



STMA RULES

Approved & Adopted by the STMA Board of Directors: 9/15/10

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Change A Incorporated 7/17/19

Change B Incorporated 4/20/20

Change C Incorporated 8/05/21

NOTE: Users of this RULES document should understand that Sea Trail is a dynamic community and, as such, many influences (e.g., local/state/federal laws) have the potential to require changes to sections of the RULES. A hardcopy of the RULES, revised as dated in the left corner below, may be referenced for general guidelines; however, the STMA website (www.seatrailma.com) should be consulted for the most up-to-date version of the RULES. In addition, the STMA Administrator (administrator@seatrailma.com; Phone: 910-579-5374), may be contacted for more specific questions.

STMA RULES

	TABLE OF CONTENTS	PAGE NO.
PREFACE		5
I. GENERAL INFORMATION		5
II. PROPERTY OWNERS/STMA MEMBERS		6
A. STMA MEMBERS		6
B. STMA MEMBER CONTACT INFORMATION		6
III. RULES		6
A. COMMUNITY SAFETY AND SECURITY		6
1. USE OF MOTOR VEHICLES, STORAGE, PARKING AND STREETS		6
2. SOLICITATION		7
3. YARD/GARAGE SALES		7
4. GOLF COURSE USE AND SAFETY		7
B. RESIDENTIAL PROPERTY USE		8
1. APPLICABLE ORDINANCES		8
2. PROPERTY USE		8
3. DETACHED STRUCTURES		8
4. CONDUCT		8
5. DISTURBANCE OF NATURE		8
6. FIREARMS		8
7. FIREWORKS		8
8. OUTSIDE BURNING		8
C. PROPERTY MAINTENANCE		8
1. LANDSCAPING		8
2. EXTERIOR LIGHTING		10
3. DAMAGED AND REBUILT IMPROVEMENTS		10
4. ANTENNAS & TV DISHES		10
5. SOUND DEVICES		10
6. LAUNDRY		10
7. SIGNS		10
8. POLITICAL SIGNS, FLAGS AND BANNERS		10
9. EXTERIOR AMENITIES, FLAGS, BANNERS		11
10. PLAYGROUND EQUIPMENT		11
11. PAINTING AND EXTERIOR ALTERATIONS		11
12. CONCEALMENT		11
13. GARBAGE, TRASH AND RECYCLING DISPOSAL		11
14. YARD WASTE PICK-UP AND DISPOSAL		11
15. IRRIGATION WELLS		11
16. WATER RUN-OFF		12
17. MAINTAINING RIGHT OF WAY		12
18. USE OF CANOPIES		12
D. PETS		12
1. GENERAL		12
2. PET NUISANCE RESOLUTION		12

STMA RULES

TABLE OF CONTENTS

PAGE NO.

III. RULES (continued)

E. RENTAL OF PROPERTY; TENANTS, TRANSIENTS, INVITEES, GUESTS	12
1. SINGLE FAMILY DETACHED RESIDENCES	12
2. OTHER THAN SINGLE FAMILY DETACHED RESIDENCES	12
3. COPIES OF LEASES	12
4. TENANTS, TRANSIENTS, INVITEES, GUESTS	13
5. TENANTS INFORMATION FORM	13
F. USE OF STMA COMMON FACILITIES	14
1. GENERAL	14
2. ACCESS CARDS	15
3. GENERAL GUIDELINES FOR TEMPORARY CARDS	15
4. ACCESS TO STMA COMMON FACILITIES	16
5. GENERAL RULES FOR STMA COMMON FACILITIES	17
6. FITNESS CENTER	18
7. SWIMMING POOLS, MAC OUTDOOR SPA/HOT TUB, AND CREEK SIDE BUILDING INDOOR SPA/HOT TUB AND SAUNA	18
8. TENNIS/PICKLEBALL COURTS	20
9. PICKLEBALL COURTS	21
10. PINK PALACE, MAC, CREEK SIDE MULTIPURPOSE ROOM, SEA HORSE ROOM, AND SUNSET ROOM	21
11. LENDING LIBRARY AT THE MAC (JODY HUGHES LIBRARY)	24
12. CHAPEL ON THE GREEN	25
13. BEACH PARKING LOT	25

IV. STMA RULES ENFORCEMENT POLICIES AND PROCEDURES

A. PURPOSE	26
B. SCOPE	26
C. PROCESS	26
1. VIOLATION	26
2. PROCESS	26
D. ENFORCEMENT PROCEDURES	26
1. INFORMAL	26
2. NOTIFICATION	26
3. CHANGE TO FORMAL	26
4. FORMAL PROCEDURE	26
5. FIRST NOTIFICATION OF RULE VIOLATION	27
6. SECOND NOTIFICATION OF RULE VIOLATION	27
7. FINES AND HEARING PROCESS	27
8. HEARING TIMING	27
9. FINE TIMING	27
10. SERIOUS AND PERSISTENT RULES VIOLATIONS	27
11. CONSIDERATIONS IN ADMINISTERING THE VIOLATIONS	28
12. MEDIATION	28

STMA RULES

TABLE OF CONTENTS

PAGE NO.

Appendices I-VI deleted by Change A 7/17/19

INDEX

29

STMA RULES

PREFACE

These STMA RULES (hereinafter referred to as "RULES") duly adopted by the Board of Directors of Sea Trail Master Association, Inc. (STMA) are applicable to STMA owned common facilities and all residential property within the Sea Trail development. The RULES have been adopted pursuant to the Second Amended Consolidated Master Declaration and Development Plan (SACMD) for Sea Trail and all supplements thereto, STMA By-Laws, and the Architectural Design Standards (ADS). The Architectural Standards Committee (ASC) responds to submissions pertaining to architectural design. These RULES, their limitations, restrictions, covenants and conditions are binding upon all entities (property owners, tenants, transients, invitees, and guests) who have or may acquire an interest in the property identified within the SACMD and its amendments, and who have the right to use STMA common facilities within the Sea Trail development. If there is any conflict between these RULES and the SACMD, By-Laws, and the ADS, the SACMD shall prevail. The purpose of these RULES is to provide structure and discipline in the Sea Trail community for the residential properties and STMA common facilities and to promote respect for and among occupants of Sea Trail residential property.

[Note: Throughout this revision, previous references to "Sea Trail Resort" and "STR" have been changed to "Sea Trail development". The term "Sea Trail" by itself refers to Sea Trail residential property. "Sea Trail Golf Club" is the management entity for Sea Trail development primarily responsible for managing the Sea Trail Golf courses and restaurants and is not part of STMA.]

Users of this RULES document should understand that Sea Trail is a dynamic community and, as such, many influences (e.g., local/state/federal laws) have the potential to require changes to sections of the RULES. A hardcopy of the RULES, revised as dated in the left corner below, may be referenced for general guidelines; however, the STMA website (www.seatrailma.com) should be consulted for the most up-to-date version of the RULES. In addition, the STMA Administrator (administrator@seatrailma.com; Phone: 910-579-5374), may be contacted for more specific questions.

I. GENERAL INFORMATION

STMA Members may access the above referenced documents by logging on to the STMA website (www.seatrailma.com) with the member ID and Password, and entering "Important Documents" in the SEARCH box. A copy of this RULES document may be obtained at cost from the STMA Administrator by written request to STMA Administrator, P.O. Box 7025, Ocean Isle Beach, NC 28469, or by email to administrator@seatrailma.com. The owner of a residential unit leased for ninety days or more is required to provide a copy of these RULES to their tenants and to ensure the tenants understand the obligation to adhere to them; the owner must obtain a written acknowledgement of receipt of a copy of the Rules by the tenant. The Tenants Information Form is available on the STMA Website (www.seatrailma.com). The owner must submit this acknowledgement with a copy of the lease as is required by paragraph III. E. 3. within these Rules.

The Sea Trail development is located within the Town of Sunset Beach and Brunswick County in North Carolina. All statutes, regulations, and ordinances of the State of North Carolina, County of Brunswick, and Town of Sunset Beach are applicable to all real property located within Sea Trail development.

The Town of Sunset Beach assumed possession and ownership of *several main* roads in the Sea Trail development in early 2019. Speed limits and traffic signs posted by the Town of Sunset Beach on these roads will be monitored and enforced by the Sunset Beach Police Department. Violators will be subject to ticketing.

STMA RULES

II. PROPERTY OWNERS/Sea Trail Master Association (STMA) MEMBERS

A. STMA MEMBERS. Membership in STMA is defined in paragraphs 1.21 and 3.2 of the SACMD. For the sole purpose of these RULES, the term "property owner" shall mean all title holders named in the recorded deed for residential property within the Sea Trail development and their spouse or any adult individual with whom the title holder resides on a permanent basis. All property owners as so defined are members of STMA and entitled to the rights and privileges encompassed within these RULES.

B. STMA MEMBER CONTACT INFORMATION. STMA Members are required to provide their mailing address(es), email address(es) and telephone number(s) to the STMA Administrator within ten days of the date the title is acquired. STMA shall be entitled to rely upon the information provided pursuant to this requirement in all notifications required under these RULES and the SACMD. Changes in personal contact information may be made by STMA Members on the STMA website Member Directory and must be made within ten days of the date of such change. STMA Members may provide the changes to the STMA Administrator within ten days as well. This information will only be used for STMA notifications and will not be given or sold for any other purpose with the sole exception that it will be provided to Sea Trail Golf Club to allow them to provide direct notice to property owners of Sea Trail development events; however, property owners may opt out of receipt of Sea Trail development notifications by contacting the STMA Administrator in writing (administrator@seatrailma.com).

III. RULES

A. COMMUNITY SAFETY AND SECURITY:

1. USE OF MOTOR VEHICLES, STORAGE, PARKING, AND STREETS:

a. Motor Vehicles: Operators of motor vehicles, as defined under the statutes of the State of North Carolina, within Sea Trail development must possess a valid driver's license recognized by the State of North Carolina. Motor vehicles to be operated within Sea Trail development shall be properly registered and licensed as required by North Carolina statutes. Golf carts and mopeds which comply with North Carolina statutes for street operation are permitted on public streets. Dirt bikes, all-terrain vehicles or similar off road vehicles not properly licensed and registered as required by North Carolina statutes may not be operated within Sea Trail. Exhaust systems shall be muffled so as not to create a nuisance.

b. Storage, Parking, and Streets:

(1) Within Sea Trail, storage and/or parking of a mobile home, trailer (with or without wheels), motor home, tractor, truck (other than pick-up trucks), commercial vehicles of any nature, camper, motorized camper or trailer, recreational vehicles, boat or other watercraft (motorized or not), boat trailer or any related forms of transportation devices is prohibited. For purposes of loading or unloading personal goods, equipment, and material only, the foregoing vehicles may be temporarily parked on an owner's property for a period not to exceed 48 hours. This 48-hour parking exception shall not include business or commercial vehicles. Storage spaces commonly referred to as "PODS" are permitted, not to exceed 30 days without specific approval from STMA. During active construction on a residential property, commercial vehicles required to remain in connection with that construction (e.g. dumpsters) may remain on the site of the construction for only so long as may be reasonably required to complete the construction.

(2) No vehicle shall be parked overnight within any street right of way within Sea Trail.

(3) No unlicensed, stripped, partially wrecked or junked vehicle or part thereof may be visible to the public on any property, street, or street right-of-way within Sea Trail.

(4) No vehicles shall be parked on the lawn of any residential property or on any vacant lot or vacant property.

(5) No vehicle displaying advertising that it is For Sale shall be parked anywhere, including privately owned residential units, on any property within Sea Trail.

STMA RULES

c. STREETS and ROADS IN SEA TRAIL development: The Town of Sunset Beach assumed possession and ownership of several main roads in the Sea Trail development in early 2019. Speed limits and traffic signs posted by the Town of Sunset Beach on these roads will be monitored and enforced by the Sunset Beach Police Department. Violators will be subject to ticketing.

A. COMMUNITY SAFETY AND SECURITY: (continued)

2. SOLICITATION: Solicitation within Sea Trail development is prohibited without a properly issued permit from the Town of Sunset Beach, coordinated with the STMA Administrator. The solicitation of contributions of money or property or otherwise canvassing for the contributions of money or property, offering of goods for sale by calling out in the street, and the selling, bartering, exchanging or the offering for sale of any tangible personal property along the streets or from private property, or from any wagon, truck, pushcart, concession stand, tent, or other moveable receptacles of any kind is prohibited. The distribution of pamphlets, brochures or handbills for the purpose of soliciting or advertising business is prohibited.

3. YARD/GARAGE SALES: Display and sale of personal household goods property, commonly known as a "yard" or "garage" or "estate" or similar sale, is permitted. A Yard/Garage Sale shall only be permitted on premises owned or controlled by the person holding the sale. Signs for such sales are not permitted more than 48 hours prior to the sale, and must be removed within 24 hours of the end of the sale.

a. Such sales are limited to one day only during daylight. A permit must be obtained from the Town of Sunset Beach at least 48 hours before the start of the sale. (The cost at time of this publication is \$5). The STMA Administrator shall be provided a copy of the permit prior to the event. Not more than four sales per year shall be held at the same premises. Accepting goods for sale from a commercial enterprise on a consignment basis is prohibited.

b. Only one YARD/GARAGE SALE sign is permitted on-site. No more than two directional YARD/GARAGE SALE signs are permitted at strategic locations off-site (e.g., street intersection). Each sign shall not exceed 4 sq.ft in area, shall be neatly painted or printed, and attractive. Vehicles and large individual household items that are For Sale are not permitted to be displayed with a For Sale sign anywhere visible from the street or golf course.

4. GOLF COURSE USE AND SAFETY:

a. The Maples, Jones and Byrd golf courses are owned and operated by an entity separate and distinct from STMA. Rules governing the safety and use of the golf courses and the golf cart paths are the responsibility of Sea Trail development, not STMA. The reference in these RULES related to the golf courses is only informational and subject to the rules of the Sea Trail Golf Club.

b. In general, only Sea Trail development employees, registered golfers, or participants in recognized golf-related activities are allowed on golf course property. *Note: The phrase "participants in golf-related activities" will, among other things, allow personnel on the golf course property to set up and remove preparations for various golf tournaments.* In accordance with Sea Trail development rules, walking, jogging, bicycle riding and/or dog walking are not permitted on the Sea Trail development golf courses or cart paths at any time. An Adopt-A-Hole Program whereby Sea Trail homeowners could voluntarily care for one of Sea Trail development's 54 holes of golf has been discontinued.

c. In accordance with the SACMD and the property owner's deed, there exists an easement across each residential property on a golf course to permit a user of the course to enter individual property on foot to retrieve an errant golf ball. The easement does not permit golfers to play a ball from a residential property. Driving golf carts on residential property from the golf course while in the course of playing golf is prohibited.

STMA RULES

B. RESIDENTIAL PROPERTY USE:

1. **APPLICABLE ORDINANCES.** All Ordinances of the Town of Sunset Beach, Brunswick County and the State of North Carolina are applicable to all properties within Sea Trail development

2. **PROPERTY USE.** Individually owned residential property, whether it is a detached residence, a zero lot line with common walls, Townhouse, Villa, multiplex or condominium shall be used solely for single family residential living. A home office is permitted. No other commercial activity is permitted unless such activity complies with the following:

a. The existence or operation of the activity is neither apparent nor detectable by sight (including signs), sound, or smell from the exterior of the residence. All commercial or business activity observable to other residents is prohibited.

b. The activity does not require regular visitation to the residence by clients, customers, employees, agents, suppliers or other business invitees, or the solicitation of other residents of Sea Trail. Parking of personal vehicles belonging to employees, agents or business suppliers on the property site, neighboring property sites, or road rights-of-way in connection with the business is prohibited.

c. The activity is consistent with the residential character of Sea Trail and does not constitute a nuisance, hazardous or offensive use or threaten the security or safety of other residents. Any business activity creating a nuisance for other Sea Trail residents shall be required to correct the issue or relocate the business activity elsewhere.

3. **DETACHED STRUCTURES.** All, tents, trailers, mobile homes or any other structure, permanent or temporary, except as otherwise provided within these RULES, are prohibited on any member's property without the prior approval of the Architectural Standards Committee (ASC).

4. **CONDUCT.** All residential property owners, tenants, guests and invitees shall conduct themselves with respect and regard toward all members of the community. All noxious, vulgar, offensive, or illegal activities are prohibited within Sea Trail. No residential property owner, tenant, guest or invitee shall engage in any conduct which constitutes an unreasonable annoyance or nuisance to any person within Sea Trail or in violation of the Ordinances of the Town of Sunset Beach.

5. **DISTURBANCE OF NATURE.** Activity that materially disturbs or destroys vegetation, wildlife, water, or air quality is prohibited.

6. **FIREARMS.** Discharging of any firearm as defined in the statutes of the State of North Carolina, including, but not limited to, revolver, rifle, shotgun, BB gun and paint ball gun is prohibited.

7. **FIREWORKS.** Discharging of fireworks or any incendiary device within Sea Trail is prohibited.

8. **OUTSIDE BURNING.** Outside burning other than substances ordinarily burned and contained in an outdoor BBQ, fireplace, fire pit, ceramic chiminea or similar structure is prohibited.

C. PROPERTY MAINTENANCE:

1. **LANDSCAPING:** Property owners shall maintain the landscaping on their property at the level specified in the ADS. In the event of the absence of a specific reference in the ADS, the following minimum standards shall be applicable:

a. Major yard areas shall be continually covered with grass or acceptable alternative mulch defined as an earth tone, shredded hardwood product or pine straw. Coverage by use of stones, gravel or other impermeable surfaces is prohibited unless approved by the ASC.

b. All grass, except decorative grasses, shall be maintained to a height not exceeding four inches.

c. Mulched yards shall be refreshed at a minimum of once a year.

d. All trees, shrubs and plantings, as well as grass/yard cover, shall be maintained to enhance the appearance of the dwelling.

e. Weeds, especially in mulched yards, shall be treated or otherwise eliminated to maintain the naturally intended appearance of the property. Leaves, branches and other yard debris shall be periodically removed.

STMA RULES

STMA RULES

C. PROPERTY MAINTENANCE: (continued)

1. LANDSCAPING: (continued)

f. Accumulation of trash, debris, and/or other unsightly litter is prohibited. Refer to the Yard Waste Disposal section (pg. 11, III. C. 14). Depositing or dumping of any yard waste (such as grass clippings, shrubbery clippings, tree branches, etc.) on any improved or unimproved lot not owned by the property owner or on any common area is prohibited.

g. Property owners shall insure that their vacant residential lots are well maintained with no unattractive growth, including but not limited to vines, brush, fallen trees, heavy logs or accumulation of rubbish or debris including after a significant weather event. In accordance with the Town of Sunset Beach Ordinances, all vacant lots shall be “shrubbed down” (bush hogged) within four inches of the ground between May 1st – May 31st and September 1 – September 30th of each year. Failure to comply with this requirement and the Town of Sunset Beach Ordinance will result in a letter to the Property Owner from the STMA Administrator citing the violation(s) and allowing 30 days to resolve the issue. Failure to comply within the time limit will require STMA to arrange compliance, the costs of which shall be assessed to the property owner, with collection subject to STMA adopted collection policy and the statutes of the State of North Carolina.

h. Tree Removal Policy. Homeowners are required to contact the STMA Administrator before removing any trees on their developed or undeveloped property. This includes both hardwood and pine trees regardless of their size. The STMA Landscape Committee will in turn contact the homeowners and discuss the tree removal request. Homeowner’s failure to contact the STMA prior to removing a tree will result in a fine levied for each tree removed.

i. Damaged, Diseased & Dead Tree Policy. The term “individual property owner” shall mean the private, individual, or entity owner of a lot(s), and Sea Trail Master Association (STMA), as owner of the common properties.

1. The responsibility and all costs associated with the handling (removal) of damaged, diseased, dying and/or dead tree(s) rests with the individual property owner upon whose property the distressed tree(s) is located.

2. Upon the discovery or report of a damaged, diseased, dying or dead tree(s) by the STMA Landscape Committee, the Landscape Committee will notify the owner of the property where the distressed tree(s) is located in writing. This written notification will include a brief description of the tree(s) condition along with any concerns and/or potential danger observed.

3. Should the distressed tree(s) appear to pose a potential hazard to adjacent real property, roadway, walkway, bike trail or golf cart paths, the property owner will be requested to rectify the situation, by removing the distressed tree(s) within thirty (30) days from the date of the notification. While it is recommended by professionals that damaged, diseased, dying or dead tree(s) be removed to prevent the likely spread of disease and it is recognized that removal will contribute to a more desirable “curb appeal” throughout the community, any discovered tree problem on unimproved property that poses no potential hazard to any adjacent property will not mandate a request for removal.

4. In the event the property owner does not take the requested corrective action within the thirty (30) day period, STMA will utilize its “self help” provision contained in the Master Declaration (SACMD) and take the necessary action to remove the tree(s) in order to eliminate the potential danger. The STMA will add the cost incurred for the corrective action to the property owner’s assessment account for the recovery of the cost incurred by STMA.

5. Upon request of a property owner, the STMA Landscape Committee may provide a list of tree services that have performed tree removal work within Sea Trail, without any form of recommendation.

6. This policy is to be administered through STMA under the supervision and direction of the STMA Landscape Committee.

j. Upon failure or refusal of a property owner to maintain their property in accordance with the requirements of these RULES, after notice and procedure as provided in IV. D of these RULES, STMA may proceed to contract with any appropriate service or contractor to bring the property in compliance with these RULES, and bill the property owner. The costs to STMA for bringing the property

STMA RULES

into compliance shall be a lien against the property filed in accordance with the SACMD and North Carolina Statutes.

C. PROPERTY MAINTENANCE: *(continued)*

2. EXTERIOR LIGHTING: Exterior lighting is encouraged but should not cause an adverse nighttime environment to any surrounding property, and must be approved in accordance with the ADS. Security lighting is permitted, but should be directed to avoid adversely affecting the neighbors. The Town or Sunset Beach requires that residential security lighting must be controlled and activated by motion sensor devices for outdoor lighting installed after February 1, 2016.

3. DAMAGED AND REBUILT IMPROVEMENTS: The residue of any building or improvement wholly or partially destroyed, which is not rebuilt within nine months of the event of destruction shall be removed no later than nine months from the event of destruction. Any building or improvement to be rebuilt must comply with the ADS. Upon failure or refusal of a property owner to comply with the provisions of this paragraph, after notice and procedure as provided in IV. D. of these RULES, STMA may proceed to contract with any appropriate service or contractor to bring the property in compliance with these RULES and bill the property owner. The costs to STMA for bringing the property into compliance shall be a lien against the property filed in accordance with the SACMD and North Carolina Statutes.

4. ANTENNAS & TV DISHES: Installation of an Antenna or TV dish requires approval in accordance with the ADS. Refer to the ADS for requirements.

5. SOUND DEVICES: With the exception of security alarm devices, any sound device which causes an adverse noise environment to any surrounding property is prohibited.

6. LAUNDRY: Hanging of laundry, including beach towels and blankets from any exterior area including but not limited to, railings, fences, furniture, line, appliance, or vehicle is prohibited.

7. SIGNS: All signs shall be legible, neatly painted or printed, and maintained in a clean and attractive condition. Signs of any material are prohibited which are painted on or attached to the following: trees, lampposts, hydrants, traffic signs, telephone or utility poles, rocks, etc.

a. Temporary Event Signs: Examples of Temporary Event activities include, but are not limited to, one or two day events such as: concerts at the Pink Palace, TGIF special events, STMA Board Meetings, STMA committee (e.g., Health & Safety Resource) speaker presentations. Other examples include Welcome Home, It's a Boy/Girl, etc. Signage for such events is subject to the following standards:

1. Placement of signs must not interfere with traffic sight lines.
2. One temporary sign not exceeding 2' x 2' (4 square feet) on the event property, placed not more than 48 hours before the event; *it must be removed within 24 hours of completion.*
3. No more than two directional Temporary Event signs, each not exceeding 4 square feet, are permitted at strategic locations off the event property (e.g., street intersection), and placed not more than 48 hours before the event. Vehicles and large household items for sale are not permitted to display a For Sale sign anywhere visible from the street or golf course.

b. Real Estate Resale signs. Only one sign per property, facing the road, is permitted. The sign must be in accordance with Architectural Design Standards (ADS) (see STMA website www.seatrailma.com or contact the STMA Administrator (administrator@seatrailma.com).

c. For YARD/GARAGE SALE Signs, see para III. A. 3. b.

d. One Contractor Sign for short term work (e.g. home repair/renovation, extensive yard work, etc. not exceeding 2' x 2' may be placed on the day work begins. The sign may remain in place for the duration of the work and must be removed within 24 hours of completion.

8. POLITICAL SIGNS, BANNERS, FLAGS: A Political sign, banner or flag is defined as one which attempts to influence the outcome of an election including supporting or opposing an issue or candidate. Political signs are permitted if they are placed no more than 45 days before the election and removed not later than seven days after the election. Such signs, banners and flags must be placed in

STMA RULES 05/15/19 Change B 4/20/20 Change C 08/05/21

STMA RULES

the property owner's yard, and may not be attached to a house, garage, trees, fences, utility poles, or in salt marsh areas and may not exceed a maximum of 4 square ft which is typically 2' x 2'. Political signs facing the golf course are prohibited. Only one sign per candidate/issue is permitted. A maximum of three political signs is allowed.

C. PROPERTY MAINTENANCE: (continued)

9. **FLAGS, FLAGPOLES AND EXTERIOR AMENITIES:** The US and/or North Carolina State Flags are permitted either mounted on a pole (maximum height: 25') or on a pole affixed to the house; the maximum flag size is 4' x 6'. Flags bearing the name of a candidate, political party, current president or past president are considered political flags and fall under the Political Signs, Banners and Flag guidelines. Decorative or seasonal flags (maximum 30" x 42") on flagpole or on a pole affixed to the house are allowed. Up to 3 flags are permitted, either on one pole or on individual poles. Small decorative garden flags 12" x 18" are permitted and cannot exceed 3 flags. Flags, flagpoles, banners, numbers, letters, fountains, statuary, birdbaths, mailboxes and anything of similar nature other than natural vegetation must comply with the ADS.

10. **PLAYGROUND EQUIPMENT:** Maintenance or installation of child recreational or playground equipment with a significant vertical component, including but not limited to basketball backboards and hoops attached to the home or a tree, jungle gyms, sand boxes, swings and slides must be approved by the ASC. This does not apply to free-standing equipment or portable equipment. Such equipment, when not in use, must remain on or be moved to the home-owner's property.

11. **PAINTING AND EXTERIOR ALTERATIONS:** A property owner may remodel, repaint or redecorate the interior of the property without ASC approval. The Town of Sunset Beach requirements still need to be met. Repainting the exterior of a structure in accordance with the originally approved color scheme does not require ASC approval. Repainting the exterior in a color scheme different than the originally approved scheme, and all other exterior modifications, additions and remodeling require ASC approval.

12. **CONCEALMENT:** Fuel tanks or storage tanks maintained or installed on Sea Trail residential property must have EPA approval, and must be buried below the surface of the ground or screened in accordance with the ADS; installation and maintenance of HVAC equipment, irrigation equipment, and trash receptacles must be screened or placed so as to not be visible from any street, recreation area, adjacent home or golf course property.

13. **GARBAGE, TRASH AND RECYCLING DISPOSAL:** Property owners shall be responsible for the proper disposal of all garbage, trash, and recyclables. Each property owner shall utilize the garbage receptacles, and, if they elect, the recycling receptacles provided by the Town of Sunset Beach. Garbage and recyclable containers and debris bags must be kept at the house and out of view* except when placed at the street for pick up in accordance with the following times: Carts will be placed at the street no earlier than 2:00 p.m. the day prior to collection, and at least by 6:00 a.m. on the scheduled day of collection. Following collection, carts must be pulled back to the house and out of view by 6:00 p.m. on the day of collection. Placing of trash and debris in the street, the street right-of-way or on undeveloped property is prohibited, except that yard waste accumulated from undeveloped property may be placed on that property for disposal only by or if authorized by the owner of the property. It is the responsibility of each property owner to maintain a clean orderly condition of the buildings and grounds of their property.

**out-of-view is defined in the ADS as: concealed from view from roads, golf courses and adjacent properties.*

14. **YARD WASTE PICK-UP AND DISPOSAL:** Property owners shall be responsible for the proper preparation for disposal of all yard waste in accordance with the Ordinances of the Town of Sunset Beach. Yard waste containers including debris bags must be kept out of view* except when placed at the street for pick up in accordance with the following times. All yard debris must be either bagged or bundled and placed at (not *in*) the street no earlier than 2:00 p.m. the day prior to collection, and at least by 7:30 a.m. on the scheduled day of collection. If a reusable container is used, it must be pulled back to the house and out of view* by 6:00 p.m. on the day of pickup. Plastic bags are prohibited. Thirty gallon brown paper lawn and refuse bags will be accepted. Thirty gallon trash cans may be used. Limbs and

STMA RULES

branches cannot be longer than four feet and must be bundled together with rope; each bundle must weigh no more than 50 pounds. Placing yard waste in the street for disposal is prohibited. Yard waste accumulated from undeveloped property may be placed on that property for disposal only by or if authorized by the owner of the property. Yard waste that was accumulated elsewhere must not be placed on undeveloped property for disposal. **out-of-view is defined in the ADS as: concealed from view from roads, golf courses and adjacent properties.*

15. IRRIGATION WELLS: Installation or maintenance of a well for the purpose of providing irrigation water benefiting the home site landscape improvements must meet ADS. Diversion of water from any lakes, ponds or lagoons for landscape maintenance or for any other purpose is prohibited.

C. PROPERTY MAINTENANCE: (continued)

16. WATER RUN-OFF. Neither ASC approval of Sea Trail residential property construction nor issuance of a Certificate of Occupancy by the Town of Sunset Beach will assure that proper lot drainage is provided. Residential property owners are responsible for maintaining their property so that it does not create or add to additional offsite discharge of stormwater onto adjacent properties. All residential properties are subject to the storm water rules of the State of North Carolina, Brunswick County, and the Town of Sunset Beach, and the provisions of the SCAMD.

17. MAINTAINING RIGHT OF WAY: Property owners shall maintain the area between their property lines and adjacent paved portion of the street right-of-way.

18. USE OF CANOPIES: Use of a party-type canopy is permitted as long as it can be assembled or disassembled within one 24 hour day, is not in place longer than 5 days, is limited to 15 feet in height and does not exceed 600 square feet, is located in the rear of the property, and does not encroach on any common area, golf course or neighboring property.

D. PETS:

1. GENERAL: All pets shall be kept and maintained in a manner that does not damage any private or common property nor disturb the peace.

a. Only ordinary domestic pets such as dogs, cats, aquarium fish, decorative pond fish, and birds may be kept or maintained by Sea Trail property owners.

b. Breeding of any type of animal for sale is prohibited.

c. Leash ordinances of the Town of Sunset Beach are applicable throughout Sea Trail development. A person must accompany a dog or cat when it is outside the boundary of the owner's private property; and, (1) dogs and cats shall be on a leash and controlled by the person accompanying the pet; (2), the accompanying person shall carry bags or utensils to promptly remove and dispose of pet feces.

d. Any fencing, dog runs and/or dog houses must be approved by the ASC prior to construction.

e. With the exception of certified service animals assisting a person using a facility, pets are not permitted within common facilities buildings or their exterior property.

2. PET NUISANCE RESOLUTION: If a property owner, tenant or guest is bothered, disturbed or threatened by a pet within Sea Trail, he/she shall first contact the owner of the pet in an effort to resolve the issue. If this proves unsuccessful, the person should contact the Sunset Beach Animal Control Office to formally register a complaint. In addition, if the pet owner is in violation of any portion of these RULES regarding pets, the person so bothered may file a Rule Violation Report, available on the STMA Website (www.seatrailma.com).

E. RENTAL OF PROPERTY; TENANTS, TRANSIENTS, INVITEES, GUESTS:

1. SINGLE FAMILY DETACHED RESIDENCES: Rental of any residence or part of any residence located on a single family detached lot for any compensation or barter for a period of less than 90 days is prohibited.

STMA RULES

2. OTHER THAN SINGLE FAMILY DETACHED RESIDENCES: Sea Trail includes several developments consisting of varied forms of residential ownership and architectural styles established by the instruments creating the respective developments, and which restrict the period for rental of the units within the respective developments, all of which are subject to the SACMD and these RULES. Rental of any unit or portion of any unit for any compensation or barter for a period less than that permitted in the instrument establishing the respective development is prohibited and constitutes violation of these RULES.

3. COPIES OF LEASES: Property owners of all leases for rentals for a period of ninety days or more shall provide a copy of the lease to the STMA Administrator prior to occupancy by the tenant(s). Property owners must provide tenants a copy of the RULES, execute the Tenants Information Form showing receipt of the RULES, and submit it with a copy of the lease to the STMA Administrator. The Tenants Information Form is available on the STMA Website (www.seatrailma.com).

E. RENTAL OF PROPERTY; TENANTS, TRANSIENTS, INVITEES, GUESTS: (continued)

4. TENANTS, TRANSIENTS, INVITEES, GUESTS: (i.e., all non-property owners)
For purposes of these RULES, a tenant shall be defined as anyone in possession of a property owner's residential unit in exchange for any sort of consideration for more than thirty days. A transient is an occupant of a residential unit for less than thirty days. An invitee is a person or persons that the property owner or other authorized occupant has invited for business purposes. A guest is a family member or acquaintance invited to the property for a reasonable period of time. *For the remainder of this RULES document, unless a specific class of non-property owner needs to be identified, when the term Guest(s) is used, it shall apply to all classes of non-property owners who are at the Sea Trail development at the request of a property owner.*

a. Guests (*all non-property owners*) are not members of STMA. However, they are subject to the STMA RULES that govern STMA and the use of the common areas and common facilities.

b. Property owners shall be responsible for the actions of their guests while they are at Sea Trail, and shall be held responsible for their conduct and any damage to the STMA common areas, facilities and equipment or furnishings of the common STMA facilities, violations of the SACMD, and these RULES caused by any of their guests.

c. Guests shall not be entitled to reserve any of the STMA common facilities

d. Guests shall not be permitted the use of STMA facilities unless: (1) Accompanied by the property owner; or (2) The property owner completes the Notice of Permission To Use Property Owner's Access Card at least seven days prior to the arrival of the guest of the property owner. The form is available on the STMA Website (www.seatrailma.com).

e. Upon entry to our pool facilities at either the MAC or Pink Palace, all property owners shall be required to complete the sign-in sheet provided near the entrance indicating the time of arrival and the total number of people included. In the event that the property owner has completed the Notice of Permission to Use Property Owner's Access Card as outlined above, the guest using the card shall be required to enter his/her name, the name of the property owner, and the total number of people included.

f. In the absence of a completed Notice of Permission to Use Property Owner's Access Card as outlined above, guests will be denied access to STMA facilities unless accompanied by the property owner.

5. TENANTS INFORMATION FORM: A property owner allowing tenants to use their access card shall, prior to occupancy for any period of ninety days or more, insure that a completed Tenants Information Form is provided to the STMA Administrator. The Tenants Information Form is available on the STMA website at www.seatrailma.com,

STMA RULES

F. USE OF STMA COMMON FACILITIES:

1. GENERAL: The STMA common facilities are established and maintained for the benefit of the residential property owners of Sea Trail. In accordance with paragraph III. E. 4. above, when the term Guest(s) is used in this paragraph F., it shall apply to all non-property owners. Anyone using the STMA common facilities, or any of their components, shall do so at their own risk. All Property Owners shall be required to execute a Waiver of Liability statement included with the Property Owner's New Access Card Request Form prior to issuance of a Property Owner's Access Card. The Request Form is available from (1) the STMA Administrator (administrator@seatrailma.com) at www.seatrailma.com, or (2) the Access Committee. Property Owners should notify their guests that Common Facilities have Video Surveillance. Property Owners are responsible for their guests' actions.

a. The STMA common facilities are as follows:

- (1) The swimming pool and outdoor SPA/HOT TUB at the Maples Activity Center (MAC);
- (2) The Jody Hughes Library at the MAC;
- (3) The meeting room in the MAC, as provided in F.10;
- (4) The Chapel On The Green;
- (5) The Tennis PickleBall / Courts at the MAC;
- (6) The Barbeque Grills at the MAC;
- (7) The main room of the Pink Palace, as provided in F.10;
- (8) The swimming pool at the Pink Palace (PP);
- (9) The Sea Horse Room in the PP;
- (10) The Sunset Room in the PP;
- (11) The Multipurpose Room in the Creek Side Building;
- (12) The indoor SPA/HOT TUB in the Creek Side Building;
- (13) The Fitness Center in the Creek Side Building;
- (14) The Sauna in the Creek Side Building;
- (15) The Bocce Court at the Creek Side Building;
- (16) The Horseshoe pit at the Creek Side Building;
- (17) The Barbeque Grills at the Creek Side Building;
- (18) The Beach Parking Lot; and
- (19) All kitchens, storage closets, bathrooms and other rooms incidental to the use of the above facilities.

b. STMA common facilities that are available only by reservation: (*To submit a room reservation request, go to the STMA website: www.seatrailma.com/reserve-a-room/ and complete the form. If you need an event added to the CALENDAR, send an email to calendar@seatrailma.com.*):

- (1) The meeting room in the MAC, as provided in F.10;
- (2) The Chapel, as provided in F.12;
- (3) The Tennis Courts, as provided in F.8;
- (4) The PickleBall Courts, as provided in F.9;
- (5) The main room of the Pink Palace, as provided in F.10;
- (6) The Sea Horse Room, as provided in F.10;
- (7) The Sunset Room, F.10, and
- (8) The Multipurpose Room in the Creek Side Building, F.10.

c. Typical Facility Hours of Operation - subject to seasonal changes

- Beach Parking Lot - 6 am to 10 pm. Access card required. No overnight parking.
- Pool Areas (Pink Palace & MAC) – 6 am to 9 pm. Access card required.
Swimming: Dawn to Dusk only.
- Creek Side Exercise/Fitness Facility – 5 am to 9 pm. Access card required.
- Tennis Courts – 6:30 am to 10 pm. Access card required.
- Jody Hughes Library – 6:00 am to 9:00 pm. Access card required.
- Chapel on the Green – *Unlocked* 7:00 am to 5:00 pm.
Access card required: 6:00 - 7:00 am & 5:00 - 7:00 pm.
- Pink Palace Complex – By reservation only. Access card required.
- Maples Activity Center – By reservation only. Access card required.
- Creekside/Multi-Purpose Room – By reservation only. Access card required.

STMA RULES

F. USE OF STMA COMMON FACILITIES: (continued)

2. ACCESS CARDS: A maximum of two individuals per residential property as identified in Section II. PROPERTY OWNERS, A. STMA MEMBERS on page 2 above in good standing are entitled to a Property Owner's Access Card in their name at no cost which will provide them with electronic access to all STMA common facilities as provided in these RULES. Individuals or entities with multiple properties or properties with more than two individuals who meet the foregoing definition will be authorized only two (2) Access Cards, regardless of the number of properties owned or the number of individuals who may meet the definition to be otherwise entitled for issuance of an access card. Individuals applying for an access card shall complete and sign a "Property Owner's New Access Card Request Form" which is available on the STMA Website (www.seatrailma.com) acknowledging the receipt of said cards and recognition of the rules for card usage. These cards will be issued during normal business hours for STMA by telephoning 910-579-5374 for an appointment. After normal business hours and on weekends, an Access Committee representative should be contacted by telephoning 910-575-8284 for an appointment for issuance of a card.

The Access cards will permit standard access to all STMA common facilities set forth in F. 1. a, above, including the MAC & Pink Palace pool gates, Spa/Hot Tubs, Sauna, and Library - 6:00 AM to 9:00 PM; Tennis courts from 6:30 AM to 10:00 PM;

Creek Side Building, Fitness Center from 5:00 AM to 9:00 PM;

Beach Parking Lot from 6:00 AM to 10:00 PM daily.

Times for events at the MAC, Pink Palace, Creek Side Building Multipurpose Room, Sea Horse Room and Sunset Room identified in F.1.b above must be scheduled through the STMA website as set forth in paragraph F.4 below.

The Chapel is unlocked between 7:00 AM and 5:00 PM (access cards are required from 6:00 AM to 7:00 AM and 5:00 PM to 7:00 PM). The Chapel may be reserved by submitting (30 days in advance) the *Request A Room or Chapel on the Green Reservation* available on the STMA website (www.seatrailma.com) under *Calendar*. Request for a *Brick Memorial Service* is also on this form.

a. Individuals who have been issued access cards and no longer meet the requirements of II. A. above will have their access cards deactivated immediately upon change of status. If the individual continues to meet the requirements for issuance of an access card, with regard to another property, access will be retained at their currently defined level.

b. Lost or stolen access cards must be reported to STMA immediately. A replacement card will be issued in return for \$25 cash or check payable to STMA. Credit cards will not be accepted. The replacement card will be issued during normal business hours for STMA by telephoning 910-579-5374 or after normal business hours and on weekends by the designated non-business hours STMA representative by telephoning 910-575-8284. The lost or stolen card will be de-activated, and the new card activated at the lost or stolen cards' previously defined access level. If a card is deemed inoperable, and no physical damage is present, the card will be replaced at no charge. If physical damage is present, a replacement card will be issued in return for \$25 cash or check payable to STMA. Credit cards will not be accepted. The inoperable card will be de-activated, and the new card activated at the inoperable cards' previously defined access level.

c. Temporary cards may be issued when a visiting access card holder fails or neglects to bring the card during their visit or to a visiting guest of the card holder, with confirmed authorization from the card holder in accordance with the procedure set forth in paragraph F. 3. a. – j. below.

d. If any amount due to STMA is delinquent in excess of thirty days, all access cards issued with regard to the property in delinquency shall be deactivated and shall only be re-activated upon satisfaction of any charges due STMA.

3. GENERAL GUIDELINES FOR TEMPORARY CARDS:

a. A temporary card may be obtained by telephoning 910-575-8284 and the designated Access Committee member will issue the card.

b. A member of the Access Committee will schedule an appointment and meet you at an agreed-upon location for card pick-up.

STMA RULES

- c. A \$25 refundable deposit is required for all temporary cards.
- F. USE OF STMA COMMON FACILITIES: (continued)
 - 3. GENERAL GUIDELINES FOR TEMPORARY CARDS: (continued)
 - d. Duration of a temporary card will not exceed 30 days.
 - e. Only one temporary card will be issued at a time, with a maximum of 3 temporary cards for a calendar year.
 - f. Deposit refunds will be granted only when the temporary card is returned in working order within seven days of the predetermined time for surrender of the temporary card.
 - g. Photo ID of the person requesting the card is required.
 - h. Access card holders acknowledge that he/she and or guest(s) are utilizing the facilities at their own risk and peril and agree to assume responsibility for the rules compliance, action of their guest(s), and any damage incurred while using the facilities.
 - i. An access card holder requesting a temporary access card shall complete the information required on the Temporary Access Card Application Form available on the STMA Website (www.seatrailma.com).
 - j. Temporary cards will not be issued to card holders or guests that have not picked up their permanent cards.
 - 4. ACCESS TO STMA COMMON FACILITIES:
 - a. The outdoor facilities and bathrooms at the Pink Palace, the outdoor facilities and bathrooms at the MAC, the Creek Side Building, the Sauna, the SPA/HOT TUB in the Creek Side Building, the Fitness Center, the Library, and the Beach Parking Lot are open and available for use as set forth in paragraph F.2. above. The Chapel is available by reservation through the Chapel Committee as set forth in paragraph F.2. above. All of the foregoing facilities shall be vacated by the closing time posted at each venue, and in any case no later than 10:00 PM; for swimming, the pools at the MAC and Pink Palace close for swimming at dusk. Use of any facility before the posted opening time or after the posted closing time is prohibited. STMA reserves the right to change the hours of operation or close any facility as may be needed for maintenance and/or repair.
 - b. Access to the meeting room in the MAC, the meeting room in the Pink Palace, the Sea Horse Room, the Sunset Room, and the Multipurpose Room in the Creek Side Building is limited and is by reservation only. Reservations may only be made through the STMA website by a property owner for any event permitted under these RULES. The property owner will receive a response from the Access Committee confirming or denying the request.
 - c. Guests of the property owner shall not be permitted the use of STMA facilities unless: (1) Accompanied by the property owner: or (2) The property owner completes the Notice of Permission To Use Property Owner's Access Card at least seven days prior to the arrival of the guest of the property owner. The form is available on the STMA Website (www.seatrailma.com).
 - d. With the exception of the STMA facilities in the Creek Side Building (Fitness Center, SPA/Hot Tub, the Sauna) and the SPA/Hot Tub at the MAC), to use the STMA common facilities, property owners and guests of the card holder must be at least 16 years of age; anyone under 16 must be in the presence of a responsible individual at least 18 years of age. To use the Creek Side Building Fitness Center, SPA/Hot Tub, and Sauna, and the SPA/Hot Tub at the MAC, property owners and guests must be at least 14 years of age; anyone 14-18 must be in the presence of a responsible individual at least 18 years of age. The special age requirements are posted at those facilities. Card holders shall be responsible for the proper conduct of their guests.

STMA RULES

F. USE OF STMA COMMON FACILITIES: (continued)

5. GENERAL RULES FOR STMA COMMON FACILITIES: Upon entry to the pool facilities at either the MAC or Pink Palace, all property owners shall be required to complete the sign-in sheet provided near the entrance indicating the time of arrival and the total number of people included.

a. Smoking including vaping (e-cigarettes) or use of chewing tobacco at any STMA facility including the pool areas, tennis courts and balconies is prohibited.

b. With the exception of service animals accompanying a special needs individual, pets are prohibited everywhere in the common facilities.

c. Any games, sports, or other activities conducted in any of the common facilities, which are deemed to be, in the sole discretion of STMA or its authorized representative, detrimental to the health, safety, or the enjoyment of the participants or others using the common facilities are prohibited.

d. The use of glass or breakable containers on or in any STMA common facility, other than the meeting/party rooms of the Pink Palace/MAC and the Creek Side Building Multipurpose Room, is prohibited.

e. Indoor and outdoor showers are provided for use prior to and after utilization of the pools, SPA/HOT TUBS, and Sauna. Use of these showers to rinse off beach sand is prohibited.

f. The Outside gates at the Pink Palace and the MAC swimming areas shall remain locked except when opened temporarily for entry or exit. Propping open or holding open of any gates or doors to any facility is prohibited and will trigger a silent alarm. Property owners who enter or exit a facility should ensure that anyone who passes through the gate or door opened by the property owner is authorized; i.e., they have their own access card.

g. Care shall be taken to protect the landscaping in the landscaped areas.

h. All individuals using STMA common facilities are urged to cooperate in keeping the areas clean. Disposal of paper goods, garbage, trash or recyclables in any place, other than the designated containers, is prohibited. After use of the cooking grills, they should be turned off and permitted to cool. The cooking grates shall then be cleaned and the grills closed and covered.

i. Bulletin boards are provided in the Pink Palace, Creek Side Building and the MAC for the sole purpose of posting information of interest to property owners. Posting or circulation of commercial advertisements in the Pink Palace, Creek Side Building and the MAC is prohibited.

j. The responsible consumption of alcoholic beverages by those of legal age is permitted. The statutes and Regulations of the State of North Carolina dealing with alcohol, smoking, use of controlled dangerous substances and illegal drugs are applicable and any conduct which would constitute a violation of those statutes and regulations is prohibited.

k. Any damage to furnishings and/or equipment shall be reported immediately to the STMA Facilities Committee.

l. Ice in the ice-makers is for premises use only. Filling personal coolers is prohibited.

m. In case of an emergency, call 911 for assistance. Telephones are located in all facilities. Automatic Electronic Defibrillators (AEDs) are located in the Creek Side Building Fitness Room; two in the Pink Palace Building: in the kitchen area, and between the Sunset and Sea Horse Rooms; and in the Jody Hughes Library in the MAC.

n. Commercial solicitation and/or sales are prohibited in all of the common facilities.

o. Skateboarding is prohibited at all common facilities.

STMA RULES

F. USE OF STMA COMMON FACILITIES: (continued)

6. FITNESS CENTER: To use the Fitness center, individuals must be at least 14 years of age; anyone 14-18 must be in the presence of a responsible individual at least 18 years of age. The special age requirements are posted at those facilities. Individuals under 14 years of age are not permitted in the Fitness Center for any reason. Anyone using the Fitness Center is responsible for his/her own safety. There is no attendant on duty. STMA is not responsible for any injuries. Persons using the Fitness Center shall be subject to the following rules, regulations, policies and procedures:

- a. All equipment is on a first come, first served basis. Equipment may not be reserved.
- b. Proper attire must be worn while using the exercise equipment. Shirts and proper athletic footwear are required. Wet swimwear and flip-flops are prohibited.
- c. Instructions posted on or in proximity to each piece of equipment must be followed.
- d. Contact surfaces (anything you touch) on or near equipment shall be wet wiped after use, with supplies provided.
- e. Use of cardio equipment is restricted to thirty (30) minutes when others are waiting.
- f. Eating in the Fitness Center is prohibited.
- g. Individuals using the Fitness Center shall be considerate and respectful of other users. The volume of the television, radio, recorders and CD players shall be kept at a level not to interfere with the peaceful enjoyment of others.
- h. Misuse of equipment shall result in possible rules violations and fines.
- i. All hand weights, mats and balls are to be returned to their respective places when through with them.
- j. No equipment is to be removed from the Fitness Center.
- k. When departing the Fitness Center, all fans, lights and the television shall be turned off, provided no others are currently using the room.

7. SWIMMING POOLS, MAC OUTDOOR SPA/HOT TUB, AND CREEK SIDE BUILDING INDOOR SPA/HOT TUB AND SAUNA:

Upon entry to the pool facilities at either the MAC or Pink Palace, all property owners or guests shall be required to complete the sign-in sheet provided near the entrance indicating the time of arrival and the total number of people included. Access to the Pink Palace and MAC pools by guests of property owners is addressed in Paragraph III. E. 4. e. of this RULES document. The Swimming Pool season is April 1 – October 31. Operational hours for actually swimming are dawn to dusk. The deck area, barbeque grills, and game areas (Bocce Ball, horseshoes, etc.) are accessible year-round. No swimming after dusk. All other facilities must be vacated by the closing time posted at each venue, not later than 10:00 PM. Use of any facility before the posted opening time or after the posted closing time is prohibited.

The pool areas may not be reserved for private parties. The use of the swimming pools, MAC outdoor SPA/Hot Tub, Creek Side Building indoor SPA/Hot Tub and Sauna, and adjacent decks and access ways are at the users' own risk at all times. No lifeguard is present. Use of the Creek Side Building indoor SPA/Hot Tub or Sauna and the MAC outdoor SPA/Hot Tub by individuals under the age of fourteen (14) years is prohibited; anyone 14-18 must be in the presence of a responsible individual at least 18 years of age. For Pool use, anyone under the age of sixteen (16) years must be under the direct supervision of an adult (18 years of age or older). Persons using the pools, Creek Side Building indoor SPA/Hot Tub, and Sauna, and MAC SPA/Hot Tub shall be subject to the following rules, regulations, policies and procedures:

- a. Showers are required prior to entering the pools, SPAs/Hot Tubs, and Sauna. During cold weather, outdoor showers will be shut off; however, showers are accessible in the Pink Palace building.

STMA RULES

- b. Running and/or horseplay is prohibited.

F. USE OF STMA COMMON FACILITIES: (continued)

7. SWIMMING POOLS, MAC OUTDOOR SPA/HOT TUB, AND CREEK SIDE BUILDING INDOOR SPA/HOT TUB AND SAUNA: (continued)

- c. Use of any of these facilities under the influence of alcohol, illegal drug/ substances, or prescription medication which may impair normal activities is prohibited.

- d. Spitting or nose blowing in the pools, SPAs/Hot Tubs and/or Sauna is prohibited.

- e. Due to the risks of nausea, dizziness and fainting, for the safety of individual users, the SPAs/Hot Tubs and Sauna should not be used alone. A reasonable time of use (10-15 minutes) should be observed. Caution including consulting a doctor should be used by persons with medical conditions that may be adversely affected by the high temperatures in these facilities. Pregnant women and people with high/low blood pressure may be exceptionally vulnerable to the high temperatures in the SPAs/Hot Tubs or Sauna.

- f. Possession or consumption of food or beverages in any SPA/Hot Tub, Sauna, pools or within three (3) feet of the pools is prohibited.

- g. Use of any of the facilities discussed in this section by persons with any condition or disease transmittable via water is prohibited.

- h. Use of any of the facilities discussed in this section by persons with communicable diseases, eye, ear or nasal infections is prohibited.

- i. Use in the pools of large flotation devices (floats or rafts), snorkeling or scuba equipment, other than a mask is prohibited. The use of small floats, toys, balls, or other similar objects is permitted; however, use of such objects must not interfere with the peaceful enjoyment of others.

- j. Noisy or hazardous activity, boisterous or rough play, and excessive splashing are prohibited.

- k. The volume of audio equipment shall be kept at a low level at all times so as to not interfere with the peaceful enjoyment of others.

- l. Use or possession of glass or breakable objects in the pool areas, SPAs/Hot Tubs, and/or Sauna areas is prohibited; broken glass in a pool will require draining and cleaning, the cost of which will be charged to the property owner(s) responsible.

- m. Diving is prohibited.

- n. As a courtesy to others, reserving lounges, chairs and/or tables is prohibited. Umbrellas shall be kept closed when not in use, and closed when departing the pool area.

- o. Appropriate attire should be worn at all times. Infant children not potty-trained must wear a product similar to Huggies Little Swimmers disposable swim pants. Diaper changing is limited to the restrooms.

- p. For health reasons, swimming pools must be closed for up to 24 hours after someone accidentally defecates in the pool, while the pool is shocked with chemicals. Parents and those responsible for younger children are encouraged to provide a degree of due diligence to ensure children are taken to restrooms periodically to prevent accidents.

- q. Swimming in the pools during inclement weather conditions is not recommended. No safety procedures or storm systems are being utilized to protect individuals from lightning strikes or other dangerous weather conditions. Responding to changing weather patterns is the responsibility of the users.

- r. Restroom facilities with outside access are provided at the Pink Palace/MAC. Creek Side Building restrooms and inside restrooms at the MAC are not to be used by those using the pools.

STMA RULES

STMA RULES

F. USE OF STMA COMMON FACILITIES (continued)

7. SWIMMING POOLS, MAC OUTDOOR SPA/HOT TUB, AND CREEK SIDE BUILDING INDOOR SPA/HOT TUB AND SAUNA: (continued)

s. Wet swimming attire, wet towels, wet footwear, or golf shoes other than spikeless shoes, are prohibited in the Pink Palace/MAC meeting facilities, Fitness Center, Creek Side Building Multipurpose Room or Creek Side Building bathrooms.

t. Feeding of alligators, turtles and other wildlife from the MAC pool deck is prohibited.

u. Fishing from the MAC swimming pool deck is prohibited.

v. All of the facilities included in this section require proper maintenance and are subject to closing. Use of a closed facility is prohibited.

w. Smoking including vaping (e-cigarettes) or use of chewing tobacco at any STMA pool area is prohibited.

x. Proper operation of the indoor SPA requires that the doors of the Spa shall remain closed at all times except to permit entry and exit. The windows to the Spa must remain open.

y. The propping open of any doors to any facility for any purpose other than maintenance is prohibited.

z. Pool Monitors are direct representatives of the STMA. Instructions from the Pool Monitors shall be obeyed. Failure to do so may result in removal from the facility and suspension of the Property Owner's Access Card privileges.

8. TENNIS/PICKLEBALL COURTS: The tennis/PickleBall courts are open from 6:30 AM - 10:00 PM. *Use of the courts requires at least one property owner in attendance.* The use of the courts shall be subject to the following rules and procedures:

a. Sea Trail Tennis Association (STTA), an organization sanctioned by STMA, is open to all property owners and establishes, sets aside, and publishes blocks of time on the tennis courts for group doubles play for the STTA on a regular basis. The established group times are posted in the information box near the entrance to the courts and are listed in the tennis calendar in the STMA Website. Any individual wishing to join an established group should contact the group Contact for the particular time as posted.

b. One tennis court has been lined for playing PickleBall as well as tennis. The use of that court is reserved for PickleBall play as posted in the information box at the court.

c. Other than through the STTA, individuals may not reserve the tennis courts.

d. At least two players must be present to occupy a court.

e. Court time shall be limited to one hour for singles play and two hours for doubles play if other players are waiting.

f. All players must be appropriately attired in garments and footwear suitable for the courts. Street shoes and black soled athletic shoes are prohibited. Shirts are required.

g. Good sportsmanship and proper tennis/PickleBall etiquette shall be observed at all times. Excessive noise, racquet throwing or profanity is prohibited. Players are expected to dispose of empty ball cans, tops and drink containers in the waste receptacle near the court.

h. Roller blades, skates, skateboards, bicycles or anything with wheels are prohibited on the court.

i. All courts are subject to closing without notice for maintenance, repairs or other reasons. Play on closed courts is prohibited.

STMA RULES

F. USE OF STMA COMMON FACILITIES: (continued)

8. TENNIS/PICKLEBALL COURTS: (continued)

j. Use of the tennis/PickleBall courts during a scheduled "Brick Laying Ceremony" conducted at the Chapel is prohibited.

k. Playing tennis or PickleBall during inclement weather is not recommended. No safety procedures or storm systems are being utilized to protect individuals from lightning strikes or other dangerous conditions. Players must be vigilant when the weather is changing.

l. Broken tie downs, nets, chairs or court surface should be reported to the STMA Administrator's office.

m. The court lights are controlled by a timer attached to the rear fence on the left of the entry. The lights take approximately 7 minutes to warm up and can be set from 30 to 120 minutes. If the courts are vacated prior to the expiration of the time set for operation of the lights, players shall return the timer to zero allowing the lights to shut down prior to the players departing the area.

n. Court Maintenance equipment consisting of, but not limited to squeegees, rollers, brooms and a blower and windscreen ties are stored outside the courts in a small building and are for use by members of the STTA or by others only under the supervision of a Tennis Association member. Any damage to the building should be reported to the STMA Administrator's office.

o. Equipment and ball machines purchased by individuals and stored in the MAC are private property exclusive to the owners and not available for general use.

p. Used tennis balls shall be discarded in the barrel marked "Used Balls" located just inside the gate.

q. All rules for the use of the tennis/PickleBall courts are subject to change at any time. Changes will be posted in a timely manner on the STMA website and in the information box at the court.

9. PICKLEBALL COURTS: One tennis court at the MAC has been lined for playing PickleBall. The use of that court is reserved for PickleBall play as posted in the information box at the court. The above procedures and rules for Tennis Courts (F. 8.) also apply to PickleBall.

10. PINK PALACE, MAC, CREEK SIDE BUILDING MULTIPURPOSE ROOM, SEA HORSE ROOM, AND SUNSET ROOM: Reservation of the Pink Palace meeting room, Sea Horse Room, Sunset Room, Creek Side Building Multipurpose Room and the MAC is limited exclusively to property owners, with all reservations to be made through the STMA website (www.seatrailma.com) The use of these facilities is limited to property owners and their invited guests. The property owner must be in attendance at the activity/function. Use of any of these facilities for the conduct of a business or to generate income is prohibited. A group of property owners planning to use the facility for a specific type of activity exclusively for property owners, may bring in an instructor who has a business established outside of Sea Trail; the instructor may be entitled to receive compensation from the individual property owners participating in the activity. Audiovisual, Public Announcement, and Remote Control drop down screen capabilities are available at the Pink Palace Main Room.

a. This paragraph amplifies the STMA Policy For Use of the Pink Palace Large (Main) Room. The large meeting room in the Pink Palace shall be made available upon request by the STMA Board members for quarterly building maintenance, emergency building repairs, meetings requested by the STMA Board, and by property owners for funerals and receptions for funerals, and STMGA, STLGA, and the Lady-Niners for meetings and events. If a small group is scheduled to use the room when such need arises, the event for the small group will be cancelled on that date. For the golf groups, notice will be given to the affected group as soon as golf rounds times are established by the Sea Trail Golf Club. Private affairs such as weddings, showers and parties are excluded from this policy and will not be required to cancel their event. The members of a group which has had its activity cancelled under this policy may use the reservation procedure established for the STMA website and reserve an available room. It is not the responsibility of the golf groups, other groups, or individuals to notify any group other than their own regarding cancellations.

STMA RULES

F. USE OF STMA COMMON FACILITIES: (continued)

10. PINK PALACE, MAC, CREEK SIDE BUILDING MULTIPURPOSE ROOM, SEA HORSE ROOM, AND SUNSET ROOM (continued)

b. Examples of activities for which the facilities included in this section may be reserved include, but are not limited to the following:

- STMA membership meetings;
- STMA Board of Director Meetings;
- STMA Committee meetings;
- Events sponsored or conducted by STMA Clubs and organizations, including guest speakers, provided the purpose of the event is not to generate an economic advantage for the speaker;
- Community events for residents of Sea Trail;
- Neighborhood events for residents of Sea Trail;
- Exercise classes restricted to Sea Trail property owners and their invited guests;
- Games and Card Playing restricted to Sea Trail property owners and their guests;
- Various Group Functions restricted to Sea Trail property owners and guests,
- Weddings, funerals, funeral receptions, and family celebrations for Sea Trail property owners or direct family members where a Sea Trail residential property owner is in attendance.

c. To assist property owners in choosing a facility for their event, the following room information is provided for STMA Common facilities requiring a reservation. The individual set up for the use of each room will determine the actual maximum capacity:

- Pink Palace - Main Room: Maximum Capacity 160 with full kitchen (range, oven, microwave, refrigerator, sink, garbage disposal, coffee maker); access to the ice machine; TV and DVD player, video, and sound system; 10 round tables with 60 chairs; 10 long tables and 2 card tables in the closet; about 50 additional chairs where the ice machine is located;
- Pink Palace - Sunset room – Maximum Capacity 36 with refrigerator, microwave, small coffee maker, sink, DVD player and TV. There are 6 round tables with 24 chairs;
- Pink Palace – Sea Horse room - Maximum Capacity 18 with poker table, 1 card table, TV and 10 chairs;
- Creek Side Building Multi-purpose Room, maximum Capacity 140; six tables and about 20 chairs in closet. Small kitchen with microwave and coffee machine;
- MAC - upstairs maximum Capacity 86 with full kitchen and ice machine. 11 tables and 44 chairs; also some folding chairs;
- Jody Hughes Library – limited use as a meeting room. Capacity 10-12 max.

d. Examples of activities for which these facilities may not be reserved include, but are not limited to, the following:

- Political Meetings/Fundraisers, Activist Group Meetings/Activities;
- Business meetings of any kind that involve the solicitation of business;
- Meetings of legally registered organizations not established under STMA, whether for profit or not for profit, unless such meetings receive prior approval from the STMA Board of Directors; and
- Seminars or meetings for the sole purpose of generating commercial opportunity for the participants in the seminar/meeting.

e. The STMA Board of Directors reserves the right to deny reservation rights to any property owner for any event it determines in its sole discretion to be an event not within the intent and purpose of the existence of these common facilities.

STMA RULES

f. The STMA Board of Directors reserves the right to permit a reservation for any event which is not specifically included in this section which it determines in its sole discretion to be in the best interests of STMA and the property owners.

F. USE OF STMA COMMON FACILITIES: (continued)

10. PINK PALACE, MAC, CREEK SIDE BUILDING MULTIPURPOSE ROOM, SEA HORSE ROOM, AND SUNSET ROOM: (continued)

g. Procedure for reserving any of the facilities under this section:

Property Owners must check the STMA website (www.seatrailma.com); select CALENDAR on the Menu Bar to access the Master Calendar.

To make certain that the room, date and time you would like to reserve is available, enter the month and year and select SUBMIT; the entire month's schedule of all facilities will be displayed in the center column. To narrow down the display, select a day in the Week you are interested in, or a specific Day you want to reserve, and select DAY or WEEK in the center column. Under FACILITIES, choose the facility you wish to reserve; the center column will be narrowed down to just that facility within the Day/Week specified. If the facility you wish to reserve is not available when you want it, select another facility and/or date/time until you find one. Once you find one, go to the right side of the page and select "Click Here To Reserve A Room". This will produce instructions and a Form to fill out to reserve the room. Within several days after you submit the request, you will receive an email from the Access Committee confirming or denying your request with amplifying instructions.

For additional assistance, send an email to calendar@seatrailma.com, or call (910) 575-7555.

- Property Owner, usually within a day or two, will then receive a confirmatory email from the Access Committee as to the location, date, time and rules for which they have reserved access to the facility;
- Prior to the event, the Property Owner reserving the facility shall meet with the STMA Administrator to review the facility, execute a check list of responsibilities in the use of the facility, and provide a \$200 deposit to insure proper use of the facility and for any damages which may result from its use. The deposit shall be held in escrow by the STMA Administrator;
- Prior to the event, the property owners(s) will receive an e-mail from the Access Committee advising of when and how to access the facility, prohibitions against propping doors open, and instructions for action to be taken on early termination of their event;
- Property Owner shall respond to the email from the Access Committee member confirming receipt of the notice and any inaccuracies or changes;
- Property Owner's access cards will be activated as indicated in the confirmatory email for the scheduled facility and times;
- If the event is terminated prior to the scheduled end time, the property owner(s) shall be required to notify the Access Committee 15 minutes prior to leaving the facility by telephoning at 910-575-8284 to enable locking of the facility;
- Notwithstanding the reservation system, the meeting and administrative needs of STMA and STMA sponsored events shall take precedence over and may preempt, with timely notification, any prior reservation. STMA reserves the right to limit and/or suspend group activities when requests for the meeting facilities increase and priorities must be established, *and*
- Following the event, a representative of STMA will inspect the facility to determine that the requirements of use have been complied with and record any damages. Upon satisfactory inspection, the deposit shall be returned to the Property Owner. In the event of failure to adhere to the conditions of use, the deposit shall be applied to fines pursuant to a published schedule and/or any costs to correct damage to the facility, in which such event, the Property Owner will receive written notice of such application of the deposit.

STMA RULES

F. USE OF STMA COMMON FACILITIES: (continued)

10. PINK PALACE, MAC, CREEK SIDE BUILDING MULTIPURPOSE ROOM, SEA HORSE ROOM, AND SUNSET ROOM: (continued)

h. When the reserved facility event is over, the facility should be returned to its original state, ready for the next event. The property owner(s) who reserved the facility are/is responsible to ensure this is done. Requirements for use of the reserved facilities as may be applicable are as follows:

- Vacuum the carpet, spot clean any spills on carpets, and sweep hardwood floors;
- Clean counter tops, tabletops and appliances;
- Clean and wash all pots, dishes and utensils utilized during the event;
- Turn off oven after use;
- Return furniture to its proper place; store extra tables and chairs in storage areas;
- Empty all trash and recycling containers, replace garbage bags in the receptacles, and dispose of trash and recyclables in the outside containers;
- Remove items brought to the facility and empty the refrigerator and beverage cooler of all contents;
- Turn off all lights and fans. Note: security lights will remain lit;
- Return the closet and restroom keys to the MARKED drawer;
- Close and lock all doors including the bathrooms;
- Audio and television equipment which has been used shall be turned off and all remotes and rechargeable batteries returned to the chargers;
- In the event any persons attending the scheduled event have accessed any pool area after 9:00 PM, close and secure all umbrellas, police and pick up all refuse in or around the pool area;
- As to the Pink Palace Meeting Room, close the door leading to the chair storage and ice machine area.

i. The cookout area may not be reserved for exclusive use. It is available on a first come, first served basis and is administered under a self-monitoring system. Cleaning of the grills is the sole responsibility of the user. Propane must be turned off at the source. After the grill has cooled and the grill surface cleaned, the grill top should be closed and the cover placed on the grill.

j. The reserving property owner must be present and is responsible for ensuring that the meeting facilities are left in satisfactory order. Any problems accomplishing this shall be reported to the STMA Facilities Committee immediately. If the facility is not clean and neat prior to an activity, the STMA Facilities Committee should be notified (910-575-7555).

k. Violation of or failure to adhere to any of the rules for use of the facilities; damage done to the facilities or their contents; or improper/incomplete clean up may result in compensation to STMA by the Property Owner for damages and/or a fine, de-activation of the Property Owner's access card, and/or denial of future use for the reserving property owner in accordance with STMA adopted collection policy.

11. LENDING LIBRARY AT THE MAC (JODY HUGHES) LIBRARY: The Library Committee consists of property owners and is responsible for maintenance of the contents of the Lending Library. The books have been donated and are alphabetized by author. Only CD's and tapes must be signed in and out in the register provided. An honor system is used. Donated books are accepted and should be left in the marked container in the library. The name and telephone number of the chairperson of the committee is listed in the STMA Directory.

a. Use of the Library is for property owners only; access is by property owner's magnetic access card. Library Hours are from 6:00 AM to 9:00 PM daily.

b. The Lending Library is a non-smoking area.

c. All lights shall be turned off by the last person leaving.

STMA RULES

STMA RULES

F. USE OF STMA COMMON FACILITIES: (continued)

12. CHAPEL ON THE GREEN: The purpose of the Chapel is to provide a quiet place for prayer and meditation. The use of the Chapel is primarily for property owners and their guests. Visitors to the Sea Trail development are also welcome to attend a function or utilize the Chapel in the presence of a Sea Trail property owner. The Chapel is open for general use from 7:00 AM to 5:00 PM daily. Property Owners may access the Chapel from 6-7 AM and 5-7 PM using their access card. The use of the Chapel shall be subject to the following rules, regulations, policies and procedures:

- a. The Chapel is not available for meetings or social functions.
- b. The Chapel may be reserved by submitting the Request A Room or Chapel on the Green Reservation Form. (Available on the STMA website, www.seatrailma.com.) The form should be submitted at least 30 days in advance of use. A representative of the Chapel Coordinator will notify the applicant as to whether the application form is approved or denied. Special needs must be discussed with the Chapel Coordinator prior to the event.
- c. No eating, drinking, or smoking is permitted inside the Chapel.
- d. The only animals permitted in the Chapel are working service animals
- e. Open flamed candles or other incendiaries are prohibited unless authorized by the Chapel Committee. Carpet and furnishings must be protected at all times.
- f. No rice, confetti, helium-filled balloons, live or artificial flower petals, or bird seed are to be used inside the Chapel or on the grounds near the Chapel. No ceremonial breaking of glass or any other activity that endangers the safety of others is permitted inside the Chapel or on the Chapel grounds.
- g. Furnishings may not be removed from the Chapel unless supervised by a Chapel Committee Member.
- h. Anyone using the Chapel shall conduct himself/herself in an orderly fashion and respect the privacy of others and the integrity of the facility. The Chapel is a place of reverence and grace; all in attendance must act respectfully.
- i. The Chapel seating capacity maximum is 25.
- j. The Chapel is wheelchair accessible.
- k. A speaker system and carillon are available with direction from a Chapel member.
- l. Doors are not to be left open.
- m. Users are responsible for immediately cleaning and restoring the Chapel to its pre-service condition, unless other arrangements have been approved by the Chapel Coordinator in writing.

13. BEACH PARKING LOT: The Beach Parking Lot is for the exclusive use of Sea Trail Property Owners and their guests.

- a. Passing a Property Owner's Access Card to another vehicle to permit entry of more than one vehicle on a card is prohibited.
- b. Vehicles shall be parked diagonally with the front or rear end of the vehicle along the bumpers along the south and north borders of the property. When the space along the south and north borders of the property are full, vehicles shall be parked in a center column across the lot from the west to the east allowing a lane of sufficient width for those vehicles parked on the south and north borders to be able to maneuver to exit the lot to First Avenue.
- c. Any violation of the STMA RULES resulting from the use of the Property Owner's Access Card may result in the privileges being suspended, deactivated, or forfeited, and the Property Owner may be subject to monetary penalties and card re-activation fees.

Change A 7/17/19

STMA RULES 05/15/19 Change B 4/20/20 Change C 08/05/21

STMA RULES

IV. STMA RULES ENFORCEMENT POLICIES AND PROCEDURES

A. **PURPOSE:** The following policies and procedures are established for the purpose of defining the process by which the STMA RULES shall be enforced. These have been approved by the Board of Directors in accordance with the SACMD.

B. **SCOPE:** These policies and procedures are applicable to all property owners, their tenants, tenant's guests, transients, invitees, and any guests of the property owner and shall be enforced in a consistent and impartial manner. Each property owner is responsible for the conduct of the owner's family members, tenants, tenant's guests, transients, invitees, and any guests of the property owner.

C. **PROCESS:**

1. **VIOLATION:** A violation is defined as an act in conflict with the SACMD or these STMA RULES.

2. **PROCESS:** Any alleged violation of the SACMD or these STMA RULES shall be processed in accordance with the procedures set forth in the next section.

D. **ENFORCEMENT PROCEDURES:**

1. **INFORMAL.** Unless an alleged violation needs immediate attention due to personal or property peril, all allegations of violations of these RULES shall be submitted in writing to the STMA Administrator on the Rule Violation Report available on the STMA website, www.seatrailma.com. The submission may be in person, by facsimile or by email.

2. **NOTIFICATION.** Depending upon the severity of the violation alleged, the report will be addressed either *informally* by courtesy telephone call, letter, or email from the STMA Administrator or an *informal* notice of violation from the RULES Committee or *formal* address by the RULES Committee. Compliance resulting from the courtesy process will cease any further violation action, except that a record shall be retained of the alleged violation.

3. **CHANGE TO FORMAL.** The RULES Committee or its chairperson shall determine the severity of the alleged violation. In the event the informal effort to address the allegations of the complaint is unsuccessful, or the violation is repetitive, or if the alleged violation is of a serious nature such as to substantially impact other property owners or the use of common facilities, formal proceedings on the complaint shall take place.

4. **FORMAL PROCEDURE:**

a. All RULES Violations Reports will be logged in by the STMA Administrator;

b. Upon receipt of an alleged violation determined to be of a serious nature such as to substantially impact other Property Owner's use of the premises, or failure of a property owner to correct the allegations informally, the RULES Committee shall issue a First Notification of Rule Violation letter identifying the following:

- (1) The date of the violation;
- (2) The rule which is alleged to have been violated; and
- (3) A demand to cure the violation.

For violations not involving the use of common facilities, or violations requiring immediate attention, delivery of the First Notification shall be made by email, if an email address is on file with STMA, regular and certified mail, return receipt requested. Notice shall be deemed complete upon confirmation of the sending of email, the posting in the United States Postal Service of the notice certified mail return receipt requested, and regular mail to the address currently listed in the records of STMA for the owner of the subject property or the card holder.

c. The property owner shall have ten days from the date of the First Notification of Rule Violation Letter to correct the alleged violation. Failure to cure the alleged violation within those ten days shall result in a Second Notification of Rule Violation sent in a similar fashion as the First Notification.

d. The Second Notification of Rule Violation shall include a summary of the STMA's hearing and appeal process, as set forth in these RULES.

STMA RULES

IV. STMA RULES ENFORCEMENT POLICIES AND PROCEDURES (continued)

D. ENFORCEMENT PROCEDURES: (continued)

4. FORMAL PROCEDURE: (continued)

e. If a property owner shall fail or refuse to perform his or her responsibilities of property/card ownership as stipulated in the SACMD and these RULES, STMA may, but is not required to, perform such responsibilities including removal of any vehicles or other property violations and assess all costs incurred by STMA against the Unit and the property owner in accordance with STMA adopted collection policies. STMA shall afford the property owner reasonable notice and an opportunity to cure the violation prior to entry on the property, except as such situation may be reasonably determined by STMA.

f. STMA in its sole discretion, by the affirmative vote of a majority of the members of the Board of Directors, and following fifteen days written notice to the property owner, may enter upon and make or cause to be made repairs to any improvements located on a property owner's/card holder's property, such as, but not limited to removal of trash, cutting of grass, maintaining mulched areas, pruning of shrubbery, weeding and items of erosion control and such maintenance on any improvements located on the property as the Board in its sole discretion deems necessary to maintain the proper condition of the premises and the neighborhood. The STMA Board may assess the property owner for compensation relating to such maintenance.

g. If multiple rules have been violated in a single incident, or if the condition persists more than ten days after the delivery date of the First Notification of Rule Violation Letter, each rule and each day shall be considered a separate violation.

5. FIRST NOTIFICATION OF RULE VIOLATION: Should the alleged violation not be cured within ten days following the delivery of the First Notification of RULES Violation, no fine shall be imposed on the property or the property owner or billed to the property's assessment account. A Second Notification of Rule Violation letter will be delivered to the property owner advising that the property owner may be subject to the imposition of fines the suspension of use privileges of the STMA common facilities, and deactivation of the Property Owner's access card(s).

6. SECOND NOTIFICATION OF RULE VIOLATION: Upon delivery of a Second Notification of Rule Violation letter and/or email, the property owner shall be given notice of a hearing date before the RULES Committee. The hearing notice shall be mailed or hand delivered at least five days before the hearing date. At the hearing, the property owner shall have an opportunity to present evidence to the RULES Committee as to why there has been no violation, or circumstances in mitigation of the violation.

7. FINES AND HEARING PROCESS: Property Owners shall be notified of a RULES Committee decision and the amount of the fine, if imposed, within fifteen days of that decision. The property owner shall be given five days after the notification to correct the violation. If, after five days, the violation is not corrected, the property owner shall be subject to a fine of up to \$100 per day for so long as the violation continues to exist without further hearings on the part of the RULES Committee.

8. HEARING TIMING: The property owner shall have fifteen days following delivery of the RULES Committee decision to request a hearing before the STMA Board of Directors.

9. FINE TIMING: Any fine imposed against a property owner shall be paid within thirty days. Failure to remit timely payment shall subject the fine to STMA's adopted collection policy.

10. SERIOUS AND PERSISTENT RULES VIOLATIONS: If a serious or persistent violation of the RULES occurs, the RULES Committee may take additional action by increasing a previously imposed fine at a rate of \$100.00 per day for each day the violation continues to exist, and/or deactivation of the property owner's access card(s). In the event of a deactivation of the Property Owner's access card(s) the property owner shall be required to pay a \$25 fee for re-activation, provided all violations have been abated.

STMA RULES

IV. STMA RULES ENFORCEMENT POLICIES AND PROCEDURES (continued)

D. ENFORCEMENT PROCEDURES: (continued)

11. CONSIDERATIONS IN ADMINISTERING THE VIOLATIONS PROCEDURE:

a. Safety Violations: For any violations that involve or may involve endangerment or safety of any person or property, STMA may immediately take any necessary and appropriate action.

b. Common Property Damage Violations: A property owner involved in or connected with any damage to the common areas or their contents shall be held responsible for reimbursement to STMA for the cost of repairs and/or replacement.

12. MEDIATION: North Carolina statutes have established a Voluntary Pre-litigation Mediation program for disputes between property owners and homeowners associations. Prior to filing a legal action involving a dispute under Chapter 47C of the General Statutes of North Carolina (North Carolina Planned Community Act) or the association's declaration, bylaws or RULES, either STMA, as a homeowners association, or a property owner who has received notice from STMA of a matter relating to real estate about which STMA and the property owner cannot agree (other than failure to timely pay a STMA assessment or any fines or fees associated with the leveling or collection of a STMA assessment) may contact the North Carolina Dispute Resolution Commission or the Mediation Network of North Carolina for the name of a mediator or community mediation center to mediate any dispute between STMA and a property owner. Either party may decline mediation.

**STMA RULES
INDEX**

SUBJECT	PAGE
A	
Adopt-A-Hole Program <i>discontinued</i>	7
Applicable Ordinances	8
Architectural Design Standards (ADS)	5, 10
Architectural Standards Committee (ASC)	5, 8
Automatic Electronic Defibrillators (AEDs)	18
B	
Banners	10
C	
Commercial Vehicles	6
Community Safety And Security	6
Conduct	8, 14, 17, 18, 23, 24, 27, 28
Copies Of Leases	5, 12
D	
Disturbance Of Nature	8
F	
Firearms	8
Fireworks	8
Flags	10, 11
Form – NOTICE OF PERMISSION TO USE PROPERTY OWNER'S ACCESS CARD(S)	13, 16
Form – PROPERTY OWNER'S NEW ACCESS CARD REQUEST FORM	14, 15
Form – RULE VIOLATION REPORT	12, 26
Form – TEMPORARY ACCESS CARD APPLICATION FORM	16
Form – TENANTS INFORMATION FORM	5, 12, 13
G	
Golf Course Use And Safety	7
P	
Pet Clean-Up	12
Pet Leash Ordinance	12
Pet Nuisance Resolution	12
Pets – General	12
Political Signs, Banners, Flags	10, 11
Property And Residence – Antennas & TV Dishes	10
Property And Residence – Beach Towels/Blankets	10
Property And Residence – Canopies	12
Property And Residence – Concealment	11
Property And Residence – Damaged And Rebuilt Improvements	10
Property And Residence – Detached Structures	8
Property And Residence – Easement Across Residential Property	7
Property And Residence – Exterior Amenities	11
Property And Residence – Exterior Lighting	10
Property And Residence – Flags, Flagpoles, Banners, Statuary, etc.	11

**STMA RULES
INDEX**

Property And Residence – For Sale Signs	6, 7, 10, 12
Property And Residence – Fuel Or Storage Tanks	11

P (continued)	
Property And Residence – Garbage, Trash And Recycling Disposal	11, 17, 24
Property And Residence – Home Office	8
Property And Residence – HVAC/Irrigation Equipment	11
Property And Residence – Irrigation Wells	11
Property And Residence – Landscaping	8, 9, 17
Property And Residence – Laundry	10
Property And Residence – Maintaining Right Of Way	6, 12
Property And Residence – Motor Vehicles	6
Property And Residence – Outdoor BBQ Or Fireplace	8
Property And Residence – Outside Burning	8
Property And Residence – Painting And Exterior Alterations	11
Property And Residence – Parking	6, 8
Property And Residence – Pet Breeding	12
Property And Residence – Pet Fencing	12
Property And Residence – Playground Equipment	11
Property and Residence – PODS –Temporary Storage	6
Property And Residence – Political Signs	10
Property And Residence – Property Maintenance	8 - 12
Property And Residence – Property Use	8
Property And Residence – Real Estate Resale Signs	10
Property And Residence – Rental Of Property; Tenants, Transients, Invitees, Guests	12, 13
Property And Residence – Rental Of Residences	12, 13
Property And Residence – Residential Property Use	8
Property And Residence – Signs	5, 7, 8, 10
Property And Residence – Single Family Detached Residences	12
Property And Residence – Sound Devices	10
Property And Residence – Storage, Parking, And Streets	6, 8
Property And Residence – Trash Receptacles	11
Property And Residence – Water Run-Off & Drainage	12
Property And Residence – Yard Waste Pick-Up And Disposal	9, 11
Property And Residence – Yard/Garage Sales	7
Property Owners	6, 8, 9, 11 - 18, 20 - 28

S	
Sea Trail Master Association, Inc. (STMA)	5, 6, 9
Sea Trail development	5
Second Amended Consolidated Master Declaration and Development Plan (SACMD) for Sea Trail	5
Signs	10
Solicitation	7, 8, 17, 22

**STMA RULES
INDEX**

STMA Administrator	5, 6, 7, 9, 10, 12, 13, 14, 21, 23, 26
STMA Common Facilities – Access Cards & Access	15, 23
STMA Common Facilities – Access Cards Lost or Stolen	15
STMA Common Facilities – Access: Temporary Cards	15, 16
STMA Common Facilities – Chapel On The Green	14, 25
S (continued)	
STMA Common Facilities – Chapel On The Green – Wedding or Memorial Service	15
STMA Common Facilities – Cookout Area & Grills	14, 17, 18, 24
STMA Common Facilities – Creek Side Building Indoor Spa/Hot Tub And Sauna	14 - 24
STMA Common Facilities – Creek Side Multipurpose Room	14 - 24
STMA Common Facilities – Fitness Center	14 - 20
STMA Common Facilities – Fitness Center-Departing Procedures	18
STMA Common Facilities – Fitness Center - Eating Prohibited	18
STMA Common Facilities – Fitness Center Attire	18
STMA Common Facilities – General Rules	17
STMA Common Facilities – General Use	14
STMA Common Facilities – Lending Library At The MAC (Jody Hughes Library)	14, 15, 16, 17, 22, 24
STMA Common Facilities – MAC Meeting Room	14, 16, 21, 22, 24
STMA Common Facilities – MAC Outdoor SPA/Hot Tub	14, 18, 19, 20
STMA Common Facilities – No Animals except Service Animals	12, 17, 25
STMA Common Facilities – PickleBall Courts	4, 20, 21
STMA Common Facilities – Pink Palace: Main, Sea Horse, & Sunset Rooms	14, 15, 16, 17, 22, 23, 24
STMA Common Facilities – Pools: Glass Prohibited	17, 19
STMA Common Facilities – Pools: Restrooms	19
STMA Common Facilities – Pools: Use of Video/Audio Equipment	19, 20, 22, 24
STMA Common Facilities – Pools: Use of Floats, Toys, etc.	19
STMA Common Facilities – Propping Doors Open Prohibited	17, 20, 23
STMA Common Facilities – Room Information	22
STMA Common Facilities – Smoking & Vaping Prohibited	17, 20, 24, 25
STMA Common Facilities – Swimming Pools	18, 19, 20
STMA Common Facilities – Tennis Courts	20
STMA Common Facilities – Tennis Court – Attire	20
STMA Common Facilities – Tennis Court – Lights	21
STMA Common Facilities – Tennis Court – Reservations	14, 20
STMA Common Facilities – Tennis Court – Sea Trail Tennis Association (STTA)	20
STMA Common Facilities – Use By Tenants, Guests, Transients, Invitees	5, 8, 12, 13
STMA Common Facilities – Video Surveillance	14
STMA Common Facilities – Automatic Electronic Defibrillators (AEDs)	17
STMA Common Facilities – Bulletin Boards	17
STMA Common Facilities – Returned To Original State	24, 25
STMA Common Facilities – Reservations	16, 21

**STMA RULES
INDEX**

STMA Member Contact Information	6, 9, 10, 12, 15, 20
STMA Members	
STMA RULES ENFORCEMENT POLICIES and PROCEDURES	26, 27, 28
STMA Rules Violation	26, 27, 28