



2024

MCOA Rules & Regulations

Moss Creek Owners Association, Inc.

1523 Fording Island Road, Hilton Head Island, SC 29926

MOSS CREEK OWNERS ASSOCIATION, INC.
2024 RULES & REGULATIONS
Approved October 24, 2023 amended February 22, 2024

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October 24, 2023 amended February 22, 2024

Definitions

In addition to the definitions contained in the Moss Creek Covenants, which are incorporated herein by reference, the following terms shall have the meanings associated with each of them:

Annual Activity Fee shall mean and refer to the annual amenity plan offered to the Moss Creek Membership. Those Members paying the Annual Activity Fee shall have unlimited access to golf and racquet sports, access to boat slips at a reduced price, boat ramp, one dry storage space in Lot A or Lot B (only if a Member does not have a boat slip), (marina related items based on availability). An additional fee is required for boat slips based on the slip size, and an additional fee is required for kayak storage. If a Member has a wet slip, dry storage is an additional charge. The golf cart fee is an additional charge; daily fee and annual plans are offered. The Activity Fee is per household and includes the Member, Spouse/Partner, and dependent children living in the home under the age of 25. The Activity Fee is nonrefundable, and expires with the sale of property. It is not transferable.

Association shall mean and refer to the Moss Creek Owners Association, Inc. (MCOA), a not-for-profit corporation organized and existing under the laws of the State of South Carolina.

Board shall mean and refer to the Board of Directors of the Moss Creek Owners Association, Inc.

Boat Docking Facility shall mean and refer to the associated docks, permanent and temporary boat and yacht slips, boat trailer parking, launching ramps, and boat storage areas.

Bylaws shall mean and refer to the bylaws of the Moss Creek Owners Association, Inc.

Certificate shall mean and refer to a Membership Certificate that has been duly issued entitling the holder to full use of the facilities located within Moss Creek other than those with specific exclusions.

Clubhouse shall mean and refer to the building located at 100 Devil's Elbow Lane which contains the restaurant, Golf Shop and Community rooms.

Common Property or **Common Properties** shall mean and refer to those tracts of land and any improvements thereon which are owned and so designated by the Association or are deeded or leased to the Association and designated in the deed or lease as **Common Properties** or **Common Property**. The term **Common Properties** or **Common Property** shall also include any personal property acquired by the Association if said property is designated by the Association as **Common Property**. All Common Properties are to be devoted to, and intended for, the common use and enjoyment of: (a) Members of the Association, and their family members, Guests and Tenants; (b) Owners; and (c) the general public, but only to the extent permitted by the Board of Directors of the Association. Use of the Common Properties is subject to any fee schedules and operating rules and regulations adopted by the Association. All areas designated as Open Space on recorded plats are deemed to be **Common Properties**.

Community Crabbing Docks shall mean and refer to the docks located on Cedar Island and the Peninsula.

Confidential Information shall mean any personal health, medical, employment or financial information deemed confidential pursuant to any federal, state, or local law; all information subject to a judicially established confidentiality privilege; any proprietary business records as established by the owners of, or agreed by the parties to, such records, and any other information that the Board shall determine should be held privileged and confidential in the best interest of the MCOA membership and as adopted in these Rules & Regulations. This definition shall not include any information that is or later becomes publicly available. The unauthorized disclosure of confidential information shall constitute a conduct violation as set forth in the MCOA Rules & Regulations.

Declaration of Covenants and Restrictions shall mean and refer to the Moss Creek Covenants.

Domestic Help shall mean and refer to individuals that are self-employed and working for and in the residence of a Member, providing general housework and errand services.

Fitness Center shall mean and refer to the building located at Bostwick Point which contains exercise rooms, storage areas, and equipment room for the pool/fitness facility.

Full Time Legal Resident shall mean and refer to a Member who is a legal resident of South Carolina and resides in Moss Creek six months or more throughout a given year.

Guest shall mean and refer to a person who is either a Guest of a Member, or a Guest of MCOA. A Guest may be classified in one of the following categories:

- **Local Guest** - a Guest who maintains a residence, whether temporary or permanent, within a fifty-mile radius of Moss Creek.
- **Non-resident Guest** - a Guest who does not maintain a residence, whether temporary or permanent, within a fifty-mile radius of Moss Creek.
- **Rental Guest** - persons, other than Members, occupying rental property within Moss Creek. Such Guests may use the facilities of Moss Creek upon application by the owners of such rental property and payment of the fees established for such use from time to time, but not during designated "Members' time." Short term renter is defined as someone renting for less than one month.
- **House Guest** - a Guest visiting temporarily and staying in the home of a Member.
- **Unaccompanied Guest** - a person who has been authorized entrance into Moss Creek by a Member, Rental Guest, or MCOA for the purpose of utilizing the amenity facilities or visiting a Member's home or MCOA business facility.
- **Employee, Contractor, Vendor** - All other persons authorized entrance into Moss Creek by a Member, Rental Guest, or MCOA for the purpose of commercial activity, employment, construction or delivery of goods.

Juniors shall mean and refer to resident children of Certificate Holders who are minors under the age of 18 or students under 25 years of age.

Leisure Trails shall mean and refer to the paved paths throughout the Community (often referred to as 'Bike Paths') used for the enjoyment and safety of the Moss Creek Members, Renters, and their Guests. Leisure trails are regularly used by walkers, joggers, bicyclists, roller-bladers, unlicensed maintenance equipment and golf carts.

Member shall mean and refer to a person who owns property within Moss Creek and has been designated as the individual to be issued the Membership Certificate and is known as the Certificate Holder. The Certificate Holder's spouse is automatically a Member, and their family members under the age of twenty-five (25) who reside with the Certificate Holder, or are away at school, or in the military have the same rights of access to the Common Properties, Restricted Common Properties, and Membership Common Properties as do Members. In the event that the Certificate Holder is not married, the Certificate Holder may designate, as a Member, one (1) adult individual of legal age who resides with the Certificate Holder to have such rights of access, and such individual's family members under the age of twenty-five (25) residing with them shall also have all such access rights. In the event the Spouse of a Certificate Holder is incapacitated and permanently residing other than with the Certificate Holder, the Certificate Holder shall be deemed to be not married for purposes of Article III of the Moss Creek Covenants such that said Certificate Holder may designate as a Member, one (1) adult individual of legal age who resides with the Certificate Holder to have the same rights of access to the Common Properties, Restricted Common Properties, and Membership Common Properties as do Members. A Special Member is also required to abide by these Rules & Regulations.

Marsh front Properties shall mean and refer to any lot in Moss Creek fronting on any salt marshland. Please refer to the Moss Creek Covenants, Article XI and the ARB Guidelines for maintenance and construction information for marsh front lots.

Moss Creek Function shall mean and refer to an event or function sponsored by MCOA, a sanctioned MCOA organization, or a Member, that is open to all Moss Creek Members.

Motor-Driven Cycle shall be interpreted to include "motorcycle", "moped", "motorcycle three-wheel vehicle", and "autocycle" but excludes "electric-assist bicycles" and "bicycles with helper motors", which are defined under S.C. Code Section 56-1-10 (29) as low-speed electrically assisted bicycles with two or three wheels, each having fully operable pedals and an electric motor of no more than 750 watts, or one horsepower, and a top motor-powered speed of less than twenty miles an hour when operated by a rider weighing one hundred seventy pounds on a paved level surface, that meets the requirements of the Federal Consumer Product Code provided in 16 C.F.R., Part 1512, and that operate in a manner such that the electric motor disengages or ceases to function when their brakes are applied or the rider stops pedaling; and that has a label that is affixed permanently, in a prominent location, to each electric-assist bicycle, indicating its wattage and maximum electrically assisted speed. In addition, Moss Creek also prohibits motor scooters, motorized skateboards, segways or any similar vehicle.

Natural Waterside shall mean and refer to the area of common property that sits between many residential property lines and the water's edge of a lagoon and, to the area between a 'Survey Control Line' (see Article XII, Section 1, Covenants) and the water's edge of a lagoon.

Non-Certificate Holder shall mean and refer to a joint owner of property, other than a spouse, to whom a certificate was not issued because of the rule of only one Certificate per property.

Non-Resident Member shall mean and refer to a Member who owns property at Moss Creek, but does not live at Moss Creek for at least six months of the year.

Pools shall mean and refer to all pools either on Common Property or Restricted Common Property.

Recreational Areas shall mean and refer to Common Property within Moss Creek commonly referred to as recreational areas: Fording Island and Blue Heron Sanctuary (nature preserves), Community Crabbing Docks, Equestrian Center (located at the entrance to Moss Creek) and Bostwick Point (Bostwick Pavilion, children's play area, Fitness Center and pools).

Recreational Vehicle shall mean and refer to any trailer (other than a boat trailer), camper, utility trailer, self-contained motor home, trailered mobile home or any other vehicle equipped with facilities for sleeping and cooking. For purpose of these Rules & Regulations, a Recreational Vehicle does not include passenger vans with a 3/4-ton chassis or less, or vans with a wheelbase of 110 inches or less.

Restricted Common Properties shall mean and refer to those tracts of land and any improvements thereon which are owned and so designated by the Association, or are designated in a deed or lease as **Restricted Common Properties** or **Restricted Common Property**. All areas which are designated as **Limited Open Space Areas** on recorded plats are deemed to be **Restricted Common Properties**, use of which is limited to Owners of property which is contiguous with and adjacent to such Limited Open Space Area. Properties which become **Restricted Common Properties** shall be for the use and benefit of less than all of the Members of the Association and their Guests. In accordance with agreements entered into with the Association, the swimming pool areas of Stable Gate and of Royal Pointe are **Restricted Common Properties**, with the use of such amenity areas being limited to Owners and Members of properties within such developments, and their tenants and Guests.

Roadways shall mean and refer to those paved and unpaved roads within Moss Creek intended for use by motor vehicles (as defined in §56-5-130 of the Code of Laws of South Carolina of 1976, as amended, or superseded), and shall not include golf cart paths, or leisure trails.

Security shall mean and refer to the Moss Creek Security Staff.

Senior Member shall mean and refer to individuals who were formerly Moss Creek Members and have met certain requirements established by the Board, as outlined in Policy Statement 03-12. Senior Members are given the privilege of using the Moss Creek amenities on a fee basis and may use the Moss Creek Clubhouse facilities.

Special Member shall mean and refer to a person who does not own property in Moss Creek and has certain rights and obligations pursuant to Article VI, Section 3 of the Moss Creek Covenants and Policy Statement 03-12.

Sponsor shall mean and refer to a Member of MCOA who invites a Guest to use the facilities of Moss Creek, or sends an employee, workman, or contractor into Moss Creek to perform tasks.

Vehicle shall mean and refer to every conveyance which any person or property is or may be transported as defined in §56-5-120 of the Code of Laws of South Carolina of 1976, as amended or superseded

General Information

MCOA Corporate Information

Moss Creek Owners Association, Inc. is a corporation organized and existing under the laws of the State of South Carolina. MCOA was established June 20, 1974. A Master Deed was filed with a set of Covenants and Restrictions that has been amended over the years, with the latest amendment approved October 26, 2021. As stated in the **Moss Creek Covenants, Article VI, Functions of the Association, Section 8, Rules & Regulations**, "In carrying out the functions and exercising the powers and authority of these covenants the Board of Directors shall establish Rules and Regulations which will implement and fulfill all of the purposes and intent of these covenants. In addition to the powers granted to the Board of Directors elsewhere in these Covenants, the Board of Directors is authorized to establish Rules and Regulations governing access to and use of all property in Moss Creek, including but not limited to all matters pertaining to roadways, vehicles, piers, docks, ponds, lagoons, marshes, buildings owned by the Association, and all recreation and service facilities."

Anti-Discrimination Policy

Moss Creek Owners' Association, Inc. (MCOA) does not tolerate any derogatory activity, gesture, inference or any discrimination regarding race, color, creed, ethnic or national origin, gender, sexual orientation, familial status, disability and religion. MCOA's desire is to promote a harmonious living environment that lends to, and leads to, a sense of Community fellowship and a high quality of life for all of its Members, Guests and employees. MCOA is committed to using all appropriate means to actively enforce this policy.

Administration Building

The Administration Building is owned by MCOA and located on the 1.989-acre parcel of land in the Moss Creek pecan grove at the intersection of Fording Island Road and Moss Creek Drive.

This building serves as the principal offices of the Moss Creek Owners Association, Inc., and leased real estate office space. The Administration Building is designated as a '**non-smoking**' building. Electronic cigarettes follow the same restrictions.

Membership Privileges

Membership privileges are extended to all Members. If the Member is an unmarried person, the Member may designate one adult individual of legal age who resides with the Member on a full-time basis to have such rights of access to the Common Properties, Restricted Common Properties, and Membership Common Properties as do Members. Please refer to **Member** under *Definitions* for the rights of children and family members living with the Member.

Guests, Renters, Contracted Vendors Access to Moss Creek - Owner's Responsibilities

Each Member shall be responsible for the conduct of their Guest and for the Guest's compliance with the Rules and Regulations. The Member shall be liable for indebtedness incurred and property damage or personal injury caused by the Guest. The Member must notify Security in advance of the Guest's arrival, otherwise the Guest is not admitted into Moss Creek. Upon entry into Moss Creek, a Guest receives an appropriate visitor's pass from Security which shall be displayed on the dash of the Guest's vehicles at all times during their stay at Moss Creek.

A Member must make all necessary arrangements for a Guest's use of fee charging facilities at the relevant locations, or by making appropriate arrangements with the General Manager, Director of Golf, Clubhouse Manager, Director of Racquet Sports, or Fitness Director as appropriate.

All Guests must register prior to using amenity facilities. Guest fees shall be established from time-to-time by the Board of Directors. Fee Schedules are established for each activity in the following categories:

- Accompanied Guests
- Unaccompanied Guests
- Non-Certificate Holder
- Renters of residential facilities located in Moss Creek (Rental Guest)
- Guests of Moss Creek Owners Association, Inc. or real estate guests approved through Administration
- Juniors

Water Oak Utility

Water Oak Utility is a department of MCOA which provides water and sewer services to Moss Creek. The same provisions provided MCOA by the Covenants for collection of delinquencies have been adopted by WOU (please refer to Page 48, Attachment A). All inquiries and problems are handled by WOU which maintains its office in the Moss Creek Administrative Offices. The mailing address for WOU is 1523 Fording Island Road, Hilton Head Island, South Carolina 29926-1173.

Collection Policy

As stated in the **Moss Creek Covenants, Article V, Covenants for Assessments and Other Charges, Section 9, Effect of Non-Payment of Assessment: The Personal Obligation of the Owner; the Lien; Remedies of Association**, if the assessment or other charges shall become delinquent, the Covenants grant the Association the right to place a lien against the Member(s) and the lien shall remain his/her personal obligation. If the lien is not paid within 30 days, the Association may bring an action to foreclose the lien of such assessments and other charges.

Moss Creek Owners Association, Inc. adopted a Collection Policy governing the collection of unpaid assessments, amenity fees, and other monies owing to MCOA. A copy of this policy is made a part of these Rules and Regulations, Page 47, Attachment A.

Address and Telephone Listings

Moss Creek is neither on Hilton Head Island, nor in Bluffton Township. Member mailing addresses should include: Name, Street Address, Hilton Head Island, South Carolina 29926.

Correspondence sent to the Administrative Offices should be mailed to the following address: 1523 Fording Island Road, Hilton Head Island, South Carolina 29926-1173.

Moss Creek residents are listed together with the Hilton Head/Bluffton communities in the Hargray telephone book. The Moss Creek telephone exchanges are "837" or "836" and the area code is "843."

Each Member shall be responsible for filing with Administration in writing, preferably on the form provided, his or her mailing address and any changes thereto, to which the Member wishes all notices and invoices be sent.

The MCOA Member's Directory, located on the Moss Creek website, is to be held inviolate and may under no circumstances be used for any act of commercialism, Member solicitation or political advertisements.

Recreational Facilities

The recreational facilities provided at Moss Creek for the enjoyment of its Members and their Guests include the Clubhouse, Bostwick Pavilion, Pools, Fitness Center, Boating facilities, Golf, and Racquet Sports. No outside catering is permitted at any Moss Creek amenity or on any MCOA property. Please refer to the referenced sections for specific rules and regulations for each facility;

- Dog Park - see Page 9
- Clubhouse - see Page 17
- Bostwick Pavilion - see Page 21
- Pools - see Page 23
- Kayaks - see Page 26
- Fitness Center - see Page 27
- Boat Slips & Docks - see Page 28
- Golf - see Page 34
- Racquet Sports - see Page 39
- Renters - see Page 42

Recreational Areas

Recreational areas (also known as Common Property) are areas for use and enjoyment by the Members and their Guests. The areas commonly known as Recreational Areas are:

- Fording Island and Blue Heron Sanctuary - These two areas are designated as Nature Preserves and are maintained to enhance the wildlife habitat, nature-related education and recreation, and outdoor vistas these areas provide.
- Equestrian Center - The horse barn and fenced paddocks are owned by MCOA, but are managed by an outside contractor. Anyone wishing information on stabling a horse or riding lessons should contact the manager directly at the Equestrian Center at (843)816-4209
- Children's Play Area - The area referred to is the playground at Bostwick Point next to the Pavilion.
- Fitness Center / Pools – The Fitness Center and pools are located at Bostwick Point.
- Crabbing Docks – Two Community docks are available in Moss Creek; one on Cedar Island and one on Peninsula.
- Bostwick Point Park and Dog Park – The Park and Dog Park are located at Bostwick Point. Bocce Courts and Horseshoe Pits are also located in the park.

Dress Code

Reasonable dress on all MCOA grounds is required at all times and applies to Members, Renters, children and their Guests. The criteria provided in this section of these rules dealing with the Clubhouse, Golf and Racquet are furnished as a minimum guide. Please refer to the individual sections for the Clubhouse, Fitness, Golf and Racquet for more detailed information.

Copies of the dress code are available at the Clubhouse, Golf Shop and Racquet Center, and the Moss Creek Member website.

Violators of the dress code may be asked to leave these areas. To prevent embarrassment, sponsors are required to advise their Guests of the dress code.

- Clubhouse - Appropriate attire is required in the Clubhouse at all times (see Page 17).
- Golf - Appropriate golfing attire shall be worn at all times on the golf courses, Driving Range and Practice Green (see Page 35). All players must wear spike-less shoes or shoes with soft spikes.
- Racquet - All players shall wear standard tennis attire and tennis shoes on the courts (see Page 41).
- Fitness – Proper exercise attire is required at all times (see Page 27).

Smoking in MCOA Buildings, Designated Golf Areas, Dog Park, Docks and Pool Areas

All Moss Creek buildings, Dog Park, docks and pool areas are 'non-smoking.' Smoking is also prohibited on the Driving Range, Cart Staging area for all events and the short game area. Electronic cigarettes follow the same restrictions.

Alcoholic Beverages

Except as provided herein, no alcoholic beverages may be sold in the Clubhouse or on Membership Common Property except those which are provided by the Club. No one other than MCOA can dispense and sell alcoholic beverages in Moss Creek. There are State regulations which dictate the rules for dispensing the sale of alcohol.

The Clubhouse Manager and the staff have the absolute right, responsibility, and obligation to refuse service to any Member or Guest based on their estimation of the individual's state of intoxication (see Page 19).

Maintenance Obligations of Private Property Owners

A significant purpose of the Covenants and these Rules and Regulations is the creation and maintenance of a residential Community which is aesthetically pleasing, functionally convenient and a desirable place to live.

All properties shall be maintained by the Member in accordance with the Covenants and stipulations issued by the Architectural Review Board (ARB) (refer to Page 13). Members shall perform routine maintenance on the common areas that abut their property.

All exterior radio and television antennas and other similar devices are prohibited. The only exception to this rule is Direct Broadcast Satellite Receiver units, which may be installed and must be in accordance with ARB

Guidelines (refer to Moss Creek Covenants, Article IX, Section 16, Satellite Dishes, and the ARB Guidelines & Procedures, Section 5, para. 5.11).

Any property that is unkempt, unsightly and deemed an eyesore shall be reported to the General Manager, in writing, who shall notify the Member to take corrective action. This includes undeveloped properties that are to be maintained and kept free of excess growth, and fallen limbs/branches. If the condition is not corrected promptly (within 14 days), the General Manager shall take appropriate corrective action and bill the Member for costs incurred. (refer to Moss Creek Covenants, Article IX, Section 10, Lot Maintenance). If an undeveloped property requires continual maintenance due to noncompliance, Administration will contract the service necessary and bill the Member's account. Failure by the Member to honor such bills results in amenities use restrictions as well as property encumbrances through appropriate legal action (refer to Moss Creek Covenants, Article V, Section 9, and the attached Collection Policy on Page 51).

Roadside Pick-up

Roadside pick-up of landscape debris is necessary in order to help keep Moss Creek tidy and assist in the recycling process. Weekly pick-up is performed by zones, and two zones of the Community are picked up every other week. Staff will start the scheduled zone pick-up on Monday mornings and work through the two scheduled zones until complete. For easy access, place your debris in front of your property on the edge of the road side of any ditches. In order to help Moss Creek's appearance, your roadside pick-up debris should be placed curbside no sooner than the day before, but no later than 7:00 a.m. on Monday morning of your scheduled zone. For a complete list of street addresses, zone determination and pick up dates, please refer to the Member website Member Central/Meeting and Community Information/Community Upkeep – Debris Schedule. Burning of debris on residential properties is not allowed.

Place fine material (clippings and leaves) in a large trash can or place them in a neat pile roadside. Place pruned limbs and cuttings in a neat pile for pick-up, but please keep these separate from the fine material. Every Member is responsible for the timely removal of the debris container after pick-up of roadside debris (this is enforced by MCOA). Please do not place yard debris in plastic trash bags.

In the fall and the spring, arrangements can be made to pick up larger than normal piles for Members doing a large 'clean-up'. Call the Maintenance Office, 843-836-6136 before your scheduled pick-up week to arrange for this service.

Moss Creek does not pick up and dispose of the debris left by a private landscape company working for a Member. **It is the responsibility of that landscape company to immediately remove debris from Moss Creek.** If it is determined, by Security or by Community Services, that a landscape company has been informed of this restriction, and violates this provision more than one time, MCOA has the right to fine and/or restrict the entrance of that landscape company into Moss Creek.

Lagoons, Ponds and other Common Areas

Fishing privileges in the lagoons, ponds and waterways of Moss Creek are restricted to Members, Accompanied Guests, House Guests and Rental Guests. However, when golfers are present on the golf course, fishing is **never** allowed along the banks of ponds and lagoons where such banks adjoin, abut or closely parallel the golf course. Fishing is never permitted in the treated effluent pond between 11 and 18 South.

Although Moss Creek's inland waters were initially stocked with crabs and shrimp, the limited tidal impact and constant depletion has greatly diminished the availability of an essential food chain for other wildlife. Therefore, the use of cast nets, for any reason, is prohibited in the lagoons and ponds, and is limited to the dock areas as described more fully under **Community Crabbing Docks** and the saltwater side of the causeways.

Fishing in all Moss Creek ponds and lagoons is 'catch and release' only. Access can only be through the cart path or roadways and should only be from the community shoreline, not private property unless permission is granted by the property owner.

Wading, rafting or boating in lagoons, ponds and connecting waterways is not permitted.

When fishing, crabbing or shrimping in authorized areas, South Carolina laws and the regulations of the South Carolina Game and Fishing Commission should be observed.

Feeding or otherwise interfering with alligators or other wildlife (other than the maintenance of customary household bird feeders) is prohibited.

Community Crabbing Docks

Two Community docks are available in Moss Creek; one on Cedar Island and one on Peninsula. Use of these docks is restricted to Members, Accompanied Guests, House Guests, and Rental Guests. Fishing, line crabbing and shrimping are permitted from these docks. In addition, a Member is permitted one crab pot and one bait bucket. Crab pots must be labeled and checked daily in compliance with South Carolina State Law.

Crabbing and fishing docks are available for use from sunrise to sunset. Safety is the major concern. Members and their Guests should have their license with them while fishing. Security will enforce fishing license violations.

Marsh front Properties

Lots in Moss Creek fronting on any salt marshland are considered marsh front properties. Please refer to the Moss Creek Covenants, Article XI and the ARB Guidelines for maintenance and construction information for marsh front lots.

Natural Waterside Rules

The use of pesticides is forbidden in natural waterside buffers.

Adjacent Members have the option to leave the defined area natural or to maintain it as an extension of their backyard. If the Member chooses to maintain the area, the following guidelines should apply:

- A twenty-foot (20') natural buffer zone of undisturbed vegetation shall be maintained as defined in ARB Guidelines Section 11.2.
- Trimming and pruning to maintain vistas is allowed.
- Before seeding, such activities should only take the form of topping.
- When practical, trimming and pruning should be accomplished in late autumn and winter. This provision is to minimize the impact of the maintenance on nesting birds.
- Planting of native trees, shrubs and grasses is encouraged for these areas.

During residential construction, Members, contractors, their employees, agents and others under their direction shall take steps to assure that these areas remain undisturbed. Silt fences shall be used to control run-off onto buffers and into water features.

Pets

The following rules and regulations have been developed for the health and safety of all residents, guests and employees. They apply to Moss Creek Members, guests and renters without exception. Pets are defined as domestic dogs and cats. Custodians are defined as owners or anyone caring for the animal on a temporary basis, such as a relative or pet-sitter.

All pet vaccinations must be up to date. Current Rabies vaccination tags must be worn. Members are requested to register their pets with MCOA Administration. This information helps to identify the owners of stray domestic animals found in the Community.

No animal may be kept in Moss Creek whose existence or normal activity is noxious, dangerous, unsightly, and unpleasant or of a nature that destroys or diminishes the enjoyment of the property of other Members.

Pets are not permitted to roam free. They must be always leashed when not on the Member's private property. Members must control their pet/s and are responsible for the activity of any pet. Other than Service Dogs duly licensed and registered with MCOA Administration, pets are not allowed at any MCOA facility other than the fenced dog park. Leashed pets may be exercised on golf cart paths **only** when access is permitted **and** golfers are not present, see [Golf Cart Paths](#) page 13.

Owners must control dog barking and digging, repair any defacement and remove any excrement from unimproved and improved private property, recreational areas or Common Property. Failure to do so may result in a fine.

Any pet which endangers the health or well-being of any person or animal, or which persistently creates a nuisance shall subject the Member to enforcement action by MCOA when Security or MCOA Administration is notified.

As defined in the Beaufort County Code, animals are deemed a nuisance under the following circumstances:

- Disturbs the rights of, threatens the safety of or injures another Member, or interferes with the ordinary use and enjoyment of their property.

- Intentionally or unintentionally runs or roams at large, except on property owned or rented by the owner or custodian of the pet.
- Causes damage to private or Common Property
- Barks, whines or howls indoors or outdoors in an excessive, continuous or untimely fashion to result in a serious annoyance or interference with the reasonable use and enjoyment of neighboring premises.

Any pet that attacks another pet(s) or human being(s) will not be tolerated in Moss Creek. When incidents of this nature occur and Security is notified, Security will immediately report the incident to Beaufort County Animal Services (BCAS) for their investigation and enforcement of the Beaufort County Animal Control Ordinance. Security will provide BCAS with copies of any incident reports or other information pertinent to the incident and will assist BCAS as requested. Incidents that happen within the confines of the Bostwick Fenced Dog Park will be investigated by Moss Creek Security. Depending on the severity of the incident, Security may direct that the dog be muzzled whenever using the Dog Park, or prohibited from use of the Dog Park.

Bostwick Fenced Dog Park

The Dog Park is open to all licensed, healthy, vaccinated (Rabies, Distemper, Parvo) dogs over the age of four months during daylight hours except:

- Small Dogs (weighing less than 20 pounds) only from 8:30 a.m. – 9:30 a.m. and 3:00p.m. – 4:00 p.m.
- Large Dogs (weighing more than 50 pounds) only from 4:00pm – 5:00pm
- Use of the Dog Park is at the risk of the Member, Member guests, and their dog(s).
- MCOA may limit the number of dogs in the park for owners' and pets' safety.
- Members must accompany guests wishing to use the Dog Park.
- Dogs must not be left unattended by the Owner or Custodian.
- Digging is not permitted. Owners must fill in any holes.
- All Members and Guests shall always clean up after dogs and dispose of waste in containers provided.
- MCOA requests that owners of non-neutered/spayed dogs remove their pets if they become a nuisance to other owners and/or their dogs.
- Owners must attend to and maintain control over their dogs at all times and immediately remove threatening or aggressive dogs. Serious incidents must be reported to Security for their investigation and enforcement of the MCOA rules and regulations.
- Unaccompanied children under the age of 16 are not permitted with or without a dog.
- No smoking allowed.
- Toys and treats are discouraged.

All dogs outside of the fenced area must be always on a leash and under control of owners. Dogs are not permitted in the sand area of the playground.

Littering & Noise

Littering is not allowed. Contractors, gardeners and other workers are responsible for the cleanliness of the area in which they are working and shall not discard paper products, bottles, cans or other such refuse on or about the work site or anywhere within Moss Creek. Failure to comply with this could result in monetary fines and loss of vehicle entry rights.

Normal and ordinary construction noise shall be limited from 7:00 a.m. to 6:00 p.m., Monday through Saturday. Unduly loud, prolonged or offensive noises including voice and/or music at any time is prohibited.

Please refer to Page 14 for the penalty structure for littering and noise violations.

Firearms

Possession of firearms is subject to all Federal, State and Local statutes. Firearms should be under lock and key while in Moss Creek. Firearms are prohibited on MCOA Common property.

Except for approved ceremonial activities, the use of firearms, air or powder actuated, and bows and arrows are prohibited.

These regulations do not apply to duly licensed members of the County, State or Federal Law Enforcement Officials in the performance of their duties.

Hunting & Fishing

No hunting of any kind is permitted in Moss Creek.

Fishing privileges in the ponds, lagoons and waterways of Moss Creek are restricted to Members, Accompanied Guests, House Guests and Rental Guests. However, when golfers are present on the golf course, fishing is **never** allowed along the banks of ponds and lagoons where such banks adjoin, abut or closely parallel the golf course. Fishing is also prohibited at the boat dock area. Children under ten (10) years of age must be accompanied by an adult.

Children must be ten (10) years or older to fish without supervision. Outside guests, ages 10-13 who wish to fish, will require adult supervision. Fishing is allowed in designated areas only. All laws pertaining to fish limits and sizes must be obeyed regardless of age. Safety is MCOA's utmost concern. Horse play of any kind will not be tolerated and may result in the loss of fishing privileges. Specific fishing, crabbing and shrimping guidance is contained on Page 7.

Fishing in all Moss Creek ponds and lagoons is 'catch and release' only. Access can only be through the cart path or roadways and should only be from the community shoreline, not private property unless permission is granted by the property owner.

Wildlife

Feeding alligators is **prohibited by law**. Alligators are wild animals and lose their fear of humans if fed. In addition to Moss Creek penalties and fines, the State of South Carolina imposes a fine of \$500.

The feeding of deer or interfering with other wildlife is not permitted. Moss Creek Owners Association utilizes the services of professional biologists to manage our wildlife. Feeding of wildlife can negatively impact the effectiveness of the management program.

Sign Limitation

Except as permitted by the General Manager, no real estate, commercial or other advertisements may be posted or circulated in Moss Creek.

Solicitation

Solicitation is not permitted in Moss Creek. Solicitation shall include any uninvited offering of goods, memberships, associations, support, or services of any kind whatsoever, for value. Uninvited entry onto the property of a member for the purpose of solicitation of any kind is prohibited. This provision shall not be construed to prevent any member from contacting an individual member by text, e-mail, or regular mail in an effort to secure that member's signature in support of any process duly authorized under MCOA's Governing Documents and requiring a minimum number of member signatures. It is provided, however, that upon a member's failure to respond or other expression of disinterest or unwillingness to participate in the subject process, further contact immediately shall be discontinued. Failure to discontinue under such circumstances shall constitute a conduct violation as set forth in the MCOA Rules and Regulations.

Commercial Enterprises

Commercial Enterprises of any kind requiring public display of merchandise, and ingress and egress into privately owned property are prohibited. Such enterprises shall include, but are not limited to garage sales, white elephant sales, antique sales, household effects sales, etc. Tours open to the public featuring properties within Moss Creek are prohibited unless authorized by the Board or the General Manager. MCOA sanctioned events are not prohibited by this provision.

Without limitation of the provisions of the preceding paragraph, each Residential Lot, Family Dwelling Unit (as defined in the Moss Creek Covenants), and all common properties, including, but not limited to, each boat dock, shall be used for residential purposes only, and no trade or business of any kind may be conducted in or from such Lot, Unit or common area, except that the Member or occupant residing in a Unit may conduct such business activities within the Unit so long as (i) the existence or operation of the business activity is not apparent or detectable by sight, sound, or smell from the exterior of the Unit; and, in particular, if any part of the business is conducted within the garage, the garage door and the garage windows must be tightly closed; (ii) the business activity does not involve persons coming into Moss Creek; (iii) the business activity conforms to all zoning requirements for the property; (iv) the business activity does not increase the liability or casualty insurance obligation or premium of the MCOA; and (v) the business activity is consistent with the residential character of Moss Creek and does not constitute a nuisance or a hazardous or offensive use, as may be determined in the sole discretion of the Board.

The terms "business" and "trade," as used in this provision, shall be construed to have their ordinary, generally accepted meanings, and shall include, without limitation, any occupation, work, or activity that involves the provision of goods or services and for which the provider receives a fee, compensation, or other form of consideration, regardless of whether (i) the activity is engaged in full or part-time; (ii) the activity is intended to or does generate a profit; or (iii) a license is required therefore. Notwithstanding the above, the leasing of a Unit shall not be considered a trade or business within the meaning of this paragraph

Rules of the Road

The Moss Creek Security Staff operates under the power and authority granted by applicable State and County laws to enforce all public safety, health and traffic laws and these Rules and Regulations within Moss Creek. Security is empowered to administer all entrance control and vehicle identification procedures as directed by the Board, and authorized to detain, and ticket, persons violating or charged with violating safety and traffic laws and these Rules and Regulations within the physical boundaries of Moss Creek (refer to Page 15).

Operation of all permitted motorized and non-motorized vehicles within Moss Creek shall be in accordance with the applicable State and County laws, ordinances and regulations, as well as specific Community rules and regulations including but not limited to the following:

- All vehicles must observe, the posted speed limit of 27 mph unless otherwise posted, traffic control signs, no passing signs and rights of way.
- All bicycles, including low-speed electric-assist bicycles, are required to be operated at less than 20 mph.
- All drivers and riders shall cooperate with Moss Creek Security Staff in the performance of their duty to direct traffic, manage speed, etc.
- Sleeping in vehicles of all types is prohibited within Moss Creek at all times.
- Pedestrians have the right of way above motor vehicles, including golf carts and all bicyclists.
- Pedestrians should walk against traffic, and bicyclists should ride with traffic.
- Bicycles of any kind operated on roadways and leisure trails are recommended to be equipped with a bell or horn. If not, verbal commands are required to be used to alert pedestrians when passing.
- Privately owned golf carts and motor driven cycles are not permitted in Moss Creek. However, "Motor Driven Cycles" shall **not** include "electric-assist bicycles", and "bicycles with helper motors" which are defined under S.C. Code Section 56-1-10 (29) as low-speed electrically assisted bicycles with two or three wheels, each having fully operable pedals and an electric motor of no more than 750 watts, or one horsepower, and a top motor-powered speed of less than twenty miles an hour when operated by a rider weighing one hundred seventy pounds on a paved level surface, that meets the requirements of the Federal Consumer Product Code provided in 16 C.F.R., Part 1512, and that operate in a manner such that the electric motor disengages or ceases to function when their brakes are applied or the rider stops pedaling; and that has a label that is affixed permanently, in a prominent location, to each electric-assist bicycle, indicating its wattage and maximum electrically assisted speed. "
- Throttle-assisted bicycles are **not** permitted in Moss Creek.
- All electric-assist bicycles must be registered with the Association, and the owner must review and sign receipt of a copy of the "Rules of the Road". Registration forms are available at Administration. Upon registration, a decal will be affixed by the Security staff.
- Mechanical modifications of electric-assist bicycles after registration is prohibited.
- Every bicyclist is strongly encouraged to wear a helmet.
- It is strongly recommended for safety reasons at dusk, dawn, nighttime, and in bad weather that pedestrians and operators of all bicycles wear reflective clothing/patches and/or carry a light.
- It is strongly recommended that dog owners do not exercise their pets by running them alongside any bicycle or non-motorized wheeled vehicle of any kind.

Refer to Page 14, Fines & Penalties, for penalty structure for vehicles.

Resident Parking

Resident permanent parking shall mean all vehicles shall be on paved driveways or within the confines of a garage. Permanent parking on lawns is prohibited. Cars parked on driveways must be in operating order and licensed for the highway.

Parking Required Off Street

Parking shall be off street or in designated areas, except (a) a Member or Renter and their guests may park for less than three hours adjacent to the roadway directly in front of either the Member's or Renter's property or any unimproved lot, and (b) with the approval of Security, on-street parking for guests of a Member or Renter at other locations and for a longer time is permitted for special occasions. Parking on the Leisure Trail is prohibited unless prior approval is obtained from Security. Nothing herein shall be construed to authorize any parking on private property. Except for MCOA owned vehicles, no commercial vehicles shall be parked overnight in designated parking areas or on any outdoor residential parking area (see Page 14, for Fines & Penalties). Overnight parking at Stable Gate or Royal Pointe pool parking areas is prohibited.

Truck, Van & Trailer Parking and Storage

The parking of trailers, campers, recreational vehicles, boats, boat trailers, commercial vans, commercial pick-up trucks, panel trucks, or commercial vehicles of any kind, are prohibited at residences after 9:00 p.m., unless completely enclosed in the garage (garage door fully closed so the prohibited vehicle cannot be seen.) This rule is enforced by Security (refer to the Moss Creek Covenants, Article IX, Section 23, Prohibited Structures and Vehicles). An extension up to 12:00 midnight may be prearranged with Security. An owner may request in advance an exception for overnight parking of a recreational vehicle from the General Manager or his/her designee for the night before a morning departure and/or the night after an evening return from a multi-day trip. If found in violation of this rule, a citation is issued that may result in a fine to be paid to Moss Creek (see Page 14 for penalty structure for vehicle violations).

Limited temporary overnight parking is also available with permission from Administration or Chief of Security, on a space available basis.

Vehicle Decals, Passes, Boat Decals, Special Decals

Various types of decals and passes are issued by Administration for proper identification of all vehicles, trailers, and boats entering Moss Creek. The placement of decals should be affixed to the left corner of the driver's windshield. Please see Page 15, Security, for more detailed information regarding the types of decals and passes issued and the necessary information needed by Security to issue each type of decal or pass.

- **Resident Decal** - Property Owner decals shall be issued to Resident Member Certificate Holders, resident family members, and Designated Members residing in the household (as defined under *Definitions for Member*).
- **Rental Decal Criteria** - Persons leasing or renting a unit for three (3) months or longer are required to have a Long-Term Rental Decal for their vehicle(s). A \$25.00 fee is collected for each decal issued.
- **Contractor Decal/Daily Work Permit Criteria** - Any contractor, subcontractor, vendor or individual who provides a service within Moss Creek for which a fee is paid or a profit realized, is required to purchase either a Contractor Decal or a Daily Work Permit.
- **Boat, Trailer, Kayak and Launch Decals** - Administration assigns the proper decal for each boat, trailer or kayak and the Member attaches the decal for proper identification.
- **Special Members & Senior Members** - These Members are individuals who are non-property owners that have met certain requirements established by the Board. These Members are issued up to two decals that will allow unlimited access into Moss Creek.
- **Health & Welfare** - Vehicles normally defined as commercial are granted entry without charge on a case-by-case basis when entrance is to provide personal services for the health and welfare needs of the Members. This would include mail and parcel services, personal transportation vehicles, moving vans, tow trucks, and others as may be deemed appropriate by the General Manager.
- **Domestic Help** – Upon scanning and verification of a valid driver's license, domestic help individuals are issued passes on a monthly basis at no charge. The Members and their employee must complete a Domestic Personnel form and turn it into Security. The Member is responsible for notifying Security when the domestic is terminated. The pass cannot be used by anyone other than the person employed by the Member, and for no other reason than to work for the Member.
- **Home Health Care** – Upon verification of a valid driver's license, home health care individuals are issued passes on a monthly basis at no charge. The Member is responsible for notifying Security when the individual is terminated. The pass cannot be used by anyone other than the person employed by the Member, and for no other reason than to work for the Member.

Contractors

Upon verification of a valid driver's license, a Contractor is an individual or company that has been authorized entrance into Moss Creek to provide services for a Member, Rental Guest, or MCOA for which a fee is paid, profit, or compensation realized, including submittal of an estimate to perform work.

Members are responsible for their contractor's actions.

Access of contractors' vehicles into Moss Creek and operation therein shall be in accordance with these Rules and Regulations and procedures established by Security under the direction of the Board. Refer to Pages 15/16 for additional rules, information, Fines & Penalties.

Leisure Trails

Leisure trails are for the enjoyment and safety of the Moss Creek Members and their Guests. Leisure trails are regularly used by walkers, joggers, bicyclists, skateboarders, roller-bladers, unlicensed maintenance equipment and golf carts.

Courtesy and common sense are critical to the safe and pleasant use of our leisure trails. Therefore, walkers have the highest priority regarding right of way. All authorized motorized vehicles (golf carts, unlicensed maintenance equipment, electric-assist bicycles) and non-motorized vehicles (bicycles, roller blades, skateboards) should yield to pedestrian traffic. Motorized vehicles should yield to non-motorized vehicles.

Individuals using the leisure trails must observe all posted traffic signs.

Parking on the leisure trail is prohibited except with the approval of Security. When no alternative exists, the Member can arrange through the Security Department of MCOA for temporary parking on the Leisure Trails.

Golf Cart Paths

By the nature of the game, there is an inherent risk for people using the cart paths who are not playing golf, therefore, golf cart paths or any part of the golf courses may not be used by walkers, joggers, skaters or bicyclists from 8:00 a.m. to dusk.

When a golf course is closed, signage at Hole #1 will indicate if it is permissible to walk, jog, skate or bike.

Note, however, the section of the golf cart path adjacent to the 14th green on the South Course may be used by non-golfers going to or from Spartina Point to the Fording Island Bridge.

Except as provided under Pets, Page 8, pets are not allowed on golf courses at any time.

Architectural Review Board (authority for enforcement)

The Moss Creek Covenants give the Board the authority to appoint an Architectural Review Board to review and control the location, design, construction, alteration, exterior appearance and construction scheduling of all structures and other improvements erected or to be erected in Moss Creek, upon terms and conditions and subject to Rules and Regulations adopted by the Board. The ARB shall, from time-to-time, publish guidelines for the information and guidance of Members, builders and other contractors and to aid in the enforcement of all covenants and restrictions applicable to the use of all areas and to the location, design, construction and alteration of structures of all types (refer to the Moss Creek Covenants, Article VII, Section 2, Architectural Review Board; and the Architectural Review Board Guidelines & Procedures which are available at the Administration Building and also are listed on the Moss Creek website under *Governing Documents*).

The ARB Guidelines and Procedures provide specific guidelines and procedures for issues related to the location, design, construction, alteration, exterior appearance, and construction scheduling of all structures and other improvements erected or to be erected in Moss Creek and these guidelines and procedures must be followed.

The ARB Guidelines and Procedures also include provisions for specific enforcement and a fine structure for infractions.

Employee Relationship

The General Manager is solely responsible for the supervision of the employees of Moss Creek. Members should be respectful of Association employees and shall not seek favors that would take an employee away from his or her duties. It is unacceptable for any Member or Guest to abuse, verbally or otherwise, any Moss Creek employee or discipline such employee in any manner, or otherwise direct activities. All comments, requests, complaints, suggestions or recommendations relating to the facilities, services, or employees shall be directed in writing to the General Manager or President of MCOA. Violations of this rule by a Member or Guest of a Member are referred to the Board for appropriate actions. No such written communication is considered if received unsigned (refer Procedure of Conduct Violation(s)).

Suggestions, Criticism and Petitions

Suggestions relating to management, policy or personnel should not be discussed with employees of MCOA. Recognizing the value of constructive criticism, complaints, suggestions and petitions relating to any of the MCOA's operations should be directed, in writing, to the President or the General Manager of MCOA. No such written communication is considered if received unsigned.

Conduct

The Moss Creek Owners Association expects Members and their Guests to conduct themselves in a manner which reflects the highest standards of Membership and Community responsibility. Courtesy must always be extended toward other Members, their Guests and employees.

The Board, together with the appropriate committee or management staff, shall deal with the infractions of these Covenants, Bylaws and Rules and Regulations pursuant to the Covenants, Article VI, Section 8, paragraphs 1 and 2.

Procedure for Conduct Violation(s)

The following shall be the procedure to be followed for submitting and processing a complaint relating to Member conduct violation(s) of the Moss Creek Rules and Regulations; Bylaws or Covenants (refer to the Covenants, Section 8, paragraphs 2 and 3).

- A Member or Members or others reporting the violation(s), or improper conduct, shall complete a signed confidential report and submit this to the General Manager.
- The General Manager will review the details of the complaint to the Member(s) involved and any other persons who may have information regarding the incident.
- If the incident cannot be disposed of satisfactorily on an informal basis by the General Manager, the General Manager informs the Board of the complaint/violation. The Board, after reviewing all relevant facts, may dismiss the complaint as not warranting further action. If the Board does not dismiss the complaint, but believes it warrants further inquiry or action, then the aggrieved party must attend a hearing to discuss an amicable resolution of the dispute before the Member or aggrieved party files any legal action against the Board, the Association, or member of the Board, or any agent of the Association.
- For violations that involve threatened or actual violence against individuals or intentional damage to personal or MCOA property, the General Manager may, on an interim basis, impose any and all sanctions authorized to the Board under Article VI, Section 8 of the MCOA Covenants until such time as the Board of Directors can meet and proceed with a proper inquiry and/or hearing as further delineated in this section of Procedure for Conduct Violations.
- The Board shall give notice of the date, place and time of the hearing to the party requesting the hearing, not less than ten (10) days after receipt of the request for such hearing, and the hearing shall be scheduled not less than seven (7) nor more than twenty-one (21) days after the date on which such notice is given by the Board.
- If the Board determines use of a mediator may help resolve the dispute, the Board may have a certified mediator attend the hearing, and the party requesting the hearing agrees to cooperate in a mediation of the dispute.
- The Board or an appointed Mediation Committee shall, at the conclusion of the hearing, recommend one of the following:
 - * No action warranted.
 - * A letter of caution and/or reprimand by the Board.
 - * The imposition of penalties against the Member or Members charged in accordance with the Moss Creek Covenants, Bylaws and Rules and Regulations, taking into account the severity and the circumstances of the infraction.
- The Board, if applicable, shall review whatever action is to be taken and if it gives its approval to same, the Member(s) involved shall be notified in writing of such action.

Fines & Penalties

Enforcement of these Rules and Regulations shall be made by Security except for Member conduct violations. The following penalty structure is in effect for all violations of these Rules & Regulations with the exception of speeding and

Member conduct violations as noted above. The ARB Guidelines and Procedures include provisions for specific enforcement and a fine structure for infractions. All citations on a Member's record will be cleared off after three years.

- 1st offense – Warning
- 2nd offense - \$100 fine
- 3rd offense - \$250 fine
- 4th offense – General Manager action up to \$500; Board action (up to \$1,000 per occurrence)

At the General Manager's discretion, depending on the nature of the violation, the first offense can warrant a monetary fine up to \$250.

The following penalty structure is in effect for speeding violations:

- 1st offense – \$100.00 fine
- 2nd offense - \$250.00 fine
- 3rd offense - \$500.00 fine
- 4th offense – \$1,000 fine

At the General Manager's discretion, depending on the nature of the violation, the first offense can warrant a monetary fine up to \$1,000. Any speed violations 40mph+ will have an automatic fine of \$1,000.

Process Servers

Federal, State, and Local Government authorities, serving warrants or official papers, are allowed entry to Moss Creek. When possible, a Security Officer accompanies the process server.

Civilian process servers are only allowed to enter Moss Creek when in possession of official papers from a South Carolina or Federal Court signed by either a judge or the Clerk of Court or containing a "clocked in stamp" indicating that the document has been registered with the Clerk of Court. Attempts are made to contact the resident prior to the process server leaving the gate. Anyone who does not have properly signed papers may be allowed entry only after Security has contacted the resident and authorization has been given. When possible, Security personnel will accompany the server to the residence.

Repossessors

Repossessors requesting entry to Moss Creek and presenting appropriate documentation specifically directing the repossession of property located within Moss Creek boundaries are given access.

Repossessors not in possession of such documentation are not allowed to enter unless the resident has given authorization. In all cases, Security attempts to contact the resident and accompany the reposessor to the residence.

Security

The Moss Creek Security Department operates under the power and authority granted by applicable State and County laws to enforce all public safety, health and traffic laws and these Rules and Regulations within Moss Creek. They are empowered to:

- Administer all entrance control and vehicle identification procedures as directed by the Board.
- Detain, search, and ticket persons violating or charged with violating public health, safety and traffic laws or anything within these Rules and Regulations within the physical boundaries of Moss Creek.

Decals

Member decals shall be issued to resident Member Certificate Holders, resident family members, Long Term Resident Guests, and Designated Members residing in the household (as defined under *Definitions* for **Member**).

Placement of Decals

The placement of decals should be affixed to the left corner of the driver's windshield.

Resident Decal Criteria and Limitations

In order to receive a decal for a motor vehicle, it is necessary for the Member to fill out a Decal Application Form at the Administration Office from Monday to Thursday, 8:00 a.m. to 5:00 p.m. and Friday, 8:00 a.m. to 1:00 p.m. When applying for a decal, the completed Application Form must be presented with the vehicle registration or Certificate of Title, and insurance card.

- Decals are not mailed. They must be placed on the vehicle at the Security Gate.
- Members in residence owning more than one vehicle are able to obtain a decal for no more than four (4) vehicles at any given time. Decals for non-resident Members shall be limited to two (2).

- If, for some reason, a replacement decal is needed for any vehicle, it is necessary to turn in the original decal or present proof that the original has been lost or destroyed.

Rental Decal Criteria

Persons leasing or renting a unit for three (3) months or longer are required to have a Long-Term Rental (LTR) Decal for their vehicles(s). A \$ 25.00 fee is charged for each decal issued. All Long-Term Renters will receive a copy of the Rules and Regulations for renters upon receiving a Long-Term Rental Decal. All Decal transactions are conducted at the Administration Office.

Contractor Decal/Daily Work Permit Criteria

The criteria for requirements for the purchase of a Contractor Decal or Daily Work Pass are:

'Any contractor, subcontractor, vendor or individual who provides a service within Moss Creek for which a fee is paid or a profit realized, including submittal of an estimate to perform work is required to purchase either a Contractor Decal or a Daily Work Pass.'

Residents, Guests, and/or friends of Residents, or Long/Short term Renters meeting the above criteria are also required to purchase a Contractor Decal or a Daily Work Pass.

Boat, Trailer, Kayak and Launch Decals

Administration assigns the proper decal for each boat, trailer or kayak. The Member attaches the decals for proper identification.

Special Members & Senior Members

Special Members and Senior Members are individuals who are non-property owners who have met certain requirements established by the Board. These Members are issued a decal that allows unlimited access into Moss Creek.

Passes

Passes are issued on an individual basis for authorized Guests of Members, domestic help and home health care individuals. Passes are not intended for individuals working under a commercial license. For requesting passes, the pass line number is (843) 837-2220 or online through the Security page of the Moss Creek website (www.moss creek-hiltonhead.com).

Contractors

Members are responsible for their contractor's actions. Contractors are required to purchase either a Daily Work Permit or annual decal. See page 16.

All individuals, including Guests and friends of Residents, and companies providing services for anyone in Moss Creek for which a fee is paid or a profit realized therefore shall be classified as a "Contractor."

Upon screening and confirmation of a valid driver's license, access of contractors' vehicles into Moss Creek and operation therein shall be in accordance with these Rules and Regulations and procedures established by Security under the direction of the Board.

Contractors are required to remove and dispose outside Moss Creek all their debris, cuttings, grass and trash. If this is not done, the Member is billed for trash pickup at the current rate and the contractor may lose their right to enter Moss Creek.

Contractors' entrance to Moss Creek is permitted Monday through Saturday from 7:00 a.m. to 6:00 p.m. Entrance is for the purpose of work at a designated job site only. Entrance for purposes not job related is prohibited, as is travel other than to and from the work site.

Work is not normally permitted on Sunday, any recognized holiday, or after 6:00 p.m. Monday through Saturday. Permission to work at such times shall be requested through the General Manager's office.

Emergency services for heating, air conditioning, plumbing, electrical, telephone, cable and satellite TV are authorized after normal working hours or on holidays, provided Security is notified.

Contractors and their employees shall not bring dogs or other pets, leashed or otherwise, into Moss Creek at any time.

Contractor vehicles shall not be left on work sites overnight without permission from Security.

Refer to Page 14, Fines & Penalties, for penalty structure for Contractors.

Firearms

Possession of firearms is subject to all Federal, State and Local statutes. Firearms should be under lock and key while in Moss Creek.

Except for approved ceremonial activities, the use of firearms, air or powder actuated, and bows and arrows is prohibited.

These regulations do not apply to County, State or Federal Law Enforcement Officials in the performance of their duties, or for licensed Members.

Clubhouse

The Moss Creek Clubhouse is a recreational facility intended to serve the needs of Members and their Guests. The Clubhouse may not be used for political purposes, including but not limited to, fund-raising or campaigning; or for religious purposes unless expressly approved by the General Manager or the Board. All use of the Clubhouse is subject to the following conditions:

Hours of Service

The Clubhouse and its amenities hours of operation are established by the General Manager and posted at the Clubhouse by the Clubhouse Manager.

Hours for serving food and refreshments shall be established by the General Manager and the Clubhouse Manager, and noted in the weekly and monthly newsletters. Any changes in regular hours of operation are noted in the weekly and monthly newsletters.

Safety

There is an AED (automated electronic defibrillator) in a mounted case located in the Clubhouse lobby by the front door entrance.

Members

Only Members in good standing, and their Guests and Renters, are permitted to utilize the Clubhouse and its services. Member services at all outlets are to be charged to Member account or paid in cash. Member credit cards are accepted as a form of payment with the acknowledgment of a 3% service fee.

Entertainment of Guests by Members may be undertaken in the Clubhouse at any time during established hours, and as often as desired, except when limited by special events.

Guests

Guests are permitted to use all of the facilities of the Clubhouse. Each Member is responsible for the conduct of his or her Guests. Guests are allowed to pay for services at the Clubhouse or Pro Shops by cash or credit card.

The Member shall be responsible for any expenses incurred or damages caused by his or her guests. Members and Guests must identify themselves to Clubhouse personnel if requested to do so.

It is the responsibility of all Members to see that their Guests dress appropriately for the occasion, and comply with all Rules and Regulations.

Minors

The safety of the children of Members and Guests is of primary concern when they are using the Clubhouse and other amenity locations. The following rules pertain to the use of the Clubhouse by children:

- Children under 13 years of age are not permitted in the Clubhouse unless accompanied by an adult Member except for checking in at the Pro Shop or obtaining food or beverage for takeout from the front desk.

- Children under 16 years of age are not permitted to enter the locker rooms except to use the lavatory facilities or when accompanied by an adult.
- No one under 21 years of age is permitted to be seated at the bar.
- Children over 10 years of age are requested to comply with the dress code.

Conduct of Members and Guests

The Clubhouse Manager shall insist upon all house rules being observed and has no authority to permit any deviations.

Any violations shall be reported to the General Manager. A letter is sent by the Board or General Manager to any Member guilty of violating the house rules. Correspondingly, for a Guest involved, a letter is sent to the sponsoring Member.

Attire

Appropriate attire is required in the Clubhouse at all times. It is the responsibility of all Members to see that their Guests dress appropriately for the occasion, and comply with all Rules and Regulations.

Casual sports attire is acceptable throughout the Clubhouse in all dining areas. Jeans are always allowed. Certain Club events may have a separate dress code and will be published as such when promoted to the membership.

The following attire is considered inappropriate at any time: torn or frayed jeans (new or old), cargo shorts, cut-offs, gym shorts, inappropriate length short/skirts, muscle shirts, T-shirts with any obscene or political language, tank tops, torn or soiled apparel, shower shoes and beach flip flops, bathing suits, or gentlemen's headgear. This list of unacceptable attire is not intended to be all-inclusive, but to establish a parameter for acceptable ones. Tennis shoes worn on the courts are not allowed in the Clubhouse, unless soles of the shoes have been cleaned prior to entry to the Clubhouse.

Smoking

Smoking in the Clubhouse, Verandah, and areas of ingress and egress is prohibited, except for special events as advertised. A designated smoking area is provided. Electronic cigarettes follow the same restrictions.

Cellular Phones

Phone conversations by cellular phones are prohibited in the Clubhouse. If the use of a cellular phone is necessary for email, text or on-line use: it must be set for 'silent' operation.

Reservations

In order to assist the Food and Beverage personnel to make necessary preparations, reservations are appreciated for lunch and dinner. The staff always attempts to serve Members and their Guests even without reservations, but parties with reservations receive seating priority. Special table requests are honored based on priority and availability. Members are encouraged to sit and order at their reserved table time. For large group reservations, the maximum order per table will be 8 persons.

Reservations will be accepted in the Grill Room on Friday nights. Reservations are required for all special events, including cookouts and theme dinners.

Reservations for any specialty events as determined by the General Manager and announced in advance are opened 60 days prior to the event unless specified by the General Manager. In fairness to all Members, reservations prior to this 60-day date will not be accepted.

Cancellation Policy

Reservations for any Clubhouse special event or theme dinner must be canceled 72 hours in advance or the Member will be charged 20% of the event price. Exception will be illness of Member or other extraordinary circumstances. This does not apply to a la carte dining.

Service Charge

An appropriate service charge is automatically added on all food and beverage charges, which, pursuant to South Carolina law, is subject to sales tax.

Special Events

Special Event reservations are limited to two hundred fifty-six (256) persons, or less, as determined for any given event by the Clubhouse Manager and General Manager. Reservations are taken for tables for a maximum of 10 persons.

Private Functions

Reservations for private functions must be made in a reasonable period in advance and are subject to availability and approval by the Clubhouse Manager and the General Manager. No special events on Friday nights, except as approved by the General Manager.

The Clubhouse may not be used for political purposes, including but not limited to, fund-raising or campaigning; or for religious purposes unless expressly approved by the General Manager or the MCOA Board of Directors (see Page 17).

Except as otherwise provided herein, all food and beverage consumed in the Clubhouse *or on the adjacent grounds* must be provided by the Clubhouse.

No photography may be used for outside publicity purposes and no announcements or news items are to be given to newspapers or magazines unless first approved by the General Manager.

Non-Member groups may use the Clubhouse facilities for private functions with the approval of the General Manager. The Clubhouse Manager must approve entertainment for such groups.

Members in good standing may reserve Clubhouse facilities for private functions, including weddings and receptions.

The sponsoring Member must accompany his/her guests, and is responsible for their conduct in accordance with all Rules and Regulations of the MCOA.

The sponsoring Member shall be responsible for any damage incurred in the planning, the party, or removal of any décor.

Members or sponsoring Members shall be responsible for any damage caused by their Guests or employees. Any Member sponsoring an event in the Clubhouse agrees to indemnify and save harmless the MCOA from any claim, cause of action, or suit which may be brought against the MCOA, as a result of any loss, damage or injury to any person or property as a result of the private usage.

Member Functions

Member functions are open to all Members of good standing of the MCOA.

No special events on Friday nights, except as approved by the General Manager.

Dining Rooms may be closed for regular service due to a Member function at the discretion of the General Manager.

Community Groups

Rooms for card playing and Community group meetings should be reserved in advance with the Administration Office - contact Member Services at (843) 836-6121.

Card playing is permitted in the rooms provided for this purpose, and in any other areas of the Clubhouse as deemed practical.

Card and Community groups that have regularly scheduled meetings/card games understand that they are notified in advance if an income producing special event at the Clubhouse is booked. It will automatically take precedence over their non-income generating meeting/card game.

Alcoholic Beverages

The sale of alcoholic beverages shall be handled strictly within the regulations of the State of South Carolina and Federal laws.

No alcoholic beverages may be consumed in the Clubhouse or on the adjacent grounds except those which are provided by the Clubhouse.

Alcoholic beverages may not be sold or served to any person not permitted to purchase the same under the laws of the State of South Carolina.

The Clubhouse Manager and the staff have the absolute right to refuse service to any Member or Guest based on their estimation of the individual's state of intoxication.

Any employee serving such Member or Guest shall be immediately discharged.

Members seeking service under these conditions may be denied access and use of the Clubhouse.

No alcoholic beverages may be supplied by Members for personal use and may not be stored in lockers.

Gambling

There are certain card and other games at the Clubhouse that are and are not acceptable. Card playing and other games for the primary purpose of gambling are not allowed. Card playing and other games at the Clubhouse of a social nature are appropriate. Security and Clubhouse Management are responsible for monitoring and enforcing this provision.

Parking

Parking of vehicles, except for discharge or loading of passengers and equipment, other than in designated parking lots, is prohibited.

At no time may a vehicle be left unattended in the entrance driveway approaching the Clubhouse.

Pets

Dogs and other pets, except for working animals, are not permitted in the Clubhouse or on the adjacent property at any time.

Employees

The General Manager and Clubhouse Manager are responsible for the conduct and appearance of the employees.

Any improper conduct on the part of employees should be promptly reported in writing, and signed, to the Clubhouse Manager and/or the General Manager.

General

Members should be courteous at all times to the Clubhouse staff as well as to other Members and their guests.

Members may not under any circumstances berate or abuse any employee.

Neither the Association, nor the employees of the Association, are responsible for the loss of personal belongings or property of Members or Guests.

Property and furniture of the Clubhouse shall not be moved by Members.

Members must not request of staff to use the Clubhouse's furniture or office equipment for personal purposes. The cost of replacing Clubhouse property broken or damaged by a Member, a Guest of a Member or any member of their family, is charged to such Member.

Bulletin boards located in the Clubhouse, are limited to information related to MCOA activities and may not be used for any reason by Members or any other person, unless first reviewed and approved for posting by the General Manager.

No commercial advertisements shall be posted or circulated in the Clubhouse.

All MCOA TV's in the Clubhouse are to be on sports channels only unless there is a national event that the Manager deems appropriate to view.

Only authorized personnel are allowed in the service areas of the Clubhouse or Golf Shop.

All complaints, criticisms or suggestions of any kind relating to any of the operations of the Clubhouse must be in writing, signed and addressed to the General Manager.

Bostwick Pavilion

The Bostwick Pavilion is a multipurpose facility located in the Bostwick Point area of Moss Creek. It is owned by Moss Creek Owners Association, Inc. and operated as part of the amenities available for use by all Members and their accompanied Guests.

The Pavilion includes a large open area with capacity for 134 persons with tables and chairs and 288 persons when equipped with chairs only, rest rooms, a small kitchen, and the Moss Creek Library. The rest rooms are open except when a private party has the facility reserved. The Library hours are posted on site.

The Pavilion was built to provide a place where Moss Creek organizations or Members, and their accompanied Guests, could hold cookouts, pitch-in dinners, or private parties. The Board of Directors, as empowered by the Covenants, has adopted a set of Rules and Regulations pertaining to the use of the Bostwick Pavilion. They are as follows:

Reservation and Access Guidelines

The Bostwick Pavilion and the area of ingress and egress are designated smoke free. The use of fireworks, firecrackers and sparklers, or any open flame props such as torches or lanterns, is strictly prohibited either inside the Bostwick Pavilion or on the deck.

The surrounding docks and pool area are not available to non-members. If pool use is desired, permission should be requested from the General Manager and is handled on an individual basis.

In deference to nearby residential areas, all events must be concluded no later than 11:00 p.m.

Only Members aged 21 and over and Moss Creek organizations may reserve the Bostwick Pavilion. The reserving Member or a Moss Creek organization representative must be present and is entirely responsible for the facility, including clean up, damages, and the proper storing of all furniture immediately following the event. Trash removal is included in the rental fee. All trash is required to be bagged, and placed in the cart provided. Security is to be notified at (843) 837-2233 when the trash is ready to be picked up.

The reserving Member or a Moss Creek organization representative may have access to the Pavilion for up to four hours prior to the event and four hours after the event, for purposes of set up and clean up.

Moss Creek Security performs, with the reserving Member or a Moss Creek organization representative, a pre-event and post-event inspection of the Pavilion. Security is also responsible for opening and closing the storage and kitchen facilities.

Reservation priority will be given to recurring Moss Creek functions, the dates for which are generally established in November of each year. All other activities should be scheduled as early as possible, but no later than two weeks before the desired date.

All reservations are scheduled through the Administrative Offices at (843) 836-6121.

Usage Guidelines

The Pavilion is for the casual pleasure of all Moss Creek Members. It may not be used for commercial ventures, political purposes, including but not limited to, fund-raising or campaigning; or for religious purposes without the prior written approval of the General Manager or the Board of Directors.

Anticipated usage includes, among other things, picnics, cookouts, covered dish dinners, and family reunions, where food and beverage service is either done in the Members' homes and brought to the Pavilion, or prepared and served on-site by the Members. Also anticipated are more formal events where food and beverage services are professionally provided only through the staff of the Clubhouse. Large groups of Non-Members are permitted to utilize the facility only if their usage contributes, in a material way, to the benefit of all of our Members.

Members may reserve the Pavilion by completing the appropriate paperwork and a payment of \$200 for the rental of the area and trash pick-up. Food not prepared in a Member's home or on site, must be catered by the Moss Creek Clubhouse. Fully catered private Member events have a minimum requirement of \$4,000 food and beverage, and an additional list of services and pricing is available from the Clubhouse Manager.

Since the Pavilion is operated on a subsidy from all Moss Creek Members' assessments, outside events have a minimum requirement of \$10,000 for food and beverage services. Any profits generated from the event would accrue to the benefit of all Members.

Alcoholic Beverages

When the Pavilion is used for private parties for which food and beverages are provided by the Members themselves, alcoholic beverages may also be provided and dispensed, subject to the laws of the State of South Carolina.

Accompanied Guests

The reserving Member is responsible for the behavior of Guests attending an event at the Pavilion, while they are in Moss Creek. It therefore behooves the Member to make certain all guests are aware of the necessary rules and regulations, including speed limits.

The reserving Member must provide the Moss Creek Security pass personnel with a guest list at least 48 hours prior to the event.

Fees

In all cases, a cleaning and maintenance deposit is required at the time of the reservation. This is refunded on the first business day following the event, provided the Pavilion and surrounds have been cleaned satisfactorily. If the Pavilion and surrounds have not been cleaned properly, cost to correct is deducted from the deposit and any additional expenses are charged to the reserving Member's account.

No fee is charged for use in a "Moss Creek function." This is defined as a function hosted by MCOA, or a Club within Moss Creek that is open to all Members. Events not qualifying as a "Moss Creek function," will be charged a usage fee as recommended periodically by Management and approved by the Board. A schedule of fees is available at the Administration Office.

Private parties and Non-Member sponsored events are required to have a Security Guard on-site and will be charged \$ 30.00 per hour for this service. A minimum of 4 hours is required.

Gambling

There are certain card and other games at the Pavilion that are and are not acceptable. Card playing and other games for the primary purpose of gambling are not allowed. Card playing and other games at the Pavilion of a social nature are appropriate. Security and MCOA Management will be responsible for monitoring and enforcing this provision.

Ice Machine

An ice machine has been placed at the Bostwick Pavilion for the use of Members using the honor system. A sign-up sheet is located on the machine and Members will be charged monthly.

Fire Pits

A gas burning fire pit is located outside the Pavilion near the playground. Use of the fire pit is open to all Members and their accompanied guests. Security is responsible for lighting and extinguishing the fire pit. This is a first come, first serve amenity. There is no reservation policy in place unless a Member has reserved use of the fire pit along with a function at the Bostwick Pavilion. To have the fire pit lit and extinguished after use, please contact Security at 843-837-2233. Additionally, a smaller fire pit is located adjacent to Mackay Creek Grill. Seasonally, staff at either Mackay Creek Grill or the pool staff can light and extinguish this fire pit. When the Grill or pool are closed, please contact Security for lighting and extinguishing the smaller fire pit.

General

In accordance with the Moss Creek Owners Association Governmental Covenants, noncompliance with these rules and regulations may result in a fine up to \$1,000 per occurrence and, or, suspension of privileges to use the recreational amenities of Moss Creek.

Risk of Loss and Indemnification

The Member, or sponsoring Moss Creek organization, understands and agrees that neither MCOA nor its officers, operators, Members, or employees may be held liable in any way for any occurrence in connection with the use of the facility which may result in injury or damage to any Guests or invitees attending the function in question. Further, the Member herein personally assumes all risks in connection with the use of the facility, releases MCOA from any injuries or damages which may befall him/her, and any guests or invitees attending the scheduled affair, and agrees to hold

harmless and defend MCOA from and indemnify MCOA for any claims, causes of action and/or damages which may arise as a result of the use of the facility by the Member and his/her family, Guests, and/or invitees.

Officers and Committee Members of each of the various Moss Creek organizations should ensure that they are properly indemnified during their sponsored activities.

Swimming Pools

The Moss Creek Community pools are located at Bostwick Point and are designated for the use of all Members, their immediate family, and House Guests, Additionally, the pool may be used by Renters, both long and short term, for a daily fee or seasonal pass. Members may have local guests for a daily fee.

The Stable Gate pool and the Royal Pointe pool are designated, by Covenant, for the use of the Stable Gate and the Royal Pointe Members (and their Guests) exclusively. These are Restricted Common Properties and the relevant Members pay an additional assessment for their use and maintenance.

The following Rules and Regulations are set up for the health, welfare and safety of all Members, and have been established to assure safe and sanitary operation and use of all pool facilities. The primary purpose of these pools and these rules is to provide enjoyable and safe exercise and recreational activities. All Moss Creek pools are subject to these rules and regulations. Failure to comply with these rules may result in a fine.

Hours of Operation

Except for required maintenance, pool hours are sunrise to sunset plus 20 minutes daily from March 1st until November 30th, weather permitting.

Each Member and Guest has the responsibility to adhere to the pool rules and regulations as outlined and posted by the Department of Health and Environmental Control.

It may be necessary to close the pool(s) for up to a twenty-four-hour period from time to time, at the discretion of the Certified Pool Operator for the purpose of chemical treatment. Water balance permitting, notice of closure is posted on each gate with date and time documented.

MCOA staff is in charge at all times and have full authority and responsibility to enforce these rules and regulations, including limiting activities of anyone disturbing the enjoyment or safety of others. Anyone breaking the rules will be asked to leave the pool area, and any infractions will be reported to the General Manager and Board of Directors as appropriate.

Safety

No Lifeguard on Duty - Swim at Your Own Risk.

Children age 13 and under must be accompanied by an adult.

All incontinent individuals and non-toilet trained children must wear swim diapers and a tight-fitting protective vinyl cover when using the pools.

NOTE: Swim diapers and tightfitting protective vinyl diaper covers for non-toilet trained children are available for purchase at the Snack Bar and by the pool attendant.

All personal injury, regardless of how slight, must be reported to an attendant or Security immediately and an incident report completed

A First Aid kit is located on site. Please ask MCOA staff for assistance with supplies. An emergency phone is located on the far side of the snack bar wall.

Pool gates must remain closed at all times.

DIVING IS PROHIBITED. In addition, unsafe activities (including dunking, pushing, and running in or around the pool area) will not be permitted. Throwing of tennis balls or similar objects, and excessively loud or boisterous activities are

prohibited. Pool furniture is not permitted in the pools. The exception is the small sand chairs that are allowed at the edge of the entrance to the recreational pool, but not intended to be fully submerged.

Glass of any sort is not permitted in the pool area. This includes, but is not limited to, bottles, stemware and any cookware.

Safety ropes must remain in place at all times; when removed for lap swimming, they **MUST** be reattached after the session.

Use of leisure floatation devices – rafts, noodles, etc. will be restricted during high volume use.

The exercise pool is restricted for lap swimming, aquatic exercise (including classes), and swim lessons from 6am until noon. When scheduled group classes are in session, other aquatic exercise activities are not permitted.

If excrement is found in the pool, please notify the MCOA Fitness/Pool staff immediately. If staff is not available, please call Moss Creek Security at (843) 837-2233 to report it. Immediately following a fecal contamination, the pool is to be closed by staff. The pool contractor is required to follow procedures set forth by DHEC and the Centers for Disease Control and Prevention in order for the chlorine levels to be restored to appropriate levels for reopening the pool. If staff is able to identify those responsible for the contamination, there will be a charge required to pay the expense necessary to correct the problem.

Emergency equipment should be used only in an emergency. There are AED's (automated electronic defibrillator) located in the Fitness Center, Bostwick Pavilion, and on the Bostwick Pool deck by the restrooms.

Lightning/Storm Warning System

One Long 15-Second Horn Blast

All swimmers are instructed to exit the pool immediately and take shelter.

Three Short 5-Second Horn Blasts

All clear. Swimming/sunbathing may resume.

The system has a strobe light that will flash when the lightning warning system is activated. The pool deck should be cleared. Please seek shelter against the building or in the breezeway.

NOTE: This alert system is not absolute protection against hazardous conditions. Common sense may tell you conditions are dangerous. Take the appropriate action to ensure your safety.

Mackay Creek Grill

Food and beverage service is available at Mackay Creek Grill on a seasonal basis. Hours for serving food and refreshments will be established by the General Manager and Clubhouse Manager, and noted in the weekly and monthly newsletters. A fire pit is located in the seating area adjacent to Mackay Creek Grill. Seasonally, staff at either Mackay Creek Grill or the pool staff can light and extinguish this fire pit. When the Grill or pool are closed, please contact Security 843-837-2233 for lighting and extinguishing the fire pit.

Smoking

All pools (Bostwick, Stable Gate & Royal Pointe) and the areas of ingress and egress are designated as non-smoking areas. Electronic cigarettes follow the same restrictions.

Renter Pool Passes

Long Term and Short-Term Renters may obtain a pool pass for the summer season from the Administration office upon providing a photo ID and a copy of their lease or reservation confirmation. Rates for renter pool passes can be obtained at the Administration office or by calling (843) 836-6113.

A maximum of 5 family members may access the pool on a family pass.

Guests (applicable to Members and Long-Term Renters)

Access requirements for guests vary by category. Guests who are:

Local Guests

Local Family Members must be signed in and accompanied by host Member each visit. Any exceptions must be approved by Administration. There is no fee for local family members.

Each member household may have up to 5 Local Non-Family guests per day. They must be signed in and accompanied by host Member. A daily fee of \$9.00 for each guest over 5 years old will be charged to the host Member's account. There is no charge for guests 5 years old and under.

Local Non-Family Guests may visit the pool facility no more than 7 times per season (Memorial Day to Labor Day).

House Guests & Visiting Family -

Persons in short term residence with the host Member have access to the pools at no charge. Whether immediate family or non-family, they must also be signed-in by the host Member or the host Member may arrange for a temporary ID for their House Guest which will allow unaccompanied access during their stay. **Temporary ID cards are issued** at the Administration office **and guest must show an ID.**

Long Term Renters -

ALL guests of Long-Term Renters must be signed in by the LTR each visit and will be charged \$9.00 for each person over 5 years old. Each Long-Term Renter household may have up to 5 guests per day.

Local (Non-Family) Guests may visit the pool facility no more than 7 times per season (Memorial Day to Labor Day).

Short Term Renters

Short Term Renters have access to the pools while in residence, upon purchase of a pool pass, but may not bring Guests.

Groups Larger than 5 Guests

Arrangements for larger groups must be made through the General Manager's office. If permitted it will be restricted to times of lower Member usage.

Large Group privileges are for Members only.

All Members are required to inform their Renters and Guests, long and short term, of the Rules and Regulations and are responsible for their actions.

No local guests will be allowed over the Memorial Day, July 4th, Labor Day holidays, and such other times as MCOA may deem it necessary.

Minors

Parents, or those delegated by the parents to be in charge of their children, are responsible for children and their actions. By State Law children age 13 and under must be accompanied by an adult, 18 years of age or older, and must not be left unattended at the pool at any time.

General

Members and their Guests are required to shower before entering the pool.

Appropriate swim wear is required. No thong swimsuits are allowed. Street clothes, while appropriate for the pool deck, are not allowed in the pool.

Persons under the influence of alcohol and drugs should not use the pool and fitness facility, and may be asked to leave.

Persons with a communicable disease, or skin, eye, ear or nasal infections are NOT allowed in the pool.

No spitting or blowing of nose in the pool.

Pets are prohibited in the enclosed pool area.

Bicycles are to be parked in the racks provided outside the pool area.

Discreet cell phone usage so as not to interfere with other Members is permitted on the pool decks. It is requested that ringers be turned to "vibrate" while at the pool. Public telephones are available by the Snack Bar and at the Fitness Center office.

Members and Guests are to show common courtesy and be discreet in the use of radios and other equipment so as not to disturb others. Personal radios, television, and similar electronic devices may be used only with ear phones in order to not disturb other Members and Guests.

Persons who leave the pool for more than 30 minutes must relinquish lounges and chairs by removing all towels and personal belongings from them. Saving chairs for persons absent from the pool area is prohibited.

These are our pools, please exercise common sense and show courtesy to your fellow swimmers.

Wi-Fi is available on the pool deck on an unsecured network.

Kayak Program Usage & Safety Guidelines

Moss Creek Owners Association has 4 Single kayaks and 2 Tandem kayaks available for use by Moss Creek Members and their accompanied guests ONLY. Kayaks are available on a first come, first serve basis. The kayak keys and paddles can be picked up at the Security Gatehouse (843-837-2233). All participants will need to sign a waiver and release form in order to receive a key. There is no usage fee for Members and their accompanied guests. Usage of the kayaks is not allowed by unaccompanied guests of a member or long or short-term renters.

Please make every possible effort to return the kayaks at or before the stated return time. Be mindful that other Members may be waiting to use the kayaks upon your return.

Personal floatation devices are mandatory and must be worn at all times while using the kayaks in accordance with South Carolina regulations. Cushions, floaties, or other inflatable toys are not an acceptable substitute.

Participants must be at least 16 years old to ride in a Single kayak. Children 13-15 can ride in a Single kayak, if accompanied by an adult in another kayak. Children age 6- 13 must be accompanied in a Tandem kayak with a parent or guardian. No participants under the age of 6. Please observe the capacity limit for your kayak. Under no circumstances are children-allowed to ride in the laps of kayak operator.

All participants must take the kayaks assigned to them as listed by the rack number stated on the usage agreement. All other kayaks stored at the Moss Creek boat launch are private property and absolutely may not be used without express permission from the owner of said kayak.

Please use carts to transport the kayaks to and from the kayak launch station. **DO NOT DRAG KAYAKS ALONG THE GROUND.** There are carts located around the storage area and boat launch. Please pick up any litter left behind in kayaks, rinse off and drain kayaks before re-racking them.

Kayaks must be returned to their proper location. Kayaks are to be returned to the numbered rack slot from which they were taken. Kayak keys and paddles must be returned to Security by the end of the day that the kayak is used, or a \$50 fee will be charged to the Member's account. Members are responsible for lost or damaged kayaks

MCOA reserves the right to prohibit the use of the kayaks during unsafe weather conditions.

All participants must remain within a reasonable and safe distance of Moss Creek's boat launch. Launching of MCOA kayaks from locations other than Moss Creek's kayak launch is prohibited.

It is strongly recommended that one person in your group has a cell phone with them on board in case of an emergency.

All participants must wear shoes while launching and removing kayaks from the water. MCOA will not be responsible for any injuries to any participants. Alcoholic beverages are NOT permitted in kayaks.

Fitness Center

The Moss Creek Fitness Center is located at Bostwick Point and is designated for the use of all Members, and their Accompanied Guests and House Guests during authorized hours. Members are required to sign in their guests.

The following Rules and Regulations are set up for the health, welfare and safety of all Members and Guests, and have been established to assure safe and sanitary operation of the Fitness Facility Center. The primary purpose of these rules is to provide enjoyable and safe recreation for the Members (and their Guests) of Moss Creek.

Hours of Operation

Except for required maintenance and Holidays, the Fitness Center is staffed from 6:00 a.m. until 7:00 p.m. weekdays; 8:00 a.m. – 4 p.m. Saturday; and, 10:00 a.m. –4:00 p.m. Sundays. After hours entry is available to Members using a FOB system. The after-hour times available are 4:00 a.m. – 6:00 a.m. and 7:00 p.m. - 12:00 a.m. weekdays; 4:00 a.m. – 8:00 a.m. and 4:00 p.m. – 12:00 a.m. Saturday; and 4:00 a.m. – 10:00 a.m. and 4:00 p.m. and 12:00 a.m. Sundays. FOBs may be purchased at the Administration office, and a liability waiver must be signed.

Guests will be charged a daily fee for usage of the Fitness Center. All Guests must sign a liability waiver.

Smoking

Smoking is prohibited in the Fitness Center and within 15 feet of ingress and egress. Electronic cigarettes follow the same restrictions.

Members and their Guests

Members and Guests use the Fitness Center and equipment at their own risk. MCOA is not responsible for any injury or illness that a Member or Guest may incur using this facility.

All Members and Guests must sign a Release of Liability form prior to using the facility.

All children under the age of 16 must be accompanied by an adult. Children between the ages of 12-15 can use the center accompanied by an adult and with a signed liability waiver. Usage of the center by children under 12 is not allowed.

Summer grandchildren privileges

During the months of June, July and August grandchildren of a Member, 18 years of age and younger, may use the Fitness Center after 2pm without paying a daily fee. All applicable usage rules and age restrictions above will apply. If attending a fitness class, the class charge will be applied to the Member account.

All Members and their Accompanied Guests must check in with the Fitness attendant upon arrival. This is for your safety and so the Fitness Center staff knows who is in the facility at all times. This also provides a record of utilization which provides valuable information for the long-range planning of facilities expansion.

Safety

No physician or nurse is on duty.

Any Member or Guest with health or physical problems should first consult his or her physician before using any of the exercise equipment or participating in any exercise classes. Member and Guests should be in good physical condition and have no physical, medical or psychological conditions, disabilities, impairments or ailments, chronic or otherwise, which would preclude, impair or prevent them from safely using the exercise facilities, or engaging in active or passive exercise.

General

Proper exercise attire is required at all times. Shirts, pants, shorts (no denim or ripped or torn garments) are permitted. Swim suits are not appropriate attire for the Fitness Center. Proper footwear is required during workouts.

All decisions regarding the use of the equipment will be made by the Manager on duty. Members are asked to treat the equipment carefully, as well as wipe off each piece of equipment at the conclusion of each exercise set.

All persons should refrain from loud or offensive language and inappropriate behavior. Should a Member or their Guest become verbally abusive, Security will be called and that person will be asked to leave.

Bulletin boards located in the Fitness Center are limited to information related to MCOA activities, and may not be used for any reason by Members or any other person, unless first reviewed and approved for posting by the General Manager.

No commercial advertisements shall be posted or circulated in the Fitness Center.

All MCOA TV's in the Fitness Center are to be on sports channels only unless there is a national event that the Manager deems appropriate to view.

Cell phones should be used for emergencies only. In case of an emergency involving personal injury or illness, dial 911 first and then call Security on the emergency line at (843) 837-2700.

Pets are not allowed in any of MCOA's facilities.

Food and glass objects are not permitted in the Fitness Center.

Personal radios, televisions, and other listening devices are permitted only if headphones are used.

Water bottles must be safely placed so as not to be a danger to others using the facility.

It is recommended that all loose-fitting jewelry be removed prior to exercising.

No clothing or personal possessions may be stored in the exercise facility.

Wi-Fi is available in the Fitness Center on an unsecured network.

Boat Slips and Docks

The boat slips and docks are located in the Bostwick Point area near the Bostwick Pavilion and are the property of the Moss Creek Owners Association. Dry storage is available at two locations - Lot A at the Bostwick Point area, and an area near the water tower referred to as Lot B.

All boats stored within or entering Moss Creek must be registered with Security to receive the proper decal or pass identification.

Registration and Ownership

Owners of all watercraft, including kayaks, must register and sign a Boat Facility Agreement prior to using any of the related facilities within Moss Creek. A Boat Facility Agreement may be obtained from the Administration Office.

By State of South Carolina law, all boats which remain in South Carolina waters for ninety (90) or more continuous days must be registered in South Carolina, regardless of the Member's legal domicile. This is the sole responsibility of the Member to comply with this requirement. The Member is required to have up to date registration decals displayed on their vessel.

The Member is required to provide MCOA annually with a copy of proof of ownership, and insurance, and a valid state driver's license for any boat assigned space. Proof of ownership shall be a Federal document (for documented boats) or a state title or registration.

A bill of sale is accepted as proof of ownership in the interim pending the documents listed above, and for boats that do not require state registration (i.e. small unpowered boats, kayaks, dinghies and small sail boats).

Part ownership in a boat does not obligate the MCOA to furnish dock space or access to Moss Creek to any partner or shareholder who is not a Member.

The Member shall advise MCOA of any legal change of ownership or rental of the boat within 24 hours following such a change, and, upon request, furnish evidence thereof to MCOA.

Members must inform their Guests of the boating rules and regulations, and they must obey all posted signs and notices.

Space Assignments and Availability

Facilities requested are assigned on a space available basis and subject to the rates established by the Board for daily, weekly, monthly or annual usage. MCOA Members are given priority on space assignments over renters.

Annual dock space will be assigned on a calendar year basis from January 1st to December 31st. Monthly rates are available upon request.

Dock space is not guaranteed since there are a limited number of spaces. When all suitable dock spaces are assigned, Member names are placed on a waiting list for the first available and suitable space. The waitlist for both wet and dry spaces is posted on the website and updated monthly by the Administration office.

Boat Slips, Lot Spaces and Dock Box assignments are made by MCOA. If a Member is assigned a wet slip, any dry storage space assigned to that Member will be limited to Lot B. This policy goes into effect as of (October 24, 2019) and is not retroactive.

Boat slip assignments are made on the basis of availability, size of boat, navigational considerations, and to maximize efficient use of the amenity.

No Member shall have a permanent right to a particular boat slip.

Use of the boat slips at the dock are restricted to Members and their Guests. House Guests of Members who request temporary use of a boat slip for a period not exceeding three days, may rent space at a daily charge if dock space is available (boat slip); and, for temporary parking at Lot B on a weekly basis if available. The Member is responsible for paying this fee.

Choice of assignment is on a first come, first served basis. Moss Creek will handle all subletting and temporary assignments and charge 25% of rental as a handling fee. For Security purposes, Members are not permitted to make sublet or temporary assignments without approval of MCOA

Members must notify Administration when their boat slip or lot space will be unoccupied for an extended period of time (more than 30 days) so that MCOA can attempt to sublet the slip during the available dates. MCOA reserves the right to reassign a slip that remains unoccupied more than six months total during the year.

In the interest of efficient utilization of spaces - specifically, matching boat length to available space -MCOA reserves the right to change space assignments at any time.

When Members sell their real property at Moss Creek, dock or dry storage spaces assigned will revert to the control of MCOA, and all property must be removed from the premises no later than the closing date of the sale.

When Members sell their boat, dock or lot spaces assigned will revert to the control of MCOA. Boats, trailers, and all other properties must be removed from boat slips and storage lots within thirty (30) days. If purchasing a new boat, in order to retain the dock or dry storage space, the Member must provide to MCOA a bill of sale for the new boat within 30 days after the sale of the previous boat.

Dock boxes are available and are specifically assigned only to a boat slip lessee

Commercial Enterprises

The boat docks are not to be used for commercial enterprises, and no trade or business of any kind may be conducted from such docks. (General Information, pg. 10 for further restrictions) MCOA sanctioned events are not prohibited by this provision.

Unauthorized Use of MCOA Amenities

The recreational amenities in Moss Creek are available, for a fee, to all Members of the Association. The fees are approved by the Board of Directors and updated at least annually.

Occasionally, a Member or Guest utilizes, or attempt to utilize, a storage space or boat slip without paying the appropriate fee. This usage would be deemed unauthorized and the boat/trailer shall be towed and stored in the maintenance area. This unauthorized usage of the recreational amenities, as defined herein, is considered a violation and is subject to fees and fines as approved by the Board of Directors.

The Board of Directors approved Policy Statement 06-04 and thereby established that MCOA Management, upon the determination that an unauthorized use by a Member or Guest has occurred, charges the user the highest prevailing rate appropriate for the amenity used, based on the then current approved fee schedule, plus a fine of \$100.

The Boat Dock Area

These Rules and Regulations applicable to the use of the dock area are intended to ensure the maximum safety of boat owners and their Guests. Failure to observe the following rules can lead to serious personal injury and/or damage to property.

The navigation laws of the United States, the Inland Rules of the Road, laws of the State of South Carolina, the ordinances of Beaufort County, and all other local regulations, including these Rules & Regulations, must be observed by all boats approaching or using the docking facilities at Moss Creek.

All Moss Creek boaters must use all caution and respect to preserve our local waters.

Parents are fully responsible for their minor children. Children under 13 are not permitted on the boat docks unless accompanied by adults.

Pets must be leashed and monitored at all times. Only pets of boat owners are permitted in the boat slip area.

Members are to show common courtesy and be discreet in the use of television sets, musical instruments, radios, and other onboard equipment so as not to disturb others.

Swimming is not allowed in the dock area. However, routine boat maintenance and professional hull cleaning(underwater) is permitted.

Each user of a boat slip is permitted one crab pot, and one bait bucket to be in the water at his/her slip. No other crab pots or bait buckets are allowed in the Bostwick dock area.

Fishing, shrimping and hand line crabbing are prohibited in the dock area.

No boats of any description are to be stored on top of the docks.

No accessory gear, including without limitation, fuel and oil tanks, batteries, fishing rods, mops, garden hoses, paddles, paddle boards, spare mooring lines, buckets or pots are to be left on walking ramps or docks.

No fuel and/or oil tanks or batteries are to be stored in dock boxes.

All waste materials are to be placed in receptacles located at the ramp.

Dry lot assignees shall not use unauthorized boat slips without receiving permission in advance from MCOA. Moss Creek reserves the right to refuse dock space or dry storage to any vessel deemed to be in an unsafe and unkempt condition.

Members are responsible for avoiding fuel and/or oil spills and are held responsible for any legal penalties imposed as a consequence of a violation. Members are charged for clean-up costs for any spills for which they are responsible.

Refueling boats at the Moss Creek boat slips and docks facility is prohibited.

Batteries and drain oil from engines must be disposed of in compliance with the Federal and State regulations and EPA requirements.

All vessels must comply with Federal regulations prohibiting the discharge of oil and must have a means of removing oil from bilges.

All vessels must comply with EPA requirement for on-board holding tanks or treatment of toilet discharge.

Cleaning of fish at the marina is permitted at designated areas only.

Overnight Stays on Members' Boats

The boat owning Member must notify Moss Creek Security by noon on the day prior to the day of the overnight stay of his/her intention to stay overnight on his/her boat.

Overnight stays are limited to a single night, and stays of two or more consecutive nights is prohibited. The boat owning Member must be on board the boat the entire overnight stay. This privilege extends only to Members who have been assigned a boat slip on an annual basis. The boat must have a defined sleeping cabin and the number of people staying overnight is limited to the sleeping capacity of the boat.

The boat must have a USCG compliant self-contained head that does not discharge overboard.

The boat owning Member agrees to be fully responsible for the actions of the people staying overnight on the boat. All trash and refuse must be collected and properly disposed of. No excessive noise that could disturb Members living in close proximity to the Marina will be tolerated. Any neighboring Member's first complaint to Moss Creek Security regarding excessive noise or other noxious behavior requires that the overnight stay be immediately terminated and the boat owning Member and his guests leave the Marina area.

Dry Storage and the Launching Ramp

Overnight stays and/or living aboard is prohibited.

Lot B is restricted to boat/trailer and limited RV storage only. Use of Lots A and B is for Members and Guests only through arrangement with MCOA staff.

The launching ramp is specifically for Members and Accompanied Guests.

Proper Mooring Practices

All boats moored to the docks must be well secured with both a bow and stern line of ample diameter. Boat owners are responsible for the proper security of their boats at all times.

Dinghies, if tied within the slip area, must not intrude on the adjoining slip.

Boat, Boat Trailer, and RV Condition and Usage

The boat docks are not intended to serve as a "storage facility" for boats. Members assigned a wet slip are expected to be active boaters. Usage is defined as taking the vessel out into the local waters.

The boating season for Moss Creek has been identified as March thru October, and Members with a wet slip assignment are expected to use their vessels at least four times during that time frame. Usage will be monitored by MCOA, Members with wet slips are expected to contact Security by phone (843-837-2233) each time they use their boat. Security will keep a record of use and MCOA will use this information to determine whether a wet slip assignee is using the vessel at least four times during the boating season. MCOA will not be checking to see if boats return unless requested by the Member. Members assigned a wet slip who do not take at least four outings in their vessel during a season will not be reassigned a wet slip the following year. An exception may be made for a Member who was unable to use their boat for an extended period of time due to medical reasons.

The Member warrants that their boat and its engine(s) (if any) is safe, clean, shipshape and in good operational and physical condition, capable of propulsion and being maneuvered.

Members must keep their boat, boat trailer and RV in such a condition that they do not become unsightly or dilapidated.

Members are expected to make proper arrangements for the safety of their boat on the approach of a storm.

Upon request of the MCOA General Manager, Members must be able to demonstrate the operational mobility of their boat, boat trailer or RV.

In the event of an emergency, MCOA reserves the right to move boats at the Member's expense to other moorings or storage places, but assumes no obligation to do so.

Failure to abide by these rules will result in a 30-day notice to the Member to immediately remedy the condition, a follow-up warning notice after 45 days and a final notice after 60 days. The MCOA General Manager is authorized by the MCOA Board of Directors to have the boat removed at the Member's expense and the owner immediately forfeits use of the boat slip.

Liability

Usage is at the Member's risk. MCOA is not responsible or liable for damage to or loss of a boat, its gear or equipment, nor do they carry insurance to cover same. The Member agrees to hold MCOA harmless against all claims or damages arising from any willful or negligent acts or omissions of the boat owner, his agents or guests in the use of the facilities.

Boat owners are reminded that they are liable for any damage to personal or public property caused by the operation of their boats or failure to have their equipment properly secured.

The Member shall provide MCOA a copy of their current proof of insurance each year before January 1st and at any time during the year when the policy is renewed. Members are encouraged to call Security if they see accidents or damage to boats.

Safety

There is a strong current at the marina and sharp oyster shell banks are found on the bottom; therefore, extreme caution should be exercised while on the docks to avoid falling into the water. Falling overboard, especially during periods of high winds or strong ebbing or flooding, can be extremely dangerous, due to the possibility of being swept under the floats or docks.

The "No Wake" laws must be strictly adhered to.

Boat owners are responsible for the complete safety of their boats and passengers.

Work by the owner or an outside contractor on a boat located at the Moss Creek facility is permitted, providing it does not constitute a hazard, create a nuisance or interfere with other boat owners or MCOA employees. Boat owners are responsible for the cleanliness of their area. Paint scraping or hull painting (other than minor repairs) is prohibited in the confines of the dry storage and boat dock areas.

Boats requiring electrical or water connections may make such connections only with proper equipment.

No smoking, open flame or barbecue cooking is permitted on the docks or boats.

Fire Fighting Equipment

Fire extinguishers are located on all docks and are plainly marked. A fresh water source is available at the docks.

Anyone discovering a fire should call 911 and inform Security immediately.

Call 911 for medical emergencies and then call Security at (843) 837-2233.

Emergency and Storm Precautions

In the event of a major storm event, MCOA will turn off both the electricity and water supply to the docks. Notification will be sent to all boat owners by email prior to the utilities being disconnected. Services will be restored as soon as the area has been inspected by staff and deemed safe.

It is the boat owner's responsibility to remove boats (movable on trailers) from the docks whenever there are severe storm warnings or hurricane warnings.

MCOA retains the right, but not the obligation, as discussed in the Boat Facility Agreement, to cause a boat owner to move, or, in the owner's absence, to move a boat or yacht, so as to prevent damage to property or to reduce any danger to the health and safety of other users of the dock area.

Under storm conditions, a designated agent of a boat owner may enter Moss Creek to move a boat to a safe haven. Boat owners who are away from the area, or absentee boat owners, should designate an agent to move the boat and report this fact to Security.

During severe storm warning or hurricane warnings, additional tie-down is recommended for boats parked in dry storage areas.

Contingency Plan for the Spill of Oil or Other Hazardous Substances

Moss Creek conducts its operations in such a manner to encourage all individuals who handle material to prevent spills through planning, good housekeeping, adequate equipment, proper maintenance and safe operations of related equipment. Should a spill of oil or other hazardous material occur, immediate action should be taken to contain the spill and stop any further release of the material. All responsible parties and jurisdiction agencies are immediately notified of the spill.

Procedure for Reporting Spills

Initial observer must notify Security upon the occurrence of a spill. Security immediately investigates the spill and notifies the following authorities:

First Contact:

SCDHEC:

DHEC Emergency Response Team (24-hour response) 888-481-0125

District Director (8:30 a.m.-5:00 p.m.) – (843) 525-7603

As much pertinent information as possible is given, including: the location of spill; the source of spill; the time of the spill; the volume of the spill; the nature and potential danger of the spilled material; the anticipated movement of the spill material; the responsible party(s) - (include name, address, phone number, etc.); the action already taken and the weather conditions at the spill site.

Moran Environmental Services, Savannah, Georgia – (912) 232-3224

State and Federal:

S.C. Environmental Control Element, Columbia, S.C. – (803) 896-8940

EPA, Atlanta, Georgia – (404) 656-4713

USCG at Charleston, S.C. – (843) 724-7600

After 4:30 p.m. and Weekends – (843) 724-7616

USCG at Savannah, Georgia – (912) 652-4353

After 4:00 p.m. and Weekends – (912) 652-4353

National Response Center, Washington, D.C. Toll Free Number - 1-800-424-8802

SCDHEC - OCRM, Charleston, SC – (843) 398-4400 - Toll Free 888-481-0125

Nights/Weekends Toll Free No - 1-800-768-1516

- **Local:**

Fire Department (Bluffton, Hwy. 278) - **In case of emergency call - 911**; Fire Station – (843) 837-2888

County Sheriff: **In case of emergency call - 911**; Dispatch Number – (843) 757-3499

MCOA personnel and boat owners cooperate with all governmental agencies to ensure proper implementation of the State Contingency Plan for the Spill of Oil and Other Hazardous Substances prepared by the S. C. Department of Health and Environmental Control.

Spill Containment and Cleanup

Upon discovering a spill, MCOA personnel immediately makes every reasonable effort to contain the spill and stop it at its source, when this can be done without danger to the health and safety of those involved. Containment may involve blocking storm water drains, building berms/dikes, deploying booms/absorbent materials and other barriers to prevent the spread of the pollutant, and other measures to minimize health and environmental damage.

If a boat owner is found negligent by proper authorities, that owner is held responsible for all expenses incurred.

Cleanup and removal of spill material and spill contaminated materials is undertaken after consultation with appropriate governmental agencies to determine the best method(s) for removal. MCOA has arranged with a private company to conduct any cleanup of spills at Moss Creek - Moran Environmental Services, 2600 Seaboard Coastline, Savannah, GA 31415. Their telephone number is (912) 232-3224.

Disposal of the pollutant and/or pollutant contaminated material is in a manner and location as approved by the S. C. Department of Health and Environmental Control.

Management and Administrative Staff Assistance

Moss Creek Security monitors the facility consistently throughout the day. They can be reached at (843) 837-2233 to report any violations of the Rules and Regulations or any safety concerns. **For Emergencies Only**, call (843) 837-2700.

Please address any complaints, concerns or considerations in writing to the Moss Creek General Manager.

For facility agreements and slip assignments please contact the Moss Creek dock coordinator at (843) 836-6112.

Golf

These provisions regarding conduct at Moss Creek's golf facilities are intended to preserve the integrity of the courses and to encourage play in accordance with general rules of etiquette and at a steady pace for the better enjoyment of all golfers.

Hours / Starting Times / Registration / Scheduling

All golfers must check-in with the ranger on the Driving Range prior to starting play. After 3pm, all golfers must check-in with the Golf Shop staff.

The Golf Shop is open Monday 8:00am – 5:00pm and Tuesday – Sunday open from 7:30 a.m. - 5:00 p.m., with the exception of Christmas Day when the Golf Shop, practice areas, and golf club storage area are closed. All play on Thanksgiving Day is a 9:00 a.m. shotgun with the driving range closing at 12:00 noon. The Golf Shop and bag storage closes at 2:00 p.m.

Internet access to advance starting times open daily at 7:00 a.m. Availability of starting times may be modified seasonally to accommodate increased or decreased play. Advanced starting times can be made up to fourteen (14) days in advance.

Starting times normally begin at 8:00 a.m. No players may tee off before the stipulated time. The 8:00 a.m. start time may be varied by management for weather and/or course conditions, and to accommodate transition to and from daylight savings time.

All starting times between 8:00 a.m. and 10:30 a.m. are reserved for Moss Creek Members and their Accompanied Guests.

Twosomes are paired by the discretion of the Golf Shop staff as play demands.

A Moss Creek Member may reserve up to four consecutive starting times on one day. Any Member needing more than four consecutive starting times on one day must obtain approval from the General Manager and/or the Director of Golf. Starting time bookings must have all players listed on the tee sheet at least 5 days prior previous to the starting date. If all players are not listed, the Golf Shop Staff is obligated to cancel the starting time and fill the time with new players as play demands.

All players must begin from the first tee unless otherwise authorized by the starter or the Golf Shop staff.

Scheduled events have precedence over all other play.

Fivesomes are not permitted. No more than four (4) players may play together in a single group. The Director of Golf may approve fivesomes for special events.

Players who stop after the ninth hole for more than the customary time between holes may lose their place and must yield to following players who are ready to tee off in order to maintain continuity of play.

Guest Privileges/Policies

Accompanied Guests are those Guests playing with a Moss Creek Member. Each Member may have up to seven (7) Guests at one time (playing in consecutive tee times) and receive the appropriate Accompanied Guest rate. Any Guests over the limit of seven (7) are charged the Unaccompanied Guest rate.

Unaccompanied Guests, Renters and Reciprocal Guests are restricted from playing during Member reserved starting times (8:00-10:30 a.m.) without prior approval of the General Manager. Reciprocal Guests are limited to a few groups per day and arranged through the Director of Golf. If a Member wants to sponsor more than one (1) foursome of Unaccompanied Guests, approval must be given by the General Manager and/or Director of Golf.

Unaccompanied Guests who are immediate family of a Member may play after 10:30a.m., and still receive the Accompanied Rate.

Guests renting property at Moss Creek may arrange tee times but are restricted from the Member reserved starting times. Renters may play during restricted times only if playing as an Accompanied Guest of a Member.

It is the Member's responsibility to inform their Guests of these Rules and Regulations and to ensure that the Guests abide by them while playing.

Driving Range / Practice Green / Short Game Practice Area

All non-Activity Fee Members must register in the Golf Shop before using the Driving Range. Use of putting greens after normal business hours is permitted.

Range balls are included in the Annual Activity Fee. The daily greens fees include range balls for the day of play only. A daily and annual range fee is available for non-Activity Fee Members who want to practice without playing. This fee is to be paid in the Golf Shop.

The hours of operation are Monday open at 8:00am, Tuesday – Sunday 7:30 a.m. – dusk, except Sunday & Wednesday the range closes at 6pm for staff to clean pick.

The Greens Superintendent has authority to change the operating hours of the Driving Range and Practice Green when maintenance is necessary.

Golfers must hit range balls only from the markers provided. On days when hitting off artificial mats, players must stay on mats with all clubs. Range balls are for the Practice Facility only.

Smoking

Smoking is not allowed on the Driving Range, staging areas for all events, short game area, or any other practice area. Electronic cigarettes follow the same restrictions. Smokers should be mindful of the concern of non-smokers in their group, and if riding in a cart with a non-smoker, should refrain from smoking upon their request.

Cellular Phones

Except in emergencies, or if being used as GPS for shot yardages, cellular phones should not be used on the golf courses. If the presence of a cellular phone is absolutely necessary, it must be set for 'silent' operation.

Dress Code

Golfers must wear appropriate golf attire at all times anywhere on the golf course and all practice areas. Skirts, skorts, slacks, trousers, golf shorts and other attire, in styles designed for golf, are permitted. Jeans, running shorts, athletic shorts are prohibited. Tank tops, halters, tops supported by straps, and strapless tops are prohibited.

Men must wear a shirt with a collar. A mock turtle is considered a collar. Shirts are required to be worn at all times, and must be tucked in.

It is the Member's responsibility to inform their Guests of the dress code.

All players must wear spike less shoes or shoes with soft spikes.

Starters and Professional Staff have the responsibility and the authority to enforce the dress code.

Shoe Service

All Members and Guests may make use of this service. Cleaning of golf shoes is free of charge; all other services are billed to the Member's account. The Shoeshine Shop is located adjacent to the Golf Shop for your convenience. Shoe service attendant accepts cash gratuities.

Golf Carts

Golf carts are required for play on the golf courses except during permitted walking hours. Golf carts are checked out from the Golf Shop and may be used only on the golf courses. No more than two (2) persons shall occupy any one cart. No cart may be operated by a person under sixteen (16) years of age; operator must have a driver's license.

Golf carts may not be driven on waste or sandy areas or pine straw next to the cart path near tees and greens. On all par 3 holes, all four (4) wheels are to always remain on the cart path. On all par 4 and par 5 holes, all four (4) wheels must remain on the cart path until you pass the most forward set of tees (Marsh Tees) before entering the fairway. Unless otherwise posted, carts must be driven on the golf courses under the 90-degree rule, i.e., players should drive their carts along the cart path until they are parallel with the next ball to be played and then make a 90-degree turn and drive to the ball. Carts must be driven on paths in the vicinity of tees and greens, and cart path directional signs must be observed. Except where indicated by the presence of a path, carts may not be driven within 10 yards (30 feet) from the edge of any tee or 30 yards (90 feet) from the edge of any green. Carts may not be left in front of the green nor driven through hazards, soft areas or ground under repair. While players are putting, carts must be parked with all four wheels on the cart path nearest to the next tee box.

Out of bounds is marked by white stakes. Golf carts must **not** be driven past out of bounds stakes and onto private property.

Policy for Violation of Out of Bounds rule

1. First Violation – warning letter sent jointly by the President of the Moss Creek Golf Club Board and Chair, Green and Grounds Committee.
2. Second Violation – recommend to the MCOA Board of Directors a suspension of golf privileges for a minimum of 30 days.

Operation of a golf cart is at the risk of the operator. Members using a golf cart are held fully responsible for any and all damages. Members are responsible for any damages to the golf cart which is caused by the misuse of the golf cart by their Guests. The Members shall reimburse the Club for any and all damages the Club may sustain by reason of such misuse.

Violations may result in loss of golf cart privileges and/or playing privileges, or as determined by the Board of Directors.

Private carts are not allowed at Moss Creek.

Cart Rules for Those with Special Needs

MCOA Red Flag Policy

The purpose of the Red Flag policy is to provide maximum flexibility to those with physical limitations in the use of golf carts. A Physician's statement must be submitted substantiating the condition, as well as the estimated duration of the limitation. Use of a Red Flag will be permitted for the length of time recommended in the physician's statement, up to a maximum of two years. Any extensions requested will need to be recertified by an updated physician's statement.

Red Flag users are NOT permitted any special privileges on days when carts are restricted to paths.

Golf carts may not be driven on waste or sandy areas or pine straw next to the cart path near tees and greens. On all par 3 holes, all four (4) wheels are to always remain on the cart path. On all par 4 and par 5 holes, all four (4) wheels must remain on the cart path until you pass the most forward tees (Marsh Tees) before entering the fairway. Unless otherwise posted under normal playing conditions, Red Flag users are required to follow the 90-degree rules and are allowed a closer proximity to the greens for easier access. However, in ALL situations, carts must stay at least 10 yards (30 feet) away from the edge of the putting surface, and may not be driven within 10 yards (30 feet) of the edge of any tee.

Policy for Violation of Flag Policies

1. **First Violation** - letter sent jointly by the President, Moss Creek Golf Club and Chair, Green & Grounds Committee.
2. **Second Violation** - recommend to MCOA Board of Directors a suspension of flag privileges for balance of season.

Golf Club Storage and Golf Locker Rental

Golf club storage and lockers are available. Sign up in the Golf Shop.

Junior Golf

All players, Junior Members and Guests, under 25 years of age are classified as Junior Golfers.

Junior Golfers must be accompanied by a Member at the Practice Facility and on the course except with approval by the Director of Golf. Junior Golfers receive complimentary use of the Practice Facility.

The Member is responsible to see that Junior Golfers are conversant and adhere to all MCOA Rules and Regulations, care of the course, golf course etiquette, and proper dress code.

The Junior Golfer greens fee rate is \$11.00 and if they use a cart are required to pay the necessary cart fees.

Junior Golfers who start play after 2:00pm receive complimentary greens and cart fees. Tee times can be booked 14 days in advance.

Rules of Play / Speed of Play

The USGA Rules of Golf shall govern all play except as they may be superseded from time-to-time by Local Rules, and subject to these Rules and Regulations regarding golf.

Golf Rangers may be on duty to help regulate play and enforce all rules and speed of play. They have full authority to enforce all rules such as, but not limited to, the following:

- to direct a group to increase their pace of play;
- to direct that a succeeding group be allowed through a slow group;
- to direct a player to discontinue actions contrary to the Rules and Regulations which may have contributed to slow play; and,
- order players from the courses in the event of damage to property, danger to health and safety of other persons, or flagrant disregard of these Rules and Regulations.

An 18-hole round of golf should not exceed four hours. If an open hole(s) exists in front of your group, faster players should be allowed to play through. In golfing tradition, foursomes have priority. Twosomes and singles should not expect to play through foursomes.

Walking Policy for Golfers

The Moss Creek Board of Directors has approved golfers to walk daily after 10:32a.m. Walking Policy is as follows:

- All walkers must register in the Golf Shop and obtain a receipt to present to the Starter.
- Personal pull carts must have a wide tire design. Members owning personal carts are required to purchase a sand bottle from the Golf Shop to attach to their pull cart. The Golf Shop provides the sand. The Golf Shop has a limited number of pull carts available for Member use.
- If at any time a walker delays the speed of play on the golf course, the Golf Shop staff has the responsibility to require the player to stop walking and ride a cart for the rest of the round.

Unauthorized Use of MCOA Amenities

The recreational amenities in Moss Creek are available under a defined fee structure for all Members of the Association. The fees are approved by the Board of Directors and updated at least annually. In the vast majority of cases the appropriate fee is paid and usage of the amenity is therefore authorized.

Activity Fee Members may begin play from their homes only after 3:00 p.m. and only if approval is given by the Golf Shop.

Occasionally, a Member or Guest utilizes, or attempts to utilize, golf amenities without paying the appropriate fee. This unauthorized usage of the recreational amenities as defined herein is considered a violation and is subject to fees and fines as approved by the Board of Directors.

The Board of Directors approved Policy Statement 06-04 and established that MCOA Management, upon the determination that an unauthorized use by a Member or Guest has occurred, is to charge the user the highest prevailing rate appropriate for the amenity used, based on the then current approved fee schedule, plus a fine of \$100.

Rain Policy

In the case of inclement weather, players who have paid a green fee and a cart fee and who are prevented from completing more than five (5) holes are given credit for the green fee and cart fee. In the event that play continues beyond five (5) holes, but less than fourteen (14) holes, one-half of the green fee and one-half of the cart fee is credited. In the event that play continues beyond thirteen (13) holes, **no** credit is given. It is the sole responsibility of the player to immediately apply for a rain check from the Golf Shop.

General

The golf rates include the green fee, golf cart and range balls. The green fee and range balls are good for the entire day of play, but an additional cart fee must be paid if additional holes are played.

Each player on the course must play with their own set of golf clubs.

Practice on the course is prohibited. In applying this rule, a player striking not more than two (2) balls while playing the course alone, or with one (1) other player, shall **not** be considered practicing so long as **no other** player on the course is inconvenienced or delayed thereby.

By the nature of the game, there is an inherent risk for people using the cart paths that are not playing golf, therefore, golf cart paths or any part of the golf courses may not be used by walkers, joggers, skaters or bicyclists from 8:00 a.m. to dusk.

When a golf course is closed, signage at Hole #1 will indicate if it is permissible to walk, jog, skate or bike.

Note, however, that the section of the golf cart path adjacent to the 14th green on the South Course may be used by non-golfers going to or from Spartina Point to the Fording Island Bridge.

Except as provided under Pets, Page 8, pets are not permitted on golf courses at any time.

The golf courses are to be used for the purpose of golf only. No other type of recreation is authorized on the courses.

Dogs and other pets are never permitted in the Golf Shop.

Smoking is never permitted in the Golf Shop, or within 50 feet of any entrance. Electronic follow the same restrictions.

No catered events other than those catered by the Moss Creek Clubhouse are allowed, unless prior approval is given by the General Manager or MCOA Board.

Food and beverages for golf events played on MCOA property must be purchased through the Clubhouse, unless prior approval is given by the General Manager or MCOA Board.

Restrooms are located on the North Course between the 5th and 6th holes and between the 10th and 11th holes. On the South Course, they are located between the 5th and 6th holes and between the 13th and 14th holes.

The Golf Course Superintendent shall have authority to change the hours of operation depending upon weather and course conditions or as may otherwise be necessary.

It is the Member's responsibility to inform their Guests of the Rules and Regulations and to ensure that their guests abide by them while playing.

Visa, MasterCard and cash are accepted from Guests. Members may use Member charge, cash or credit card. A 3% service fee is charged for use of a credit card.

Only authorized personnel are allowed in the service areas of the Clubhouse or Golf Shop.

Lightning/Storm Warning System

Access the app or website home page to view the real-time lightning visualization that shows why the system is alarming. A real-time countdown clock is shown for timing of when it is safe to go back on the course.

One Long 15-Second Horn Blast

All golfers are instructed to cease play and proceed to the Clubhouse or nearest shelter:

South Shelters: #4 and #7 green, #14 tee and #17 green

North Shelters: Between #5 green and #6 tee, #10 green and #15 green

Three Short 5-Second Horn Blasts

All clear - Play may resume.

Strobe Flashing

Lightning in Area Under Alert – Seek Shelter

Horns are also equipped with strobe lights that will flash when system is activated.

NOTE: This course alert system is not absolute protection against hazardous conditions. Common sense may tell you conditions are dangerous. Take the appropriate action to ensure your safety.

Tipping

Tipping for cart/bag attendants and shoe services is at the Member's discretion, but is strongly encouraged.

Racquet Center

General Information

Courts may be reserved in advance through the Racquet Center (843-837-2240) or through the website under the Court Reservation tab under Tennis/Pickleball (moss creek-hiltonhead.com). Court reservations are made in 2-hour increments for Tennis, and 1-hour increments for Pickleball. Court reservations may be made up to two weeks in advance. This applies to reservation of the ball machine as well. Reservations for two weeks out may be made starting at 10 a.m. daily. Additional court time may be taken at the completion of the reserved time if there are no subsequent reservations and if no one is waiting.

Members may reserve courts up to fourteen (14) days in advance for Member only play. Members with Guests may reserve courts up to seven (7) days in advance.

All Members and Guests are required to check-in at the Racquet Center before starting play for Tennis and Pickleball. All players' names, including those of Guests, must be entered into the reservation system or given to an attendant in the Racquet Center before play. The 'Guest Sign-In Sheet' must be used to sign-in all Guests when an attendant is not available.

Courts not in use by ten (10) minutes after the reserved time are considered open.

At least one court is always reserved for Activity Fee Members except during Member special events where they are participating.

Players must promptly vacate the courts at the end of their allotted time if the courts have been reserved and others are waiting. Players must also vacate the Tennis courts for the afternoon maintenance when requested to do so.

Tennis and Pickleball Guests/visiting family/certificate holders are governed, as applicable, by the same rules and regulations as Activity Fee Members.

One court is designated for the teaching pros. This court is made available for open play when not being used by the pros.

Clinic reservations by Activity Fee Tennis/Pickleball Members may be made up to one (1) week in advance. Others may sign up a week in advance but may be bumped if an Activity Fee Member wishes to sign up when the clinic is full. If clinic spots are available within 24 hours, a non-Activity Fee Member may sign up and not be bumped. Activity Fee Members are always charged a lower clinic/session rate than others.

Smoking is permitted in the designated area only. Electronic cigarettes follow the same restrictions.

Pets are never allowed at the Racquet Facility.

Children under 16 years of age are not permitted to enter the Racquet Center except to use the lavatory facilities, or when accompanied by an adult or a professional staff member.

No catered events other than those catered by the Moss Creek Clubhouse are allowed.

Food and beverages for Tennis and Pickleball events on MCOA property must be purchased through the Clubhouse. However, participants may bring snacks and beverages to be consumed in connection with visiting team tennis competitions.

All MCOA TV's in the Racquet Center are to be on sports channels only unless there is a national event that the Manager deems appropriate to view.

Lightning/Storm Warning System

One Long 15-Second Horn Blast

All Tennis and Pickleball players are instructed to cease play immediately and take shelter.

Three Short 5-Second Horn Blasts

All clear. Tennis and Pickleball activity may resume. A strobe light warning system is located at the Racquet Facility. The strobe light will flash when the lightning warning system is activated.

NOTE: This alert system is not absolute protection against hazardous conditions. Common sense may tell you conditions are dangerous. Take the appropriate action to ensure your safety.

Unauthorized Use of MCOA Amenities

The recreational amenities in Moss Creek are available, for a fee, to all Members of the Association. The fees are approved by the Board of Directors and updated at least annually. In the vast majority of cases, the appropriate fee is paid, and usage of the amenity is therefore authorized.

Occasionally, a Member or Guest utilizes, or attempts to utilize, the Tennis or Pickleball courts without paying the appropriate fee. This unauthorized usage of the recreational amenity as defined herein is considered a violation and is subject to fees and fines as approved by the Board of Directors.

The Board of Directors approved Policy Statement 06-04 and thereby established that MCOA Management, upon the determination that an unauthorized use by a Member or Guest has occurred, will charge the user the highest prevailing rate appropriate for the amenity used, based on the then current approved fee schedule, plus a fine of \$100.

Hours of Play: Tennis

Playing Time - All courts are open seven (7) days a week during the following times:

May 1 - Oct 31

8:00 a.m. - 12:00 p.m.

2:00 p.m. - 9:30 p.m.

(Court time change is in accordance with daylight savings time.)

November 1 - April 30

8:30 a.m. - 12:30 p.m.

2:30 p.m. - 9:00 p.m.

The closed time at mid-day on the clay courts is required for daily maintenance (all courts).

Courts may need to be closed for longer periods during heavy maintenance.

Only courts 3, 4, 5, 6 and 7 are available for play from after sunset to 9:00 or 9:30 pm based on schedule above. No play is permitted after closing times posted. The lights shall be turned off as soon as play is finished.

Hours of Play: Pickleball

Playing Time - All courts are open seven (7) days a week during the following times:

May 1 - Oct 31

8:00 a.m. - 9:30 p.m.

(Court time change is in accordance with daylight savings time.)

November 1 - April 30

8:30 a.m. - 9:00 p.m.

Guest Privileges/Policies

Before 10:30 a.m., all courts are reserved for Moss Creek Members and their Accompanied Guests.

Accompanied Guests are those Guests playing with a Member. Each Member may have up to three (3) Guests at one time.

If a Guest is booked for two consecutive court blocks, an additional Guest fee is required for each additional court time.

Unaccompanied Guests of Members and Reciprocal Guests from other private clubs are restricted from playing during Member reserved times. Reciprocal groups are limited to a few groups per day and arranged through the Director of Racquet Sports. If a Member wants to sponsor more than four (4)-Unaccompanied Guests, approval must be given by the Director of Racquet Sports and the General Manager.

Guests renting property at Moss Creek may arrange court times but are restricted from the Member reserved court times stated above. Renters may play during restricted times only if playing as an Accompanied Guest of a Member.

It is the Member's responsibility to inform their Guests of these Rules and Regulations and to ensure that the Guests abide by them while playing.

Summer Grandchildren Privileges

During the months of June, July and August, grandchildren of a Member, 18 years of age or younger, may use the courts after 2pm for no court fee. All applicable guest policies above will apply.

Cellular Phones

Except in emergencies, cellular phones should not be used on the Tennis or Pickleball courts. If the presence of a cellular phone is absolutely necessary, it must be set for 'silent' operation.

Dress Code

All players shall wear accepted tennis attire. Only 'tennis shoes' are allowed; running, cross-trainers, athletic or waffled-soled shoes are prohibited.

Men: appropriate tennis attire is required. A collared shirt or an acceptable 'tennis t-shirt' (Moss Creek logo t-shirts, U.S. Open t-shirts, and other tennis related t-shirts) is required at all times.

Women: appropriate tennis attire is required. Halters and any tops supported by straps and strapless tops are prohibited.

Jeans, cutoffs, and bathing suits are prohibited.

Staff has the responsibility and authority to enforce the Dress Code.

Renters

Below is an abbreviated version of the 2024 MCOA Rules & Regulations prepared for the renters in Moss Creek. In accordance with the Moss Creek Covenants, renters within Moss Creek are provided access to the recreational amenities, and are bound by the same rules and regulations as approved by the MCOA Board on a yearly basis. A complete copy of those rules may be obtained at the Administration office.

General Information

Admittance to Moss Creek - The Member (or rental agent) must notify Moss Creek Security of the time of arrival and the length of stay. The Security Gate will issue a visitor's pass. The pass should be displayed on the windshield of the car at all times during the Renter's visit.

Amenities Available to Renters - Renters are welcome to use the facilities and amenities of Moss Creek by paying the relevant User Fees. The MCOA kayaks are not available to renters. Fee and time schedules are available at the Clubhouse, the Golf Shop, the Racquet Center, Fitness Center, Equestrian Center, and the Administration Office.

Responsibilities of Renters - Renters are responsible for any debts, property damage or personal injury. Members are ultimately responsible for the conduct and debts, property damage or personal injury caused by their renter. See fine structure below.

Fines & Penalties

Enforcement of these Rules and Regulations shall be made by Security. The following penalty structure is in effect for violations of these Rules & Regulations,

- 1st offense – Warning
- 2nd offense - \$100 fine
- 3rd offense - \$250 fine
- 4th offense – General Manager action up to \$500; Board action (up to \$1,000 per occurrence)

At the General Manager's discretion, depending on the nature of the violation, the first offense can warrant a monetary fine up to \$250.

The following penalty structure is in effect for speeding violations:

- 1st offense – \$100.00 fine
- 2nd offense - \$250.00 fine
- 3rd offense - \$500.00 fine
- 4th offense – \$1,000 fine

At the General Manager's discretion, depending on the nature of the violation, the first offense can warrant a monetary fine up to \$1,000. Any speed violations 40mph+ will have an automatic fine of \$1,000.

Gambling

There are certain card and other games at the Clubhouse that are and are not acceptable. Card playing and other games for the primary purpose of gambling are not allowed. Card playing and other games at the Clubhouse of a social nature are appropriate. Security and Clubhouse Management are responsible for monitoring and enforcing this provision.

Noise - Renters are to show common courtesy and be discreet in the use of radios and other equipment so as not to disturb others.

Pets

The following rules and regulations have been developed for the health and safety of all residents, guests and employees. They apply to Moss Creek Members, guests and renters without exception. Pets are defined as domestic dogs and cats. Custodians are defined as owners or anyone caring for the animal on a temporary basis, such as a relative or pet-sitter.

All pet vaccinations must be up to date. Current Rabies vaccination tags must be worn. Members are requested to register their pets with MCOA Administration. This information helps to identify the owners of stray domestic animals found in the Community.

No animal may be kept in Moss Creek whose existence or normal activity is noxious, dangerous, unsightly, and unpleasant or of a nature that destroys or diminishes the enjoyment of the property of other Members.

Pets are not permitted to roam free. They must be always leashed when not on the Member's private property. Members must control their pet/s and are responsible for the activity of any pet. Other than Service Dogs duly licensed and registered with MCOA Administration, pets are not allowed at any MCOA facility other than the fenced dog park. Leashed pets may be exercised on golf cart paths only when access is permitted **and** golfers are not present, see Golf Cart Paths page 13.

Owners must control dog barking and digging, repair any defacement and remove any excrement from unimproved and improved private property, recreational areas or Common Property. Failure to do so may result in a fine.

Any pet which endangers the health or well-being of any person or animal, or which persistently creates a nuisance shall subject the Member to enforcement action by MCOA when Security or MCOA Administration is notified.

As defined in the Beaufort County Code, animals are deemed a nuisance under the following circumstances:

- Disturbs the rights of, threatens the safety of or injures another Member, or interferes with the ordinary use and enjoyment of their property.
- Intentionally or unintentionally runs or roams at large, except on property owned or rented by the owner or custodian of the pet.
- Causes damage to private or Common Property
- Barks, whines or howls indoors or outdoors in an excessive, continuous or untimely fashion to result in a serious annoyance or interference with the reasonable use and enjoyment of neighboring premises.

Any pet that attacks another pet(s) or human being(s) will not be tolerated in Moss Creek. When incidents of this nature occur and Security is notified, Security will immediately report the incident to Beaufort County Animal Services (BCAS) for their investigation and enforcement of the Beaufort County Animal Control Ordinance. Security will provide BCAS with copies of any incident reports or other information pertinent to the incident and will assist BCAS as requested. Incidents that happen within the confines of the Bostwick Fenced Dog Park will be investigated by Moss Creek Security. Depending on the severity of the incident, Security may direct that the dog be muzzled whenever using the Dog Park, or prohibited from use of the Dog Park.

Bostwick Fenced Dog Park

The Dog Park is open to all licensed, healthy, vaccinated (Rabies, Distemper, Parvo) dogs over the age of four months during daylight hours except:

- Small Dogs (weighing less than 20 pounds) only from 8:30 a.m. – 9:30 a.m. and 3:00p.m. – 4:00 p.m.
- Large Dogs (weighing more than 50 pounds) only from 4:00pm – 5:00pm
- Use of the Dog Park is at the risk of the Member, Member guests, and their dog(s).
- Members must accompany guests wishing to use the Dog Park.
- Dogs must not be left unattended by the Owner or Custodian.
- Digging is not permitted. Owners must fill in any holes.
- All Members and Guests shall always clean up after dogs and dispose of waste in containers provided.
- MCOA requests that owners of non-neutered/spayed dogs remove their pets if they become a nuisance to other owners and/or their dogs.
- Owners must attend to and maintain control over their dogs at all times and immediately remove threatening or aggressive dogs. Serious incidents must be reported to Security for their investigation and enforcement of the MCOA rules and regulations.
- Unaccompanied children under the age of 16 are not permitted with or without a dog.
- No smoking allowed.
- Toys and treats are discouraged.

All dogs outside of the fenced area must be always on a leash and under control of owners. Dogs are not permitted in the sand area of the playground.

Staff - Moss Creek is served by an excellent, hard-working, and dedicated staff. As with other Members of the Community, staff personnel deserve to be treated courteously and with respect. In an active place like Moss Creek, the

staff has a number of duties and is very busy. Requests for services or complaints should be made in writing to the General Manager whose office is in the Administration Office.

Phone Numbers

<u>Moss Creek -</u>	Administration	(843) 837-2229
	Clubhouse	(843) 837-2230
	Golf Shop	(843) 837-2231
	Security	(843) 837-2233
	Racquet Center	(843) 837-2240
	Fitness Center	(843) 836-6160

Community Phone Numbers -

Emergency (police, fire, ambulance)	911
Sheriff's Dispatch Center	(843) 524-2777
Sheriff's Office	(843) 757-3499
Hilton Head Hospital	(843) 681-6122
Hargray Telephone Company	(843) 757-2211
Palmetto Electric Cooperative	(843) 681-5551

Vehicles

Please observe traffic signs and posted speed limits of 27 mph unless otherwise posted.

Pedestrians and bicyclists have right-of-way.

Park off-street or in designated areas.

Bicyclists are encouraged to use the leisure trails for their own safety and must be equipped with a bell. Golf cart paths are not to be used by bicyclists when golfers are present, except the one adjacent to the 14th green on the South Course.

Motor driven cycles are not permitted. Pedal Assist Electric bikes with a motor of no more than 750 watts or one horsepower, and a top motor-powered speed of less than twenty miles an hour are not prohibited. Boat trailers must be parked in designated boat-trailer areas. Trailers, campers, recreational vehicles, commercial pickup trucks and panel trucks may not be parked in residential areas overnight (between 9:00 p.m. and 6:00 a.m.) unless kept entirely within an enclosed garage (garage door fully closed so the prohibited vehicle cannot be seen.). This rule is enforced by Security (refer to the Moss Creek Covenants, Article IX, Section 23, Prohibited Structures and Vehicles). An extension up to 12:00 midnight may be prearranged with Security. If found in violation of this rule, a citation is issued that may result in a fine to be paid to Moss Creek.

Permission for parking these vehicles is on a space available basis in designated areas. Arrangements should be made through Security or the General Manager's office.

Clubhouse

Renters are invited to make use of the Moss Creek Clubhouse which includes a dining room, lounge, and Golf Shop. Smoking is prohibited in the Clubhouse. Electronic cigarettes follow the same restrictions. Lunch and dinner are served (consult calendar for schedule). Please make dinner reservations. If you must cancel, please do so by 4:30 p.m. A gratuity and applicable tax are automatically be added to all food and beverage charges. Payment can be made by cash or by Visa or MasterCard. Children under the age of thirteen (13) must be accompanied by an adult. Pets are not permitted.

Attire

- Appropriate attire is required in the Clubhouse at all times.
- Casual sports attire is acceptable throughout the Clubhouse in all dining areas. Jeans are always allowed. Certain Club events may have a separate dress code and will be published as such when promoted to the membership.
- The following attire is considered inappropriate at any time: torn or frayed jeans(new or old), cargo shorts, cut-offs, gym shorts, inappropriate length short/skirts, muscle shirts, T-shirts with any obscene or political language, tank tops, torn or soiled work apparel, shower shoes or beach flip flops, bathing suits, or gentlemen's headgear. This list of unacceptable attire is not intended to be all-inclusive, but to establish a parameter for acceptable

ones. Tennis shoes worn on the courts are not permitted in the Clubhouse unless shoes have been cleaned prior to entry to the Clubhouse.

- It is the responsibility of all Members to see that their Guests dress appropriately for the occasion.

Unauthorized Use of MCOA Amenities

The recreational amenities in Moss Creek are available, for a fee, to all Members, Guests and Renters of the Association. The fees are approved by the Board of Directors and updated at least annually. In the vast majority of cases, the appropriate fee is paid, and usage of the amenity is therefore authorized.

Occasionally, a Rental Guest utilizes, or attempts to utilize, the MCOA amenities (golf, racquet sports & boating) without paying the appropriate fee. This unauthorized usage of the recreational amenities as defined herein is considered a violation and is subject to fees and fines as approved by the Board of Directors.

The Board of Directors approved Policy Statement 06-04 and thereby established that MCOA Management, upon the determination that an unauthorized use by a Rental Guest has occurred, charges the user the highest prevailing rate appropriate for the amenity used, based on the then current approved fee schedule, plus a fine of \$100 (if the penalty charge is not paid by the Renter, the Member is ultimately responsible for paying the fine).

Recreational Facilities

All Amenity areas listed below are available to Renters by paying the appropriate fees. Please contact the Administration office at (843) 836-6113 for a list of the current fee structure. Renter packages are available, or the Renter may pay the published renter daily rate.

Community Pool

The Community pool is at Bostwick Point and rules for its use are prominently posted.

Renter Pool Passes

Long Term and Short-Term Renters may obtain a pool pass for the summer season from the Administration office upon providing a photo ID and a copy of their lease or reservation confirmation. Please contact the Administration office at (843) 836-6113 for a list of fee options for a summer pool pass. A maximum of 5 family members may access the pool on a family pass.

Guests (applicable to Long Term Renters Only)

Access requirements for guests vary by category. Guests who are:

Long Term Renters -

ALL guests of Long-Term Renters must be signed in by the LTR each visit and will be charged \$9.00 for each person over 5 years old. Each Long-Term Renter household may have up to 5 guests per day.

Local (Non-Family) Guests may visit the pool facility no more than 7 times per season (Memorial Day to Labor Day).

Short Term Renters

Short Term Renters have access to the pools while in residence, upon purchase of a pool pass, but may not bring Guests.

Large Group privileges are for Members only.

No local guests will be allowed over the Memorial Day, July 4th, Labor Day holidays, and such other times as MCOA may deem it necessary.

Minors

Parents, or those delegated by the parents to be in charge of their children, are responsible for children and their actions. By State Law children age 13 and under must be accompanied by an adult, 18 years of age or older, and must not be left unattended at the pool at any time.

General Pool Rules

Members and their Guests are required to shower before entering the pool.

Appropriate swim wear is required. No thong swimsuits are allowed. Street clothes, while appropriate for the pool deck, are not allowed in the pool.

Persons under the influence of alcohol and drugs should not use the pool and fitness facility, and may be asked to leave.

Persons with a communicable disease, or skin, eye, ear or nasal infections are NOT allowed in the pool.

No spitting or blowing of nose in the pool.

Pets are prohibited in the enclosed pool area.

Bicycles are to be parked in the racks provided outside the pool area.

Discreet cell phone usage so as not to interfere with other Members is permitted on the pool decks. It is requested that ringers be turned to "vibrate" while at the pool. Public telephones are available at the Fitness Center office.

Members and Guests are to show common courtesy and be discreet in the use of radios and other equipment so as not to disturb others. Personal radios, television, and similar electronic devices may be used only with ear phones in order to not disturb other Members and Guests.

Persons who leave the pool for more than 30 minutes must relinquish lounges and chairs by removing all towels and personal belongings from them. Saving chairs for persons absent from the pool area is prohibited.

These are our pools, please exercise common sense and show courtesy to your fellow swimmers.

Wi-Fi is available on the pool deck on an unsecured network.

Golf

- * Special 30-day and Annual Renter's Golf Packages are available for purchase at the Administration Office, or the daily renter rate will apply.
- * All golfers must register before starting play.
- * Hours of play are posted at the Golf Shop, and the hours from 8:00 a.m. to 10:30 a.m. are reserved for Members and Guests when accompanied by Members.
- * Accompanied Guests are those Guests playing with a Member. Each Member may have up to seven (7) Guests at one time (playing in consecutive tee times) and receive the Accompanied Guest Rate. Any Guests over the limit of seven (7) will be charged the Unaccompanied Guest Rate.
- * Unaccompanied Guests, Renters and Reciprocal Guests are restricted from playing during Member reserved starting times (8:00-10:30 a.m.).
- * Guests renting property at Moss Creek may arrange tee times but are restricted from the Member reserved starting times. Renters may play during restricted times only if playing as an Accompanied Guest of a Member.
- * Appropriate golfing attire shall be worn at all times on the golf course and all practice areas. Skirts, skorts, slacks, trousers, golf shorts and all other attire in styles designed for golf are permitted. Jeans, running shorts, and athletic shorts are prohibited. Tank tops, halters, tops supported by straps, and strapless tops are prohibited. Men must wear a shirt with a collar. A mock turtle is considered a collar. Shirts are required to be worn at all times and must be tucked in.
- * All players must wear spikeless shoes or shoes with soft spikes.
- * Starters and Professional staff have the responsibility and the authority to enforce the Dress Code.
- * Detailed regulations are available at the Golf Shop and the Administration Office.
- * Casual play or practice is prohibited.

Racquet Sports

- * Special 30-day and Annual Renter's Racquet Sports Packages are available for purchase at the Administration Office, or the daily renter rate will apply.
- * Before 10:30 a.m., all courts are reserved for Moss Creek Members and their Accompanied Guests.
- * Unaccompanied Guests of Members, Renters and Reciprocal Guests from other private clubs are restricted from playing during member reserved times.
- * Renters may play during restricted times only if playing as an Accompanied Guest of a Member.
- * It is the Member's responsibility to inform their Guests of these Rules and Regulations and to ensure that the Guests abide by them while playing.
- * All players shall wear accepted tennis attire.

- * Only 'tennis shoes' will be allowed; running, cross-trainers, athletic or waffled-soled shoes are prohibited.
- * Men: appropriate tennis attire required. A collared shirt or an acceptable 'tennis t-shirt' (Moss Creek logo t-shirts, U.S. Open t-shirts, and other tennis related t-shirts) is required at all times.
- * Women: appropriate tennis attire is required. Halters and any tops supported by straps and strapless tops are prohibited.
- * Jeans, cutoffs, and bathing suits are prohibited.
- * Staff has the responsibility and authority to enforce the Dress Code.
- * No pets are allowed at the Racquet Facility.

Fitness

- * Special 30-day and Annual Renter's Fitness Packages are available for purchase at the Administration Office, or the daily renter rate will apply.
- * Except for required maintenance and Holidays, the Fitness Center is open from 6:00 a.m. until 7:00 p.m. weekdays; 8:00 a.m. – 4 p.m. Saturday; and, 10:00 a.m. – 4:00 p.m. Sundays. Entry for renters to the Fitness Center and use of the equipment is permitted only during the designated hours of operation.
- * Guest usage is subject to a daily fee. All Guests must sign a liability waiver.
- * Proper exercise attire is required at all times. Shirts, pants, shorts (no denim or ripped or torn garments) are permitted, and closed shoes are required. Swim suits are not appropriate attire for the Fitness Center. Proper footwear is required for workouts.

Fishing and Hunting

Fishing is permitted in ponds, lagoons, and waterways subject to South Carolina regulations. While golfers are present on the course, fishing is not allowed along the banks of ponds and lagoons where they adjoin or run parallel to the golf courses. The use of cast nets, for any reason, is prohibited in the lagoons and ponds, and is limited to the dock areas at the Community Crabbing Docks and the saltwater side of the causeways. The crabbing and fishing docks are available for use from sunrise to sunset. Fishing is also prohibited at the boat dock area.

No hunting of any kind is permitted. The use of firearms and bows and arrows is prohibited.

Wildlife

Feeding alligators is **prohibited by law**. Alligators are wild animals and lose their fear of humans, if fed. In addition to Moss Creek penalties and fines, the State of South Carolina will impose a fine of \$500.

The feeding of deer or interfering with other wildlife is not permitted. Moss Creek Owners Association utilizes the services of professional biologists to manage our wildlife. Feeding of deer can negatively impact the effectiveness of the management program.

ATTACHMENT A

POLICY FOR COLLECTION OF Delinquent Accounts:

The Board has adopted the position that aggressive action be taken against Members who are late or delinquent in the payment of their accounts.

Collection of Moss Creek Owners Association Monies

It has become necessary to formally establish a system for the administration of accounts owing to MCOA and terms and conditions applicable to the collection of such accounts.

The following is the procedure for collection of monies of all kinds (including, without limitation, Club accounts, annual and special assessments, water and sewer charges, and other sums) owing from Members and any other responsible parties.

Due Dates

The Annual Assessment is due and payable on or before January 31st, or, paid in 12 equal monthly payments.

Special assessments are due and payable as prescribed in the document authorizing such special assessment and will be deemed late if received after such date.

Club accounts and any other sums owing are due and payable (unless otherwise determined by the Board), on the last day of the month following the month in which they are incurred and will be deemed late if received after such date.

The date upon which Annual Assessments and special assessments, club accounts, and any other sums owing, respectively, are due and payable is referred to herein as the "Late Date."

If the January installment payment or any subsequent monthly payment of the Annual Assessment or other fees remain unpaid for more than 30 days after the last day of the month in which it is billed, then the **full** unpaid amount of the Annual Assessment and all other fees will automatically become due and payable without notice from MCOA.

Single Account

All monies of all kinds owing (including, without limitation, Club accounts, annual and special assessments, amenity fees and other sums) shall be administered as a single account of the Member and/or other responsible party.

Late Charges

A late charge of \$25 will be added to the account of any Member and/or other responsible party if payment in full of such account has not been received within 30 days after the late date. An additional late charge of \$25 will be added to the account of any Member and/or other responsible party if payment in full has not been received within 60 days after the Late Date.

Returned Checks

An additional administrative fee of \$25 will be charged for returned checks.

Delinquencies; Collection Procedures

In addition to the late charges specified above, all monies of any kind (including, without limitation, Club accounts, annual and special assessments, water and sewer charges, and other sums owing) not paid by the date such monies are due and payable will incur an interest charge of 1.5% per month (or such other amount as may be determined by the Board pursuant to the Covenants) from the date such monies are due and payable.

30 Days Past Due

If payment in full of monies owing has not been received within 30 days after the late date, a letter will be sent to the Member and/or other responsible party requesting immediate payment and advising of the posting of the initial \$25 late charge.

60 Days Past Due

If payment in full has still not been received within 60 days after the late date, a second letter will be sent by registered or certified mail advising of the posting of the second \$25 late charge to the account and the future suspension of

charge privileges and the right to use Moss Creek amenities, and further that the matter will be referred to an attorney for collection at the expense of the Member and/or other responsible party.

90 Days Past Due

If payment in full has not been received within 90 days after the late date, the matter will be referred to an attorney for collection, which will include, without limitation, foreclosure on the Member's lot or dwelling and/or a lawsuit seeking a judgment for personal liability of the owner and recourse against the Member's other assets. The Member and/or other responsible party will incur all legal expenses.

The Member and/or any other responsible party by registered or certified mail of the immediate (a) suspension of their privilege to charge any amount to their Club account, and (b) suspension of their right to access to, and use of, any and all Moss Creek amenities and services (including, without limitation, use of the golf courses, tennis/pickleball courts, swimming pools, and water and sewer service. etc.)

Recurring Delinquencies

In the event a Member becomes past due within 18 months of a previous past due status, the 90 days past due action will be accelerated to the date the Member is 30 days past due.

Other Matters

There will be no exceptions to the foregoing procedures, provided, however, any Member and/or other responsible party may apply to the Board or General Manager in writing for a waiver or deferral of any procedure due to extraordinary hardship or other legitimate mitigating circumstances. The Board will consider all such applications, but, shall have no obligation to grant any waiver or deferral.

No failure or delay of the Board in exercising any of its rights or remedies shall be a waiver of such right or remedy. Nothing contained herein shall limit or otherwise impair any other right or remedy of the MCOA.

The Board may amend these procedures at any time and shall have the sole discretion to interpret them and determine the manner of their application.