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## Definitions:

Property owners are allowed to use the Limited Common areas adjacent to their units as regulated by the Rules of the POA.

**Limited Common Areas** (as listed in the Master Deeds) include:

Rear = the area from the back of the unit to and including the fence. If no fence exists, the boundary is the line established by neighboring fences.

Front = the area from the unit's front door to but not including the sidewalk

Side = the area at the end of each building not to exceed five feet out from the wall of the building.

Steps = in buildings where they exist, steps are considered part of the limited common area.

Fences around service areas = Where fences to screen service areas such as for LP gas tanks exist, they are considered part of the limited common area.

Paved areas = paved areas such as patios, regardless of the paving material

Storage Buildings = Storage buildings, storage chests or containers, if approved by the ARC, must be within the rear limited common area.

**Common Areas** = All other property belonging to Ventura Villas including but not limited to sidewalks, parking lots, landscaped areas, pool and club house, tennis court.

**Florida Room** = a space added between the rear firewalls, usually with windows or

## **Rules and Regulations**

### **Alterations**

- Alterations to any unit or limited common area must be submitted in writing to the Board through the Architectural Review Committee (ARC).
- The proposal shall include a general description of the work and a plan drawing.
- Proposed structural alterations must be constructed by a licensed general contractor. Electrical, HVAC, and plumbing work must also be performed by licensed tradesmen. A copy of the proposed contractor's license and a copy of his General Liability Insurance policy, with limits of at least \$500,000 should be included with the proposal.
- All such alterations must meet the requirements for permits from the Town of Mount Pleasant Building Standards Department. A copy of any permit shall be forwarded to the ARC via the property manager.
- The ARC will review the application and submit it to the Board with a recommendation for approval or disapproval within thirty days of the date received. The Board shall direct the Property Manager to notify the homeowner of its decision.

Alterations or new installations not approved by the VVPOA Board are subject to modification or removal at the property owner's expense.

### **Balconies**

- Proposals for a new balcony or repair of an existing balcony must be submitted to the Architectural Review Committee as described in the Alterations section.
- Railings should be either the board-on-board type described in the Fence section, or a spindle type of 2 x 2 pressure treated railings, posts, and handrail caps. These are available in 6-foot preassembled sections or as individual parts to be assembled to any length.
- Either type may be painted or stained to the requirements of the existing color scheme of Ventura Villas.
- Consult the property manager for specific color choices and pictures of acceptable railings systems.
- Balcony maintenance is the responsibility of the property owner.

### **Boats and Boat Trailers**

- Parking of boats, trailers, kayaks, canoes, or other watercraft is not permitted in the common areas except for the purpose of loading and unloading.
- Seventeen (17) long-term parking spaces are available in the area adjacent to the pool for a fee of \$50 per month. A limited number of spaces for trailers and commercial vehicles may be available for rent on a month-to-month basis. Contact the management company for information.

## **Condominium Fees**

- Each owner shall pay the stipulated regime fee by the **1st** of each month; fees are considered delinquent after the **15<sup>th</sup>** of the month.
- The Board will institute prompt and vigorous collection remedies for all overdue accounts at the property owner's expense.
- The monthly regime fee is based on the percentage of ownership as stipulated in the Master Deed for maintenance and care of the common elements. These fees pay for exterior building and grounds maintenance, insurance, pool and tennis court upkeep, management/administrative services, and all costs associated with the administration of the common property. The cost of maintaining rear fences, doors, windows, air conditioning units, Florida rooms, doors, screens and windows, balconies, patios are the responsibility of the property owner. Electric wire and water pipes from the meters inward are also the responsibility of the property owner.

## **Decks**

- For the purpose of these rules, a “deck” is defined as an exterior flat surface, similar to a floor, often elevated from the ground.
- Proposals for a new deck or repair of an existing deck must be submitted to the Architectural Review Committee as described in the Alterations section.
- Decks must not be attached to the condominium building.
- Decks must not extend outside the limited common area for the unit.
- Deck maintenance is the responsibility of the property owner.

## **Electronic Vehicle Charging**

- South Carolina is not a “right to charge” state.
- Charging wires and other apparatus may not be placed across common areas such as sidewalks and parking lots.
- Residents who are not in compliance will be immediately fined \$50 per occurrence.

## **Fences**

- Proposals for a new back fence or repair of an existing back fence must be submitted to the Architectural Review Committee as described in the Alterations section.
- Fences must be a vertical board on board style with the boards mounted on the outside. • Fences must be constructed of #2 grade or better pressure treated wood with a “ground contact rating”. The pressure treated lumber must be sun-cured in place for at least seven days prior to initial priming and painting.
- Posts must be 4 x 4 with a maximum spacing of 6’ on center and anchored in concrete 24” below grade.
- Horizontal 2” x 4” stringers (actual size 1 ½” x 3 ½”) top and bottom with 1” x 8” boards (actual size 1 ½” x 7 ½”) overlapping one another with 5” between boards (board on board assembly) and a 2 ½” overlap.
- Gates are to be constructed of an X style frame and faced to match the fence. Hinges are to be 6” galvanized strap type. Latches and screws are to be of galvanized material or better.

- Tops of fences (not including lattice additions to the top) are to be level and at a height of no more than 54" above ground. Due to the slope of the ground, the height of a given board will vary from 36-54". The total maximum height of a fence with a lattice addition is 6 feet. The height of new fencing proposed by a property owner must be approved by the Board on a case-by-case basis. The height of the gate must match the height of the fence.
- The bottom of the fence is to be at least 4" from the ground. Property owners may add woven galvanized wire mesh to the bottom of the fence to meet the ground.
- All fences must be painted in accordance with the 2022 palette. Paint code is available from the management company.
- Lattice may be added to either back or front fences at homeowner expense.
- New lattice additions should be pressure treated wood of a square design (of the type typically sold in 4' x 8' sheets at local home centers). Each sheet to be divided into 2' x 8' sections with the 2' high section added to the top of the existing fence.
- The lattice should be framed by a 1" X 4" pressure treated wood frame, with the entire assembly painted in the 2022 color (Rockweed). Painting and upkeep of the lattice addition is the responsibility of the homeowner.
- When replacing existing lattice, the square pattern is required.

#### **"Florida" rooms**

- "Florida" room maintenance is the responsibility of the property owner.

#### **Firewood/Fire Pits**

- Firewood is to be kept neatly stacked in the rear or at the side of the unit, a minimum of two feet away from fences and four feet away from any other structure.
- Do not stack firewood against trees.
- Outdoor commercial fire pits with covers may be used only in limited common areas.
- The fire pit shall not extend higher than the fencing.
- Property owners are responsible for any smoke damage or nuisance to neighbors.
- The burning of leaves, pine needles, household or yard waste is not allowed.
- Mount Pleasant Town Ordinances prohibit the open burning of any material without a permit from the Fire Marshal.

#### **Garbage/Trash/Recyclable Disposal**

- The container provided by the Town of Mount Pleasant is required for the disposal of garbage, defined as household generated wet or dry disposables.
- The container should display the unit number and property owners must comply with the rules provided by the Town of Mount Pleasant.
- Pick up is Tuesday morning. The container should be put out no earlier than Monday and retrieved by Tuesday evening.
- Garbage and Recycling containers must be stored behind fences or shrubbery and not visible from the common area.

- Paper landscape bags are required by the Town of Mount Pleasant for trash, defined as only dry disposables generated from the yard or household. Loose items must be bagged.
- Pick up is Tuesday morning. Trash should be put out no earlier than Monday.
- Discarded appliances and furniture are considered trash.
- Trash must be placed at the street curb—not on any grass or landscaped surface.
- The Town on Mount Pleasant provides a container for recyclable materials; owners must comply with the rules provided by the town.
- Recycling is picked up on the second and fourth Thursday of the month. Containers should be put out no earlier than Wednesday evening and retrieved by Thursday evening.
- **When holidays occur on the scheduled pickup days for garbage, trash or recycling the pickup will be the next working day.**

## HVAC

- Air conditioning and HVAC units must be located behind fences or shrubbery or otherwise not visible from the common areas.

## Insurance

- All property owners must have their own condominium/homeowner's insurance for the interiors, Florida rooms and contents of their units. Renters are encouraged to carry renter's insurance as well.

The VVPOA carries fire, flood, earthquake, and wind insurance on all buildings under an annually renewed master policy. A copy of the current master policy is on file at the management office. The insurance carried by the Association does not cover loss associated with the contents of any unit or any alterations or additions to the interior other than replacement of dry wall and carpets. No part of a Florida room is covered by the POA insurance.

## Landscaping by Property Owners

- No planting may be done in common areas without Board approval.
- Flowers and shrubs that will not grow taller than 6 feet may be planted in limited common areas. All others must have Board approval.
- Property owners are required to maintain such plantings in their limited common areas at a maximum height of 6 feet and no closer to a fence or building than 6 inches.
- Trees, bushes, and shrubs must not endanger any structure, water, electrical, or sewer line. Root or trunk growth must not encroach on or disrupt building foundations, fences, sidewalks, patios, or fire walls.
- Property owners must not permit vines to grow on firewalls or any other structure.
- **Call the utility companies before you dig.**

The BOA may authorize that any planting not conforming to these requirements be trimmed or removed at the property owner's expense. Any tree deemed by the Board to be a threat to a structure must be removed and the stump must be ground at the property owner's expense. If the tree is not removed and/or the stump not ground, the Board may contract to have the work done and the cost passed on to the

homeowner. The Board may exercise its discretion in ordering property owners to prune or remove any plantings that it believes detract from the appearance of the larger community.

#### Landscaping Request Procedure:

A written request should be submitted to the property manager identifying:

1. each removal or addition
2. the location in proximity to the building of each item
3. the name of each plant and its proposed location on a scale drawing of the area showing existing plantings and structures. Pictures may be helpful.

The property manager will refer the request to the Landscape Committee which will:

1. review the request for compliance with current rules and regulations.
2. visit the site.
3. contact the property owner if more information is needed.
4. if inside the limited common area of the unit, approve or deny the proposal and notify the Board and the property owner of its decision. If denied, the proposal may be resubmitted if modifications are made.
5. if in common areas, the Landscape committee will bring its recommendation to the Board for a vote. The property owner will be notified of the Board's decision.

#### **Landscaping by VVPOA**

The VVPOA maintains a contract with a professional landscape maintenance company. The company has the responsibility of lawn care, pruning, and trimming of bushes, shrubs, vines, and trees in the common areas during all seasons. The company's activities are supervised by property management and designated members of the BOA.

Routine work and/or special requests pertaining to landscape maintenance should be directed to the property manager who will contact the chairperson of the Landscape Committee to make a determination of responsibility and coordinate approved requests with authorized contractors. Owners/residents not wanting the limited common area in front and/or back maintained by the authorized contractor are required to notify the property manager. A red reflector should be placed in each such area by the property owner. All landscape maintenance in those areas then becomes the responsibility of the owner/resident.

#### **Name of Mortgage Holders**

- Each property owner is required to furnish the name, address, loan number, and phone number of their mortgage holder(s) to the property manager. If there is no mortgage holder, the homeowner must inform management of this fact.
- Management is required to provide mortgage holders with information on insurance coverage, liens on property, and any other information required by the lender.

## Outdoor Accessories

- No signs, decorations or ornamental items may be attached to the front/rear exterior of the unit or the fences.
- Only furniture designed for outdoor use is to be kept on balconies, decks, patios, and limited common areas.
- Grills, tables, chairs, etc. must be used and stored within rear fences or the fence line, **never** in common areas or on the golf course.  
Garden hoses, bicycles, toys, tools, storage bins, etc. should not be left in the common area when not in use. Such items should be kept within privacy fences or in the limited common areas at the rear of the unit.
- Outdoor laundry drying is prohibited.
- Residents shall maintain the exterior areas of their units in a neat and orderly manner. If such areas become unsightly, fines may be imposed; if not in compliance in 14 days, the POA may have the area cleaned at the owner's expense.

## Outdoor lighting

- Outdoor lighting may only be placed inside the unit's back fence line. The wiring may not extend into the common area.
- The lighting must not be attached to the building or firewall.
- Supporting poles or posts should be no larger than 2" x 2" x 10', should be firmly installed and painted to match the fence color.

## Paint

- All exterior paint must conform to the colors chosen for each element in the 2022 painting project and must be brushed or rolled on. Contact the property manager for color requirements.
- Entry doors must be painted to conform with the requirements of the 2022 painting project. Any other option must be approved by the VVPOA Board. Color samples are available from the property manager.
- Storm door color may be white, or exceptions must be submitted to the ARC for approval.

## Parking

- No stored vehicles, RV's, campers, trailers, golf carts or commercial vehicles are permitted to be parked overnight in the Ventura Villas parking areas.
- Parked vehicles must not block or obstruct driveways or sidewalks and must not be parked on the grass.
- The owner of the parked vehicle is responsible for the cleanup of any substance leaked onto the parking lot.
- Golf carts must be stored within the unit's limited common areas at the back of the unit.

Parking is permitted in designated areas for residents and guests only. One numbered parking space is assigned to each unit; unnumbered spaces are not reserved and can be used by any homeowner, tenant or guest. Parked vehicles must be licensed, operable and in current use.

### **Patios**

- Proposals for a new patio or repair of an existing patio must be submitted to the Architectural Review Committee as described in the Alterations section.
- Patios must be within the limited common area of the unit.
- Patio maintenance is the responsibility of the property owner.

### **Pets**

- All pet defecations must be removed promptly and disposed of by the pet owner or keeper. Pet defecation must be sealed in a plastic bag and placed in a trash container.
- Pets must not be tied, chained or left unattended on balconies, decks, patios, inside fences, or buildings, or common areas.
- Dog runs of any form are not allowed.

**General Regulations of the Town of Mount Pleasant require that a pet must be under control of its owner or keeper by means of a leash at all times and must never be a nuisance to neighbors or other residents. Violations may result in fines from the Town and/or the VVPOA.**

### **PODs/temporary storage**

- Charleston County allows portable storage units (PODs) for up to 15 consecutive days, beyond that time a temporary zoning permit is required.
- The POD should be placed on the unit's numbered parking space only.
- Questions about PODs should be referred to the management company.

### **Pool**

**SWIM AT YOUR OWN RISK—the Ventura Villas Property Owners Association and its representatives do not assume any responsibility or liability for loss, injury, accident, or death.**

- Only residents are allowed to use the access FOB. Do not open the gate to non-residents.
- Children under the age of 15 and all guests must be accompanied by an adult resident whose assessment is current. Children under the age of 8 must be accompanied by an adult to the restrooms.
- The Department of Health and Environmental Control (DHEC) requires the safety line (rope across the pool) to be in place when the pool is open. The DHEC will assess a fine to any person violating this requirement.
- Swimmers must use the shower before entering the pool.
- Swimming is prohibited by anyone with infectious skin diseases such as chicken pox or measles, and persons with open wounds, or skin rashes.
- Proper swimwear is required for both adults and children. No street clothes may be worn in the pool. Swim diapers are required for infants and small children. Diapers are not to be deposited in the facility waste cans but must be removed from the site when leaving.
- No running or rough housing in the pool or clubhouse areas.
- No diving.



- Children must be supervised by a parent or accompanying adult. Residents are responsible for damage caused by their children.
- No glass containers of any kind are allowed in the pool area.
- No smoking, vaping, or E-cigarettes are to be used in the pool area.
- No illegal activities or activities prohibited within the community are allowed in the pool area. DHEC fines will be assessed to the violating party.
- Pets are not allowed within the fenced area surrounding the pool.

Wheeled vehicles, with the exception of wheelchairs and baby strollers, are not permitted in the fenced pool area and must be parked outside the fence without blocking the gate or walkway.

Roller skates, roller blades, and skateboards are not allowed in the pool area.

#### General Information:

**Pool Hours:** Seven days a week, 10:00 a.m. to 8:00 p.m. or sunset, (whichever occurs first).

Enter the pool using the assigned FOB, through the gate only. Do not slam the gate as this damages the lock. Do not swing on the gate or climb the gate or fence. Do not loan the FOB to anyone.

The pool is provided for the enjoyment of residents and their accompanied guests. All assessments must be paid in full in order to have access to the pool. Pool use may be denied until VVPOA dues have been paid. Guests should be limited to four non-residents for each household.

The pool area is to be a reasonably peaceful and relaxing environment for the enjoyment of all residents. Radios/music should not disturb other pool guests or residents in close proximity to the pool complex. Music with obscene or vulgar language should not be played and residents or guests asked to turn down their music should do so.

Pool toys and rafts should be used with consideration for others.

Please clean up after yourself, your children and guests. Close umbrellas after use. All trash must be placed in the trash receptacles provided.

**Pool Closure/Unsanitary/Unsafe conditions:** Signs will be posted notifying residents of any pool closing. These closings MUST be obeyed. Unsanitary conditions require immediate closing of the pool. Please immediately call to report an incident such as vomit or defecation. The pool will remain closed until DHEC certifies it is safe.

Any property damage due to the fault of or negligence of a resident, resident's family or guest must be repaired at the resident's expense. Any damage to the facility should be reported to the property manager.

**Ventura Villas Property Owners Association may revoke the use privileges of any property owner(s) or tenant for a specified period of time for noncompliance with any published rule for the use of the common area facilities, whether due to negligent, deliberate or willful act or behavior. All penalties will be determined by the VVPOA for these acts or behaviors or for any act of**

**vandalism. The sponsoring property owner shall be responsible for the actions of his family or guest and may lose his privileges or be asked to compensate for any damages.**

### **Pool House**

The Pool House (Club House) is available for rental to property owners for private events. Contact the Property Manager for information.

### **Propane tanks**

- Propane tanks must be located behind fences or shrubbery or otherwise not visible from the common areas.
- Tanks must not interfere with building maintenance and must be serviceable from the road or parking lot.

### **Renting/Sale of a unit**

- All units shall be utilized for residential purposes only.
- Weekend rentals, vacation rentals, timesharing and/or subleasing are not allowed. Shortterm rentals of less than 30 days are not permitted.
- Property owners must inform the management in writing of the name, telephone number and email address of the person(s) leasing the unit.
- The property owner must provide a copy of the Rules and Regulations to the tenant and it is the property owner's responsibility to require the tenants' adherence to all rules and regulations.  
**Fines are assessed against the owner of the property.**
- "For Rent" and "For Sale" signs are permitted only inside the front and rear window of the unit. Signs must not be attached to any exterior part of the building or anywhere outside the unit.
- A limit of three "Open House" signs is permitted on the day of the open house. Such signs must be in good taste, must not interfere with the use of any common area, and must be removed at the end of the open house period.

### **Satellite Receivers and Electronic Devices**

- Installation plans for all electronic devices such as, but not limited to, satellite receivers, security devices, and cameras must be submitted to the Architectural Review Committee (ARC) for approval. If such plans are not approved or the installation is altered from those approved, the device may be removed at the property owner's expense. Repair for any damage resulting from such installation will be at the property owner's expense.
- Satellite dishes and electronic devices must be mounted in such a way as to be as inconspicuous as possible.
- They must not be attached to any common feature such as trees, light posts, street signs or mailboxes.
- No holes are allowed to be drilled through roofs, siding, or firewalls.
- Wiring must be mounted along edges and never hanging down walls or over decks or buildings.

### **Soliciting**

- No solicitation of any kind is allowed within the Ventura Villas property.

### **Speed Limits**

The speed limit in Ventura Villas is 25 mph. Speed limits are enforced by the Mount Pleasant Police Department.

### **Tennis Court**

- Use of the tennis court is limited to residents of Ventura Villas. Guests must be accompanied by a resident.
- The tennis court is to be used for tennis and pickle ball play only.
- No pets, skateboards, bicycles, roller skates, or roller blades are permitted inside the fence.
- The gate is to be locked when the court is not in use. The gate combination can be provided by the management.

### **Windows and Screens**

- Windows and screens are the responsibility of the property owner.
- All screens must be kept in an acceptable state of repair to serve the purpose for which they were originally installed.

## **Penalties for Rule violations**

The Board has no desire to penalize owners, it seeks only to achieve voluntary compliance with the rules and regulations, however, the BOA gives high priority to enforcement of the Ventura Villas Rules and Regulations as outlined in these pages. The fines that will be assessed against owners for violations were established by vote of the Board on March 9, 2009.

1. A fine of \$50 may be assessed for any violation of the Rules and Regulations. When a violation is reported the property owner will be sent a letter by the property management company advising of the violation and the required corrective action. The property owner will have 14 days to correct the violation. Fines will not be levied if corrections are made during the 14-day period. Otherwise, the \$50 penalty will apply and a second notice with 14 days to comply will be sent. If not in compliance after the second notice, daily fines of \$50 will be in effect.
2. A property owner who has received two previous violation notices for the same rule violation will be subject to an immediate fine upon the third violation of that rule and, with BOA approval, \$50 per day until the condition is corrected.
3. Due to the nature of the following violations, an immediate \$50 fine may result without the 14-day waiting period.
  - Dumping household or landscaping trash at curbside on any day other than as stated in the rules and regulations.
  - Not picking up and disposing of feces left by one's pet • Pets roaming free or not on a leash.

- Not removing garbage and recycling bins from the curb as stated in the rules.
  - Parking any vehicle on common areas such as curbing, grass areas, or driving over curbs, sidewalks, and other common areas
  - Charging an electric vehicle in violation of the stated rule.
4. If an assessed fine is not paid within 30 days, the fine may be doubled, and legal collection measures started. The Ventura Villas By-laws provide that the Board shall have the authority to levy and collect fines for late payment of regime fees, for violations of rules and regulations established by it and for noncompliance with the By-laws or the Master Deeds. If legal action becomes necessary to collect such fines, the owner so fined shall be required to pay all costs, including attorney fees, incurred by the Board in collecting the amount due. The By-laws are a legally recorded addendum to the property owner's deed.

All residents are encouraged to report violations to the property manager promptly so that remedial action can be taken. Once a violation is reported to management, the action taken will remain confidential between the violating property owner, the management, and the Board.

### Legal References

Condominium living is unique because it is governed by South Carolina State Law. The following paragraphs are from Chapter 31 of the South Carolina Property Act of 1967: 27-31-150: "The administration of the property constituted into horizontal property, whether incorporated or unincorporated, shall be governed by by-laws which shall be inserted in or appended to and recorded with the master deed or lease." 27-31-170;

"Each co-owner shall comply strictly with the by-laws and with the administrative rules and regulations adopted pursuant thereto, as either of the same may be lawfully amended from time to time, and with the covenants and restrictions set forth in the master deed or lease to his apartment. Failure to comply with any of the same shall be grounds for a civil action to recover sums due for damages or injunctive relief, or both, maintainable by the administrator or the Board of Administration specified in the by-laws, on behalf of the council of co-owners, or in a proper case, by an acquired co-owner."

In the matter of compliance with condominium regulations, the responsibility and liability of the property owner is clear. When a rule is violated by a guest or tenant, the applicable penalty will be assessed against the owner of the unit such fine becomes an assessment to the unit and the collection of the assessment is governed by the master deed and by-laws.

To assure that the enforcement of each violation will be handled fairly and impartially, the Board as established a procedure for exercising the right of appeal:

1. A fine assessed against a property owner may be appealed in person at the first meeting of the Board following notification of the fine. The property owner must notify the property manager of his intent to appeal.
2. If the property owner is not a resident, the assessment may be appealed in writing within 30 days of the date of the notification letter.

