, rollerblades, and roller skates may be used on basketball court when it is not in use and permission is given by security.

DRONES

No drone flying is allowed over or around Summer Winds Property, unless permission is given by the Summer Winds Executive Director.

BALL PLAYING

No ball playing or Frisbee throwing is allowed in the courtyards or pool areas. Ball playing and Frisbee throwing is permitted only on the highway side front lawn of the property or on the beach. Bocce ball is the exception to the rule with permission from security and adult supervision; the ball may NOT be airborne and no playing Bocce in the pool areas. **No ball playing or throwing of any object is allowed in the pool or pool areas.**

OUTDOOR COOKING

No food is to be cooked on the common area property except in the designated charcoal cooking areas. Cooking on the unit patios or balconies is a fire hazard and is not permitted.

STAIRWELLS and WALKWAYS

Nothing can be stored under any stairwell. This would be in violation of Fire Code. Nor can anything be stored at the end of the walkways of any buildings or items left in the building walkways that would block or impede someone from passing through.

CHILDREN

Guests and owners are responsible for their children's behavior and for any damages resulting from their actions or that of their visitors.

WASTE TREATMENT

Flushing of non-biodegradable items (diapers, clothing, sanitary napkins, grease, cooking oil, etc.) through the sewer system is prohibited. Garbage disposals are not permitted.

KITE FLYING

Kite flying is allowed on the beach only.

HORSEPLAY

Ball bouncing, running and horseplay on the walkways, stairwells and within the units is prohibited.

SMOKING

Smoking is not permitted in Ginger's Cafe, Sports Complex, elevators, and Homeowner's Office. Please dispose of cigarette butts in the proper disposable areas. They are not to be disposed of on the ground, walkways, bathroom floors, elevator floors, pool decks, or access decks.

INTOXICATED AND DISRUPTIVE BEHAVIOR

No person is permitted to be on or in any common area of the Summer Winds Campus in an intoxicated and disruptive state. As used in this rule "intoxicated" is a condition where mental and physical function is substantially impaired by the use of alcohol or drugs, but "legal" intoxication is not required. "Disruptive" includes but is not limited to cursing or shouting at or otherwise rudely insulting others, speaking in an obscene or vulgar manner to others, grabbing, shoving, pushing or fighting others or challenging others to fight, blocking or interfering with traffic in the parking areas or driveways on campus, blocking or lying across or otherwise preventing or interfering with access to or passage across a sidewalk, walkway or entrance to a building or unit, or becoming unconscious or "passing out" in or on a common area as a result of intoxication.

UNCIVIL BEHAVIOR

1. All persons at Summer Winds will conduct themselves in a civil manner so as not to interfere with the reasonable use and enjoyment of the common areas and units by others. The following are violations of this regulation, but such listing is not exclusive.
 - a. Cursing or swearing in a loud manner that would be offensive to a person of ordinary sensibilities.
 - b. Speaking or gesturing in an obscene or vulgar manner to others.
 - c. Threatening another person on the Summer Winds Campus with bodily harm. or harm to his property.
 - d. Denigrating another person on the Summer Winds Campus because of race, color, national origin, age, disability, religion, marital status, sex or sexual orientation.
 - e. Any un-permitted touching of another person.
 - f. Damaging another person's property or the common property under the jurisdiction of the Association.

In determining whether this regulation has been violated the standard will be whether or not the conduct complained of would be offensive to a person of ordinary sensibilities.

Hostile Work Environment

No person at Summer Winds shall create a hostile environment for the employees of Summer Winds on the basis of race, color, national origin, age, disability, sex, sexual orientation, religion, or marital status.

Nudity

Nudity is prohibited on or in the common areas of Summer Winds or within units in a manner that is visible from the common areas or other units. "Nudity" shall include the exposure of male or female genitalia or buttocks, or the full exposure of breasts of females over five years of age except for mothers in the act of breast feeding. Excluded from this regulation is nudity in common area locker or dressing rooms by members of the sex to which the room is limited.

Enforcement of Rules and Regulations

Pursuant to North Carolina General Statute Section 47C-3-107.1 and 47C-3-102(a)(1) and (11) the following procedures may be followed in the event an owner, an owner's family member, guest or tenant is suspected of having violated any provision of the Summer Winds Declaration, Bylaws, or Rules and Regulations in addition to other measures provided for the enforcement of said documents. A hearing shall be held by the Board of Directors of the Association to determine if any unit owner should be fined or if condominium privileges or services should be suspended as a result of a violation. The unit owner charged will be given notice of the charge, an opportunity to be heard and to present evidence, and notice of the decision. If it is decided that a fine should be imposed, a fine not to exceed \$100.00 may be imposed for the violation and without further hearing, for each day more than five days after a decision that a violation has occurred. If it is decided that a suspension of condominium privileges or services should be imposed, the suspension may be continued without further hearing until the violation or delinquency is cured. If a suspension of condominium privileges or services is ordered but not followed, the Board of Directors shall have the authority to impose a fine of \$100.00 for each instance of violation. A unit owner is responsible for his own acts and the acts of his co-owner, family members, guests and tenants.

Pool Area Rules and Regulations

There are no lifeguards at any of the Summer Winds pools. Owners and guests swim at their own risk. Summer Winds Condominiums, Inc. or Summer Winds Services, Inc. will not be responsible for injuries sustained in or about the pools, deck areas or on the beach. Pools are for private use; members and guests only.

Outdoor pool hours shall be from 9:00 a.m. to 11:00 p.m. during the summer season. Indoor pool hours are 8:00 am. to 11:00 p.m. during the summer season.

Diving and/or running and jumping from the side of any pool is a safety hazard and is prohibited.

Ball playing and the throwing of any objects is prohibited in the pool and pool areas for safety reasons.

Adults should not swim alone.

No one under the influence of alcohol or drugs should use the pools, hot tubs, or sauna.

Running or horseplay around the pool area is a safety hazard and is not permitted.

Anyone with skin, eye, ear, nasal, or other infections cannot use the pools. No person with communicable disease allowed in the pools, hot tubs, or sauna.

Pool rules are posted in all swimming areas.

No pets are allowed in any pool area except ADA service animals. See above PET section. Service animals cannot be in the pool water.

Children under the age of three should use the wading pool in "A" courtyard. For their own safety, children under age three are permitted in the large pools **ONLY** with parent or grandparent directly present in the pool. Children under age three and all others wearing diapers are required to wear approved swim diapers. (Approved swim diapers are available for purchase at Ginger's Cafe and the Sports Complex.)

Children should be accompanied by an adult who shall be responsible for the child's safety, behavior and observance of the POOL RULES.

All walkways are to be kept clear at all times.

Cigarettes, cigars, and all other litter must be put into proper receptacles. Please help by picking up and throwing litter into receptacles. Smoking in the Sports Complex pool area is prohibited.

Only approved swimwear is allowed. Cut-off jeans specifically are prohibited.

A shower is required before entering pools, hot tubs, or dry sauna.

Floats and boogie boards fewer than three feet are allowed. No skim boards or surfboards allowed in the pools.

Food and beverages may be enjoyed in the outside pool areas, so long as unbreakable containers are used, and all ABC laws are observed. (See attached ABC laws). No glass or glass containers allowed in pool areas.

Pool furniture must not be moved to the beach, grassed areas, private patios, or the Sports Complex. Personal items must not be left on grassy areas.

Group pool parties are not permitted in the pools or pool areas except by special permission from the Board of Directors in advance.

Management reserves the right to deny use of pools, hot tubs, and sauna to anyone at any time.

Pool chairs may not be reserved by covering them with towels.

Sports Complex Rules and Regulations

The Sports Complex hours shall be from 8:00 a.m. to 11:00 p.m. during the summer season.

The same pool rules and regulations shall apply for the Sports Complex pool. Food is not permitted in the indoor pool area. No glass or glass containers allowed in the pool area.

Reservations must be made for use of the tennis and racquetball courts. Reservations will be held for five (5) minutes only. Racquetball courts may be reserved for one (1) hour playing time. Tennis court hours shall be from 8:00 a.m. to 11:00 p.m. Tennis courts may be reserved for one (1) hour playing time for singles and one and one half hours (1112) for doubles.

Appropriate dress must be observed at all times on the tennis and racquetball courts. Black soled shoes are not permitted on the racquetball courts.

Using the side of the building for basketball or tennis warm up is not permitted.

Smoking is not permitted anywhere in the Sports Complex.

ABC Laws as Applied to Summer Winds

Summer Winds common area property is ABC licensed, therefore "On premises/Private Club" laws apply to the entire common area property, without exception. It is imperative that all owners, guests, renters and employees understand and abide by the law as it applies to Summer Winds. Summer Winds homeowners and employees cannot knowingly allow ABC violations. Associated fines, penalties, liabilities and potential loss of license are not risks we can afford.

PERSONS 21 YEARS OR OLDER

Purchases of beer, wine or spirituous liquors may be carried from the place of purchase, or your vehicle, to your unit. Upon departure they may also be carried from your unit to your vehicle. This does not apply to persons under 21 years of age.

Persons under 21 years of age must not be in possession of, or consume any alcoholic beverage at any time! Even one unopened container is a violation!

Under ABC law, being inside a unit offers NO EXCEPTION for a person less than 21 years of age. Even inside an owned or rented unit, under direct supervision of an adult, NO PERSON UNDER 21 YEARS OF AGE MAY POSSESS OR CONSUME ALCOHOLIC BEVERAGES.

When on common area property you may have only one container of alcoholic beverage, opened or unopened, in your possession. (Safety rules prohibit glass containers).

Each adult may bring one opened or unopened alcoholic beverage from a unit and carry it onto common area property for consumption. This process may be repeated as often as desired, so long as no more than one container per adult is on common area property at any one time.

It is not permissible to maintain a "stock" in a cooler or other means of storage anywhere on common area property, including a vehicle parked on common area property.

Inside your unit or on the beach is not considered common area property.

Purchase of alcohol for underage drinkers is a criminal offense.

Fire Safety Procedures

THINGS TO DO:

1. Immediately dial 911 emergency.
2. Call Summer Winds Security. Give the Security Guard your unit number and telephone number.
3. Pull the nearest fire alarm box immediately. It is vitally important that we be given as early a warning as possible.
4. Be sure to close the unit door behind you. Use the nearest exit stairway to leave the building. On the 6th floor of the B building, be sure to close the stairway door behind you.
DO NOT ATTEMPT TO USE THE ELEVATORS.

THINGS TO AVOID

1. Do not assume that someone else has already notified Summer Winds Security.
2. Do not attempt to move your vehicle.
3. **DO NOT REENTER THE BUILDING UNTIL PERMITTED TO DO SO BY THE FIRE DEPARTMENT.**

FIRE DEPARTMENT 911

RESCUE SQUAD 911

POLICE DEPARTMENT 911

SUMMER WINDS SECURITY 247-2160

Emergency phones are located near all pool areas.