



**Seawatch at Sunset Harbor
Property Owners Association, Inc.**

Policies, Procedures & Forms Handbook

ADOPTED BY THE SWPOA EXECUTIVE BOARD: September 7, 2011
REVISED BY THE SWPOA EXECUTIVE BOARD: July 7, 2023

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IMPORTANT AREA NUMBERS

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EMERGENCY

Police, Fire & Medical Emergencies	911
Sunset Harbor Volunteer Fire Dept.	910-842-9449
Brunswick Novant Medical Center	910-721-1000
Dosher Memorial Hospital	910-457-3800
Brunswick County Sheriff	910-253-2777

LOCAL & COUNTY SERVICES

Brunswick Community College	910-755-7300
Voter Registration/Board of Elections	910-253-2620
Southport Harper Library	910-457-6237
DMV Office (Shallotte)	910-754-5114
Bolivia Post Office	910-253-5757
Seawatch Welcome & Sales Center	910-287-1897

POA MANAGEMENT OFFICE

Community Manager	910-287-5656
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NEWSPAPERS

Brunswick Beacon	
State Port Pilot	910-754-6890
Wilmington Star News	910-457-4568
	910-343-2000

SCHOOLS

Bolivia Elementary School	910-756-5070
Brunswick County Academy	910-754-9593
Shallotte Middle School	910-756-6130
Virginia Williamson Elementary School	910-756-6010
West Brunswick High School	910-756-5050

UTILITIES

Focus Broadband	910-754-4311
Brunswick Electric	910-754-4391
GFL Environmental Waste Management	910-253-4177
Brunswick Public Utilities (Water)	910-253-2657

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POLICIES AND PROCEDURES

Preface

The Policies and Procedures Handbook was compiled by the Seawatch at Sunset Harbor Property Owners Association ("SWPOA") for the purpose of providing the Property Owners with an easy to understand document. The Policies and Procedures contained are intended to serve as guidelines that will enhance everyone's quality of life and the Seawatch Community experience.

The basis of the Policies and Procedures and the authority for enforcement are contained in the "Master Declaration of Protective Covenants and Easements", the "Bylaws", the "Architectural Design Guidelines" of the Architectural Control Committee ("ACC") and any amendments and/or supplemental declarations to the aforesaid documents for Seawatch at Sunset Harbor. These limitations, restrictions, covenants, and conditions are binding on all parties having acquired any right, title or interest in property within Seawatch at Sunset Harbor. Owners are encouraged to read these documents as they set forth, in complete and detailed form. The documents contain the rights, duties, and obligations of each Property Owner and are the official governing documents that cover these rights.

POLICIES & PROCEDURES FOR SEAWATCH AT SUNSET HARBOR

Observing the provisions contained within this booklet is the responsibility of every owner, whether a resident or a nonresident, tenant and/or guest. We encourage you to read them carefully and be sure your family and guests understand them fully. If you are a Property Owner and are leasing your home, you must provide a copy of this handbook to your tenants and ensure they fully understand all Policies and Procedures contained therein. Ignorance or unfamiliarity of these Policies and Procedures is not an acceptable reason for noncompliance. If you do not have copies of the above mentioned documents, they are available on the SWPOA website www.poaonline.org or by request from the SWPOA. Please send your request in writing to the following address or contact the Community Manager's Office at 910-287-5656 or email at pol@poaonline.org. You will be responsible for the printing and mailing costs.

**Seawatch Property Owner's Association
Post Office Box 6896
Ocean Isle Beach, NC 28469**

Property Owners

Property Owners named in the recorded deed automatically become a member of SWPOA. Relatives whose names do not appear on the deed are neither Property Owners nor are they considered members for the purpose of these Policies & Procedures.

Mailing addresses and contact numbers of Property Owners must be filed with the SWPOA, through the Management office, within ten (10) days of recording the deed, so that official notices can be mailed to the Property Owner and contact can be made in case of emergency. It is the responsibility of each Property Owner to notify the SWPOA, by contacting the Management office, of any change in their mailing address, contact numbers or residency status (i.e., renting their property).

Violation of Policies and Procedures

It is the obligation and duty of each Property Owner to report observed violations either by calling the Community Manager at (910) 287-5656, emailing the Community Manager at pol@poaonline.org or writing to the SWPOA, P.O. Box 6896, Ocean Isle Beach, NC 28469. Each Property Owner is responsible for the conduct of and any violations by such owner's family members, guests, agents, contractors and tenants, and for the family members, guests, agents and contractors of any tenant.

Should a violation be observed, the Management Office has been instructed to do any or all of the following:

- Obtain the name and address of the violators and report the violation to the SWPOA Executive Board.
- In the case of children, every reasonable and responsible effort should be made to contact the parents, guardians, or host immediately, prior to taking further action.
- Call upon a law enforcement agency for assistance, if necessary.

Policies & Procedures Enforcement

The SWPOA's Policies and Procedures Enforcement Policy adopted by the Executive Board, defines the process by which the Policies and Procedures are to be enforced. Any Property Owner, resident, guest, or tenant violating these Policies and Procedures may be subject to corrective action in accordance with the "Policies and Procedures Enforcement Policy" contained in this handbook.

Disclaimer

The material in this handbook is not intended to be a substitute for the stipulations contained in the governing documents cited in the "Preface". Please consult your professional advisor regarding your obligations and rights of ownership in this common interest community. The laws and their interpretation governing common interest communities are constantly changing. This, in tandem with changes and additions in our community, will dictate modifications, additions and deletions to these Policies and Procedures from time to time.

COMMUNITY SAFETY

An important priority of Seawatch's Property Owners is the implementation of safety measures that will help create a safe environment. These Policies and Procedures, adopted by the SWPOA, are intended to protect rights and interests of all Seawatch Property Owners. Safety encompasses every aspect of community life, including community access, vehicular conduct, and use of community amenities.

ENTRANCE REQUIREMENTS

Highway 211 & Sunset Harbor Road Gates: A Seawatch Entrance Gate Policies & Procedures Handbook is prepared by the SWPOA Access & Safety Committee and approved by the SWPOA Executive Board for the purpose of describing the specific guidelines for use of the Highway 211 (211) and Sunset Harbor Road (SHR) Entrance Electronic Gate System for access to Seawatch. Please see the Entrance Gate Policies & Procedures Handbook on the Seawatch website www.poaonline.org.

VEHICLE USE, SPEED LIMIT AND PARKING

Parking: Parking for vehicles of owner's guests and service providers is not permitted on a regular basis on the streets, alleys, rights-of-way, common park areas or on unimproved homesites. Approved vehicular parking locations for owner's guests and service providers is on the driveway of the home and on designated areas adjacent to the roadway, and in the some of the neighborhoods with alleys behind the homes.

Owners are encouraged to park their vehicles in their garage. Garage doors shall be kept closed when not in use.

No stripped or partially wrecked or junk vehicle shall be parked or kept on any property, driveway, street alley, right of way or common area within the community.

There shall be no ATVs of any kind (e.g., 3 or 4 wheelers, dirt bikes) allowed on any Seawatch property, street or right-of-way.

Speed Limit: All vehicles are to be driven at or below the maximum community vehicular speed limit of 20 miles per hour.

Boats, Trailers & Certain Vehicles: No boat, watercraft, trailer, bus, camper, motor home, recreational vehicle, commercial vehicle, or inoperative or unlicensed vehicle shall be parked for longer than twenty-four (24) hours on any home site, except in a garage with the door fully closed. Violators may have their boat, watercraft, trailer, or vehicle towed by the SWPOA at the owner's expense. No boat, watercraft, trailer, or vehicle of any type shall be stored, either permanently or temporarily, on any home site prior to completion and occupancy of the dwelling on such home site.

Passenger Carts: Passenger carts are permitted in Seawatch. They must be environmentally friendly, powered by electricity or a four-stroke gasoline engine and they must be in good condition and good working order, with headlights, taillights, display the appropriate license and be insured. Passenger carts are not allowed on walking/bike paths. Drivers of passenger carts must be at least 16 years of age and possess a valid driver's license. Passenger carts must be parked and stored within the enclosed garage space.

FIREARMS, HUNTING AND FIREWORKS

Hunting: Seawatch at Sunset Harbor is a wildlife sanctuary. No hunting of animals or birds of any kind is allowed.

Firearms: No discharge of firearms, including long guns or handguns, is permitted within Seawatch at Sunset Harbor. This includes air guns, BB guns, pellet guns and paint ball guns of any description or size.

Fireworks: The use, discharge and display of firecrackers, flares, rockets and similar pyrotechnics are strictly prohibited within the Seawatch community.

PROPERTY USE, MAINTENANCE AND APPEARANCE

The Seawatch at Sunset Harbor "Master Declaration of Covenants, Conditions, Restrictions and Easements" and any amendments and/or supplemental declarations to the aforesaid document governs the use and maintenance responsibilities of the Property Owner. Owners are urged to refer

to Article VI, “Architectural Control”, of this document. In addition, the “Architectural Guidelines” further stipulate property use and maintenance responsibilities of the Property Owner. The SWPOA Policies and Procedures stated here are not all inclusive and are primarily intended to be a quick reference only.

PROPERTY USE

ACC Approval: No site preparation, excavation, or changes in grade, nor any construction, erection, alteration or installation of any improvements (including, but not limited to, dwellings, outbuildings, driveways, fences, walls, signs, antennas, mailboxes, post lamps or other structures or ornamental features) or landscaping shall be undertaken or allowed to remain upon any property in the Seawatch at Sunset Harbor community unless plans and specifications showing the nature, kind, shape, height, materials, color scheme and location of the proposed improvements and/or landscaping shall have been submitted to and expressly approved in writing by the Seawatch at Sunset Harbor Architectural Control Committee (“ACC”).

Residential Use: All home sites shall be used for single family living.

Detached Structures: No permanent or temporary tent, trailer, mobile home, or any detached structures shall be placed on any home site without prior approval of the Architectural Control Committee (“ACC”).

Restricted Activities: Any business, trade, garage sale, car sale, model home, moving sale, or similar activity is not permitted. An owner or tenant may conduct business activities in their home as long as:

- The activity is not apparent or detectable by sight, sound, and smell from outside the home.
- The activity does not involve regular visitation of the home by clients, employees, agents, customers, suppliers, or other invitees, or door-to-door solicitation of other Seawatch residents.
- The activity is consistent with the residential character of Seawatch and does not constitute a nuisance, hazardous or offensive use, or threaten the security or safety of other residents, as may be determined at the sole discretion of the Executive Board.
- The activity does not materially disturb or destroy the vegetation, wildlife and water or air quality within Seawatch at Sunset Harbor.

Irrigation Wells: All residential home sites shall be allowed to install one (1) well for the purpose of providing irrigation water benefiting the home site’s landscaping improvements. Well location, equipment housing and screening must have ACC approval prior to installation. Under no circumstances shall any water be diverted or taken from any ponds or lagoons for landscape maintenance or for any other purpose.

Storm Water Run-Off Rules: All residential home sites are subject to the State of North Carolina Storm Water Policies and Procedures. Catch basins and drainage areas are for purpose of natural flow of water only. No obstructions or debris shall be placed in these areas. No owner or tenant shall obstruct or re-channel the drainage flows after location and installation of drainage swales, storm sewers, or storm drains are established.

Pond Amenities: There shall be no dumping of grass clippings, leaves or other debris, petroleum products, fertilizers, or other potentially hazardous or toxic substances in any storm drain, stream, pond or lake within Seawatch properties. Fertilizers may be applied to landscaping on adjacent home sites provided care is taken to minimize run-off.

PROPERTY MAINTENANCE

Landscaping: Property Owners are responsible for maintaining their property, grass and all plantings in a manner that will enhance the beauty and aesthetics of the community. Seawatch Homeowners are responsible for the maintenance of the landscaping on their homesite, including, but not limited to, trees, shrubs, grasses, plantings and plant beds, in a healthy, well-kept and first-class condition in keeping with the community wide standards that are designed to enhance the beauty and aesthetics of Seawatch homes, homesites and the community. It is the responsibility of all Property Owners to prevent the accumulation of trash, debris, and other unsightly litter that would detract from the cleanliness and beauty of the community.

Burning: Outside burning of yard debris or trash of any kind is not allowed.

Damage Removal: Any building or improvements wholly or partially destroyed must be rebuilt in such a way that it meets the standards of the ACC and any debris must be expeditiously removed.

Storm Protection and Damage: Property Owners are responsible for the removal of fallen limbs, trees and other debris resulting from severe weather conditions. Storm debris cleanup and removal must be completed within 30 days. If an unsightly or unsafe appearance persists, the necessary debris cleanup and removal will be performed at the expense of the Property Owner.

Painting and Exterior Alterations: Any owner may remodel, paint, or redecorate the interior of their property without approval. No approval shall be required to repaint the exterior of a structure in accordance with the originally approved color scheme. All other exterior modifications, additions, remodeling, or painting must have prior approval of the ACC.

Tree Removal: No living tree four (4) inches or more in diameter at four (4) feet high from ground elevation, or any flowering tree or shrub, shall be removed without prior approval from the ACC unless it is in the area of a home site approved for construction of a structure.

Tree Removal Involving Endangerment or Safety of Persons or Property: Property Owners are responsible for all costs associated with the removal of damaged, diseased, dying and/or dead tree(s) located on their homesite. If the SWPOA or ACC determines that a damaged, diseased, dying and/or dead tree(s) located on a homesite poses a potential endangerment or safety issue, the SWPOA or ACC may send the Property Owner written notification to include a description of the tree(s) condition, the potential safety or endangerment issues to persons or property and a request to remove the tree no later than sixty (60) days from the date the notification is sent. Upon request of a Property Owner the SWPOA shall provide a list of tree removal service companies. In the event of an imminent endangerment or safety concern and/or if the Property Owner does not take the requested corrective action within the sixty (60) days period, the SWPOA may utilize its self-help right to cure provision contained in the Master Declaration and take the necessary action to remove the tree(s). If this occurs the SWPOA will invoice the Property Owner and add all cost incurred for the corrective action to the Property Owner's assessment account to recover costs incurred by the SWPOA.

While it is recommended by professionals that damaged, diseased, dying and/or dead tree(s) be removed from unimproved homesites to prevent the likely spread of disease, and it is recognized that removal will enhance the beauty and aesthetics of the community, if the aforesaid tree(s) are located on an unimproved homesite, and if the aforesaid tree(s) poses no endangerment or safety to persons or property, the Property Owner shall not be required to remove the tree(s).

Safety Concerns: For violations that involve the endangerment or safety of any person or property the SWPOA reserves the right to immediately take any necessary and appropriate actions.

PROPERTY APPEARANCE

Signage: Property Owners and their guests, contractors and service providers are not permitted to erect a sign, advertising structure, poster, banner, flag (except approved NC or American flags) or balloon on their homesite, on the exterior of their home, in a window of their home, on their vehicle when it's parked on the home site, or on the common areas of Seawatch at Sunset Harbor; with one exception that a ACC approved general contractor may be required to erect an ACC approved temporary construction identification sign during construction of a home or improvement. The names of contractors and/or sub-contractors are not permitted on the temporary construction site identification sign. The ACC shall be responsible for enforcement of the signage policy.

Garbage and Trash Removal: Property Owners shall be responsible for the proper disposal of all garbage and trash. Each Property Owner shall utilize the garbage receptacles provided by the trash removal agency. Garbage and trash must be placed at the end of the residential driveway no sooner than the night before the day of collection and returned the day after collection unless conditions dictate otherwise. Garbage receptacles must be properly stored and screened from sight, between collections. Trash and debris should not be placed in the street, street right-of-way or on undeveloped property. It is the responsibility of the Property Owner to prohibit the development of any unclean or unkempt condition of the buildings or grounds within their residential home site.

Antennas and TV Dishes: Antennas and TV Dishes are permitted subject to the policies of the ACC. Approval of the location and/or placement of any antenna or dish and any screening must be obtained from the ACC prior to installation. Every effort should be made to screen the dish or antenna so that it is not visible from the street.

Outdoor Clothes Drying: Hanging of laundry is not permitted from any area. Outdoor clothes poles, lines or similar structures are not permitted on any home site.

Fences, Walls and Playground Equipment: No fence or wall shall be erected or allowed to remain on any home site without the prior written approval of the ACC. No chain link fences shall be on any home site. All playground equipment on any home site must be approved by the ACC and must be located behind the rear line of the dwelling.

LIGHTING

Exterior Lighting: All exterior lighting shall be approved by the ACC prior to installation.

Holiday Lighting and Decorations: Exterior holiday lighting and decorations within the Seawatch complex are permitted under the following guidelines:

Holiday Season:

- For the purpose of displaying decorations and lighting, the holiday season is defined as that time period between Thanksgiving and January 15.
- Approved lighting may be white or colored and must be tastefully done.
- Windows may have a single white candlelight on the sill.
- Front door potted topiary plantings may be decorated with approved holiday lighting.

Patriotic Holidays:

- Patriotic holidays are defined as officially recognized federal holidays.
- Decorations can be displayed beginning one (1) week prior to the national holiday and should be removed one (1) week after that holiday.
- Patriotic flags are permitted as follows: The American and North Carolina State flags, of a size no greater than four feet by six feet, which are displayed in accordance with or in a manner consistent with patriotic customs set forth in 4 U.S.C. 5-10, can be displayed at any time per the stipulation of NCGS Chapter 47F, the North Carolina Planned Community Act.

QUIET ENJOYMENT

All Property Owners, tenants and guests are expected to act with respect and regard toward all members of the community. No obnoxious, vulgar, offensive, or illegal activities shall be tolerated within the confines of Seawatch at Sunset Harbor.

Effort should be made to keep noise to a minimum on evenings, Sundays and holidays. No horns, sirens, bell amplifiers or other sound devices, except such devices used for security purposes or approved by the ACC shall be located on the exterior of any home site.

PETS

All pets must be kept and maintained in a manner that does not damage any private or common property nor disturb the peace. Only ordinary domestic pets such as dogs, cats, aquarium fish, and birds may be kept within a residential unit, provided they are not kept, bred or raised for commercial purposes.

No animals such as livestock or poultry may be kept, raised or bred within any residential unit or anywhere on Seawatch property. Unattended pets may not be loose outside the confines of any residential homesite or in any of the common areas.

Pet Clean-Up: Property Owners shall make every effort to prevent pets from defecating or urinating on grass, plants, trees or shrubs situated on their property or on the community's common areas. It is the pet owner's responsibility to immediately remove any defecation that should occur.

County Leash Laws: Local governing ordinances regarding leash laws will be in effect and enforced within Seawatch at Sunset Harbor. All dogs must be on a leash at all times and under the control of the pet owner when outside the confines of the pet owners' private property. All pets must display the appropriate license required by the local governing body.

SOLICITATION & TRESPASSING

Solicitations of any kind, by owners or outside persons, are not permitted within the boundaries of Seawatch at Sunset Harbor. Trespassing is not permitted within the boundaries of Seawatch at Sunset Harbor. Signage is posted at various points around the perimeter of the community as the official notice of intent to exercise the right to refuse solicitation and for no trespassing. Legal action may be taken if violations are observed and/or reported.

TENANTS

A tenant is anyone in possession of a Property Owner's home in exchange for any sort of consideration. Tenants (unless Property Owners) are not members of the SSWPOA. However,

they are subject to all Policies and Procedures which govern the Seawatch community, including all community common areas.

SEAWATCH COMMUNITY AMENITIES AND AREAS

Currently the Seawatch community amenities include the Kayak & Canoe Clubhouse, Crabbing Pier and Community Pavilion, and a network of parks, ponds, sidewalks, trails and elevated boardwalks. As additional amenities are made available for use by Seawatch Property Owners, these Policies and Procedures will be modified to reflect the governing policies and procedures for use.

KAYAK & CANOE CLUBHOUSE, CRABBING PIER AND COMMUNITY PAVILION

The Kayak & Canoe Clubhouse, Deck, Screened-in Porch, Crabbing Pier and Community Pavilion are operated for the benefit of the property owners in Seawatch at Sunset Harbor. Anyone using these facilities shall do so at their own risk and agree to assume responsibility for compliance with these Policies and Procedures and the actions of their guests. Prior to use, each Property Owner (Responsible Party) shall execute a "Waiver of Liability" included with the request for electronic access cards.

It is important to remember that the personal choices and convenience of one Property Owner must be balanced with those of all other Property Owners to ensure that a safe and enjoyable recreational environment is created, maintained and available to all owners. All Property Owners will be expected to abide by these Policies and Procedures and ensure compliance by their sponsored guests.

Hours of Operation:

The Kayak & Canoe Clubhouse is available for owners' use daily from 6:00 AM until 11:00 PM. The Kayak & Canoe Crabbing Pier and Community Pavilion are available for owners' use from sunrise until sunset. The SWPOA reserves the right to change the hours of operation or close any facility as may be required for maintenance and repair, or otherwise.

Access:

- A. Access to the Kayak & Canoe Clubhouse is by the use of an electronic access card issued to the Property Owner (Responsible Party) in accordance with the Policies and Procedures established by the SWPOA.
- B. For privacy and security purposes, the Responsible Party or other person possessing an access card will report any card loss, theft or damage to the Community Manager at telephone number 910-287-5656. The reported access card will be deactivated and a replacement may be issued.
- C. For private Property Owner parties/gatherings, the SWPOA may issue a temporary access code that the Responsible Party can use for guests for the scheduled event. The access code will be issued by the SWPOA for access to the Sunset Harbor Road entrance of the community. The Activities Chairperson will inform the Responsible Party of the availability of the special access code and the times of operation for the code. The access code is temporary, and access will expire at the conclusion of the scheduled event.

Guests:

- A. The Kayak & Canoe Clubhouse, Deck, Screened-in Porch, Crabbing Pier & Community Pavilion are to be used for the benefit and enjoyment of Seawatch Property Owners,
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their immediate family and escorted guests. Immediate family is defined as children, their spouses, grandchildren, siblings, parents and persons residing with the Property Owner.

- B. The Seawatch Property Owner is responsible for the conduct of their guests during all visits.

General Rules:

The Kayak & Canoe Clubhouse, Deck, Screened-in Porch, Crabbing Pier & Community Pavilion are to be used primarily for their intended purpose, which is for the enjoyment of the Seawatch Property Owners and community/group gatherings. As such, exclusive use of these facilities cannot always be accommodated. General rules are:

- A. The Kayak & Canoe Clubhouse, Deck, Screened-in Porch, Crabbing Pier and Community Pavilion have been designated as non- smoking.
- B. Children under the age of 18 must be accompanied by an adult.
- C. Pets are prohibited except for “service animals” that may accompany their owner.
- D. All Kayak & Canoe Clubhouse, Deck, Screened-in Porch, Crabbing Pier and Community Pavilion users are expected to keep the areas clean by properly disposing of cans, plastic bottles/ware, paper goods and other trash.
- E. When using the Kayak and Canoe and Crabbing Pier owners shall comply with US Coast Guard and State of North Carolina regulations, as appropriate.
- F. The laws and regulations of the State of North Carolina concerning the use of alcoholic beverages and illegal drugs shall govern the facility. The responsible consumption of alcoholic beverages by those of legal age is permitted.
- G. Any facility damages, broken equipment and/or malfunctions should be reported immediately to the Community Manager, at 910-287-5656 or pol@poaonline.org.
- H. In case of an emergency, immediately call 911. The address of the Kayak & Canoe Clubhouse is 3001 Gallego Point, Bolivia, NC.
- I. The facility is not available for rent or use by outside groups or individuals who are not Property Owners.
- J. The Clubhouse, which includes the main lounge, kitchen, restrooms, screened porch and surrounding deck and parking area, currently serves the community as the place to hold activities open to all Property Owners. Any event or activity utilizing the Clubhouse is open to all Seawatch Property Owners. No additional action is required on the part of the Property Owner participant, other than contributing to any published additional expense, if any, to participate in the SWPOA sponsored event or activity. The Clubhouse may be reserved for SWPOA approved Property Owner events and activities such as those listed below:
 - Community Events:
 - Property Owner Holiday Parties
 - Covered Dish/Potluck Property Owner Dinners
 - Televised Sporting Event Parties
 - Property Owner Block Parties
 - Games and Card Playing Gatherings

- Seawatch Kayak & Canoe Club Member Meetings
 - SWPOA Committee, Annual Member and Board Meetings
 - Property Owner Exercise Classes
 - Community Clubs Meetings and Shows
-
- Charitable fund (501(c)(3) or 509(a) charities) raising events sponsored by and attended by Seawatch Property Owners
 - Community Gathering for Deceased Property Owners following funeral services
 - Non-Commercial Guest Speaker Events
 - Property Owner Private Parties/Gatherings
- K.** The Clubhouse may be reserved for private parties by Property Owners who comply with the requirements listed in the Section: Reserving the Clubhouse for Personal Use.
- L.** No commercial advertisements of any kind shall be posted or circulated, in print or by word of mouth, or in any other form at the Kayak & Canoe Clubhouse, Deck, Crabbing Pier or Community Pavilion.
- M.** Commercial and/or business activities are not permitted at the Kayak & Canoe Clubhouse, Deck, Crabbing Pier and Community Pavilion.
- N.** Political meetings and activist meetings/activities are not permitted at the Kayak & Canoe Clubhouse, Crabbing Pier and Community Pavilion.
- O.** Children under the age of 18 years old must be supervised at all times by an adult when at the Clubhouse, Deck, Crabbing Pier or Community Pavilion.
- P.** Crabbing and fishing are permitted from the Crabbing Pier, subject to NC regulations and other SWPOA policies.
- Q.** Swimming in the Mercer Mill Creek, the tidal creek behind the Kayak & Canoe Clubhouse, is not permitted under any circumstances.
- R.** Play it safe when on the water. See the kayak and canoe safety tips from the North Carolina Wildlife Resources Commission, www.wildlife.state.nc.us (See Appendix A).
- S.** Personal use of the Kayak & Canoe Clubhouse will not restrict the use of the restrooms by Seawatch Property Owners or guests using the other Seawatch amenities.
- T.** Any Property Owner may use the Kayak & Canoe Clubhouse facilities at anytime, including during periods when a registered activity is ongoing in a section of the Clubhouse.

Reserving the Clubhouse or Community Pavilion for SWPOA Activities/Events:

Requests to reserve the Kayak & Canoe Clubhouse or the Community Pavilion for any of the approved Property Owner events or activities must be made by completing the Activity Registration Form and emailing the Activities Chairperson at activities@poaonline.org.

Activity registration forms shall be submitted at least 30 days in advance of the activity. Registered activities must be cancelled at least 14 days in advance. The Activities Chairperson may waive either of these requirements in the event of special unforeseen circumstances not within control of the Registering Party.

When applying for a reservation the following information shall be provided:

1. Name of Property Owner or Seawatch Committee or Club requesting the reservation
2. Area to be reserved (Clubhouse, Screened-in Porch, Crabbing Deck, etc.)

3. Reservation date
4. Reservation time (include time for set-up and cleanup)
5. Purpose/description of activity
6. Expected number of attendees
7. Outside vendors identified
8. Contact Property Owner's phone number and email address

A damage/cleaning deposit or a non-refundable user fee is required for private parties.

Concurrent reservations may be granted on the basis of availability and at the discretion of the Activities Chairperson in consultation with the SWPOA Executive Board. Multiple requests for the same date may be granted if group activities permit sharing the space.

Any Property Owner may use the Kayak & Canoe Clubhouse facilities at any time, including during periods in which an activity is registered. This does not include private parties.

Reservations are normally available on a first come first serve basis. Regardless of the reservation date, the meeting or administrative needs of SWPOA and SWPOA sponsored events will take precedence over and may preempt, with timely notification (minimum 7 days), any prior reservations.

The SWPOA reserves the right to limit or suspend group events and activities as requests for the Clubhouse increase and/or when priorities must be adjusted.

Activities may be registered for the calendar year that begins January 1st and ends December 31st. Holidays and Special Event Days (i.e., Super Bowl, Halloween or other activities as may be selected by the SWPOA in its sole discretion) are reserved for SWPOA activities and events.

The Activities Chairperson will confirm the registration of the activity by telephone (or in person at the time of submission, if possible) and follow-up with an e-mail confirmation to the Responsible Party. The event will be placed on the Community Calendar that is posted to the SWPOA website.

Reserving the Clubhouse or Community Pavilion for Personal Use:

Temporarily, the Clubhouse or Community Pavilion may be reserved for personal use if the facility is not reserved and being used for a SWPOA approved activity or event. Property Owners may use the Clubhouse or Community Pavilion with reservation for their personal enjoyment as long as they are in compliance with the General Rules and the Policies and Procedures for the Clubhouse. All policies for reservation requests, use and clean up must be followed. All community parking regulations must be followed at all the amenities within Seawatch.

Requests to reserve the Kayak & Canoe Clubhouse or Community Pavilion for personal use by a Property Owner must be made by completing the Activity Registration Form and emailing the Activities Chairperson at activities@poaonline.org.

Activity registration forms shall be submitted at least 30 days in advance of the activity.

Registered activities must be cancelled at least 14 days in advance. The Activities Chairperson may waive either of these requirements in the event of special unforeseen circumstances not within control of the Registering Party.

The Activities Chairperson will confirm the registration of the activity by telephone (or in person at the time of submission, if possible) and follow-up with an e-mail confirmation to the Responsible Party. The event will be placed on the Community Calendar that is posted to the SWPOA website.

When applying for a reservation the following information shall be provided:

1. Name of Property Owner(s) requesting the reservation
2. Area to be reserved (Clubhouse, Screened-in Porch, Crabbing Pier, etc.)
3. Reservation date
4. Reservation time (include time for set-up and cleanup)

5. Purpose/description of activity
6. Expected number of attendees (Limited to 35)
7. Outside vendors identified
8. Contact Property Owner's phone number and email address

A damage/cleaning deposit of \$100.00 is required. The deposit is refundable subject to the provisions listed below in Sections:

Responsibilities When Reserving the Clubhouse, Daily Clubhouse Departure Checklist and Responsibilities When Reserving the Community Pavilion.

Tables and chairs are available for use with the Kayak & Canoe Clubhouse.

Any equipment or supplies that are needed in addition to that which is provided by the Kayak & Canoe Clubhouse will be the responsibility of the Responsible Party. Grills are not permitted to be used at the Clubhouse, or on the deck or parking lot during private parties/personal use. It will also be the responsibility of the Responsible Party to remove any extra equipment at the end of the activity.

The Responsible Party may arrange with the Activities Chairperson to tour and inspect the facility prior to a registered activity. The Activities Chairperson will inspect the facilities after a registered activity utilizing the Sections below on Responsibilities When Reserving the Clubhouse and Daily Clubhouse Departure Checklist for Owners Using the Clubhouse and Responsibilities When Reserving the Community Pavilion. Upon satisfactory inspection, the damage/cleaning deposit will be returned to the Responsible Party. Any costs for the repair of damages, or for any necessary cleaning, will be deducted from the deposit being held. If damage occurs and costs are incurred which exceed the amount of the deposit, the additional cost to repair the damages or to perform the necessary cleaning will be the responsibility of the Responsible Party. The Activities Chairperson will require the Responsible Party to return the facility to its original condition.

The SWPOA reserves the right to limit the number of times a Responsible Party registers activities for the Kayak & Canoe Clubhouse if, in its sole discretion, it deems that the Responsible Party is abusing this privilege.

Responsibilities When Reserving the Clubhouse:

1. Responsible Party must be present for the duration of the registered activity.
2. Stay within the allotted reservation time.
3. Room set up is the responsibility of the reserving Responsible Party.
4. Vehicles of owners and guests at the Clubhouse shall be parked in the parking lot adjacent to the Clubhouse.
5. Clean and return additional tables/chairs to storage area.
6. Before the Activities Chairperson inspection takes place after an activity, the Responsible Party will complete all items below on the cleaning checklist:
 - ✓ Vacuum carpets, mop floors and spot clean any spills on carpet.
 - ✓ Place all furniture and accessories back to their original position per the site diagram available in the kitchen.
 - ✓ Empty all trash containers and reline trash receptacles.
 - ✓ Remove trash to outside container.
 - ✓ Wipe countertops.
 - ✓ Clean oven, stove and microwave. Ensure that oven and burners are off.
 - ✓ Empty all perishables from refrigerator.
 - ✓ Clean restrooms.
 - ✓ Turn lights and fans off.
 - ✓ Follow daily Clubhouse departure procedures listed below.

Daily Clubhouse Departure Checklist for Owners Using the Clubhouse:

Before departing the Clubhouse, owners are asked each day to check the following areas:

1. Check each of the four (4) sets of exterior doors and confirm that the doors are closed tightly and locked.
2. Verify that the windows in the Clubhouse, kitchen and restrooms are closed and locked.
3. Lock the hooks on the inside of the screened-in porch.
4. Re-set the thermostat to 75 degrees in the spring/summer and 65 degrees in the fall/winter.
5. Turn off interior lights and ceiling fans. Confirm that the oven and burners are off.

Responsibilities When Reserving the Community Pavilion:

1. Responsible Party must be present for the duration of the registered activity.
2. Stay within the allotted reservation time.
3. Remove all trash from trash containers, disposing of it properly.
4. Wipe tables and benches clean.
5. Clean grill grates to remove leftover bits of food.
6. Remove all ashes from the grills and dispose of them in a non-combustible container.
7. Remove all trash from the Pavilion area.



ACTIVITY REGISTRATION FORM FOR AMENITY FACILITY

FACILITIES TO BE RESERVED (Check ✓ all that apply):

- ☐ Clubhouse
- ☐ Clubhouse Deck
- ☐ Crabbing Pier
- ☐ Community Pavilion
- ☐ Kitchen
- ☐ Screened Porch

RESPONSIBLE PARTY:

Name: _____

Address: _____

Telephone: _____ Email: _____

TYPE OF ACTIVITY: _____

PURPOSE OF ACTIVITY: _____

Date & Time: _____

Number of Attendees: _____ *(Max 35 in Kayak & Canoe Clubhouse)*

Vendors: YES___ NO ___ *(If YES, provide vendor information on a separate sheet of paper)*

I (we) have read and agree to comply with the Seawatch Property Owners Association Rules, Regulations, Policies and Procedures regarding the use of the Seawatch amenities. Submit completed form to SWActivities@poaonline.org.

Signed: _____ Signed: _____

*****For POA Use Only*****

Registration Approved: Yes ☐ No ☐ Date of Decision: _____ Initial: _____

Damage/Cleaning Deposit: \$_____ Date Received: _____ Initial: _____

Access Code : _____ Date Given: _____ Initial: _____

Deposit Refund: \$__ Approved By: _____ Check #: _____

DECLARANT'S RIGHTS

The Declarant of Seawatch at Sunset Harbor shall have and retain and reserve certain rights, reservations and easements, including but not limited to those set forth in Article VII of the Master Declaration for Seawatch at Sunset Harbor.

POLICIES & PROCEDURES ENFORCEMENT

PURPOSE

This policy is established for the purpose of defining the process by which the Policies & Procedures of the Seawatch Property Owner's Association (SWPOA) will be enforced.

SCOPE

The Policies and Procedures apply to all Property Owners, residents, tenants, contractors and guests of Seawatch at Sunset Harbor and shall be enforced in a consistent and impartial manner. Each Property Owner is responsible for the conduct of and any violations by such owner's family members, guests, agents, contractors and tenants, and for the family members, guests, agents and contractors of any tenant.

PROCESS

Discovery of a Policy Violation:

1. SWPOA Management shall record violations discovered or reported through the use of the attached "Policy Violation Report".
2. A Policy Violation is defined as an act in conflict with the Master Declaration, the Amended or Supplemental Declarations, the Bylaws, the Architectural Guidelines, and/or the Policies & Procedures established by the SWPOA.
3. If a Policy Violation pertains to the Architectural Guidelines, the violation will be referred to the Seawatch at Sunset Harbor Architectural Control Committee (SW ACC) for enforcement. Policies and Procedures and a schedule of fines pertaining to the Architectural Guidelines are found in the Seawatch at Sunset Harbor Architectural Guidelines and its related amendments.
4. All other alleged Policy Violations will be processed according to the procedures outlined below.

Enforcement Procedures:

1. SWPOA will log the Policy Violation in the Policy Violation Record for the particular property.
2. The Property Owner may receive a Courtesy Notice/Telephone Call to inform them of the Policy Violation. Any such notice is considered a courtesy. Compliance obtained through the "courtesy process" will cease any further violation documentation and action.
3. A Policy Violation Letter ("letter") defining the (1) date of the violation, (2) the Policy that was violated, (3) a request to cure the violation will be sent to the Property

Owner, and to the tenant if applicable. Date of sending shall be defined as 1) date of personal hand delivery of the “letter” to the owner, 2) or the date of the first class US postal mailing of the “letter” with appropriate postage affixed, to the owner’s address currently listed in the records of SWPOA for the property in question, or 3) the date of electronic mailing of the “letter” to the owner’s electronic address currently listed in the records of SWPOA for the property in question.

4. The “letter” may also indicate whether this is the FIRST, SECOND OR SUBSEQUENT, etc. Policy Violation.
5. After the Policy Violation “letter” has been hand delivered or mailed to the Property Owner, the Property Owner shall correct the Policy Violation as soon as reasonably possible as solely determined by the SWPOA, or within ten (10) calendar days from the date of sending the Policy Violation letter, whichever comes first. Failure to cure the violation as soon as reasonably possible as solely determined by the SWPOA , or within ten (10) calendar days from the date of sending the Policy Violation letter, will be treated as a Second Violation and will subject the Property Owner to the imposition of fines and/or suspension of community privileges or services.
6. If multiple policies have been violated in a single incident, each Policy Violation will be considered as a separate infraction.
7. The Policy Violation letter will include a summary of the SWPOA’s appeal process.

First Policy Violation:

If a First Policy Violation is cured within a reasonable period of time as solely determined by the SWPOA, or within ten (10) calendar days from the date of sending the Policy Violation letter, whichever comes first, no fine is levied on the Property Owner or billed to the property’s assessment account.

Failure to cure the Policy Violation within a reasonable period of time as solely determined by the SWPOA, or within ten (10) calendar days from the date of sending the Policy Violation letter, whichever comes first, will result in the Policy Violation being automatically treated as a Second Violation and will subject the Property Owner to the imposition of fines and/or suspension of community privileges and/ or services.

Second and Subsequent Policy Violation:

In the event of a Second or Subsequent Policy Violation, a Policy Violation letter defining the (1) date of the violation, (2) the Policy that was violated, and (3) a request to cure the Policy Violation, will be sent to the Property Owner, and to the tenant if applicable. Date of sending shall be defined as 1) date of personal hand delivery of the “letter” to the Owner, 2) or the date of first class US postal mailing of the “letter” with appropriate postage affixed, to the Owner’s address currently listed in the records of SWPOA for the property in question, or 3) the date of electronic mailing of the “letter” to the Owner’s electronic address currently listed in the records of SWPOA for the property in question.

The letter will specify a hearing date and time to occur within thirty (30) calendar days of the Policy Violation to determine if the Property Owner shall be fined and/or if community privileges or services shall be suspended. At the hearing the Property Owner will have an opportunity to be heard and to present evidence to the SWPOA Executive Board (or its appointed panel designee). If during or following the hearing, the SWPOA Executive Board (or its appointed panel designee) decides that a fine shall be imposed, a fine not to exceed \$100.00 may be imposed for the Policy Violation for each day until the violation is cured. Such fine shall be an assessment secured by a lien against the Owner’s property. If it is decided that suspension of community services or privileges shall be imposed, the suspension may be continued until the Policy Violation is cured.

Appeal:

If the hearing is conducted by an appointed panel designee of the SWPOA Executive Board, the Property Owner has the right to appeal the decision. Appeals, if applicable, shall be heard before the SWPOA Executive Board. Request for an Appeal must be received in writing by the SWPOA Executive Board within five (5) days of the date of the issuance of the decision by the appointed panel designee of the SWPOA Executive Board. The Property Owner charged shall be given notice of an appeal hearing date to occur within a thirty (30) day period, at which time the Owner will have the opportunity to be heard and to present evidence to the Board. The Property Owner will be advised in writing of the Board's decision within fifteen (15) days of the hearing. The Executive Board may affirm, vacate or modify the decision. If, as a result of an appeal, the violation in question was found to be unfounded or unfair in any way, that violation will be expunged from the Owner's record. If affirmed or modified, and 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 after the decision that the violation occurs. Such fines shall be assessments secured by liens. Suspension of community privileges or services may be continued until the violation is cured.

CONSIDERATIONS**Safety Violations:**

For violations that involve the endangerment or safety of any person or property, the SWPOA may immediately take any necessary and appropriate action.

Property Damage Violations:

For violations that involve property damage to the common area or another individually owned property, all parties involved will be held responsible for reimbursement to SWPOA and/or the individual Property Owner for the cost of all repairs.

A sample of the Policy Violation Report and the Policy Enforcement Appeal Procedure follows.



POLICY ENFORCEMENT APPEAL PROCEDURE

HEARING PROCEDURE:

1. Statement of violation by Chairperson
2. Property Owners statement of appeal
3. Review of applicable Protective Covenant, Bylaw and/or Policies and Procedures
4. Discussion with and/or questioning of the Property Owner by the SWPOA Executive Board (or it is appointed panel designee)
5. Questions and final statement by Property Owner
6. Property Owner excused
7. Discussion and decision by the SWPOA Executive Board (or it is appointed panel designee)
8. Adjournment
9. Advisement of decision sent to Property Owner

DOCUMENTATION:

Name of Property Owner _____

Telephone No.: _____

E-Mail Address: _____

Address: _____

Violated Policy: _____

Violation Description: _____

RULING:

Findings/ Decision: _____

Chairperson: _____ **Date:** _____



POLICY VIOLATION REPORT

DATE OF REPORT: _____

PERSON MAKING REPORT:

Name: _____

Address: _____

Telephone: _____

E-Mail Address: _____

OWNER RESPONSIBLE FOR ALLEGED VIOLATION:

Name: _____

Address: _____

Telephone: _____ Email _____

DESCRIPTION OF ALLEGED VIOLATION: (Complete as fully as possible)

Date/Time: _____

Location: _____

Explanation: _____

WITNESS(S) (If applicable)

Name: _____

Address: _____

Telephone: _____

E-Mail Address: _____

*****For Policy Enforcement Use Only*****

POLICY ENFORCEMENT ACTION TAKEN:

Date: _____ POA Management or Board Rep: _____

Action Taken: _____

BOARD APPROVAL:

By: _____

Date: _____

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Community Manager
(910) 287-5656

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APPENDIX A

Kayaking and Canoeing Regulations & Safety Tips

Safety Equipment Checklist

- Flotation gear -- regulations require Coast Guard approved wearable personal flotation device for each occupant. Approved Type I, II, III or V.
- Whistle, air horn or similar sound maker
- Flare gun or flares
- First aid kit – add insect repellent and sunscreen.
- Extra paddle
- Bow and stern lines
- Flashlight and extra bulbs

Allow Enough Time

- Allow two miles per hour paddling time under normal river conditions.
- Driving and shuttling time is extra.

Know the Water

- Check recent and predicted weather conditions.
- Find out about river conditions - flooded, low, or normal.
- A flooded river is often dangerous and should not be canoed.
- A low river may expose logs and stumps, requiring many liftovers or portages, which make the trip slower and more difficult.
- Coastal streams are affected by wind tides which can create flow in both directions.
- Windy conditions can affect canoes and small boats - especially on wide coastal rivers.

Play it Safe

- Secure your car and take keys with you.
- Carry a cell phone.
- Canoe in a group or with a buddy.
- Watch for motorboats and yachts. Stay to the right and turn the bow into the wake.
- Let someone know your plans - where you are canoeing and when you plan to be back.
- Place food and gear in water-tight containers and tie them securely to the canoe.
- Don't overload the canoe or small boat. Avoid horseplay.
- Carry drinking water.
- Alcohol consumption is illegal—you can be arrested for possession or if blood level is over .08.

Respect Property

Kayaking and canoeing bring us close to nature and reminds us of the importance of clean water and relationships of the land to the water. To keep our waterways safe and enjoyable for everyone and to ensure a safe paddling experience, keep these tips in mind:

- Don't litter or pollute the water with trash or other waste.
- Don't cut living trees or harass animals.
- Be careful with campfires. Use cook stoves when possible.
- Access to private land should be by invitation only.
- Camp only in designated areas to avoid trespassing.
- Respect private property adjacent to public waterways.
- Dispose of all trash properly.

- Observe safe paddling techniques and carry necessary safety gear for each outing.
- Leave a "float" plan with family or friends.
- Be aware of current and future weather and water conditions.
- Know your paddling abilities and plan your outings accordingly.

We hope that you will enjoy your explorations of the coastal plain creeks, rivers and estuaries to return time and time again.

North Carolina Wildlife Resources Commission

512 North Salisbury Street
Raleigh, NC 27604-1188
919-733-3391

www.wildlife.state.nc.us