

Oldfield Community Association “OCA”

RESTRICTIONS & RULES

EFFECTIVE JULY 23, 2020



**Oldfield Community Association
Restrictions and Rules**

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1. **General.** The following restrictions and rules shall apply to all of the property subject to that certain Declaration of Covenants, Conditions and Restrictions for Oldfield recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Deed Book 1354 at Page 1359 on November 17, 2000, as amended or supplemented (the "Declaration") until such time as they are amended, modified, repealed, or limited pursuant to Section 3.2 of the Declaration. Any capitalized terms not defined in these Restrictions and Rules shall have the meaning assigned in the Declaration. The Board shall have the right, but not the obligation, to contact the appropriate authorities for violation of these Restrictions and Rules.
2. **Restricted Activities.** The following activities are prohibited within Oldfield unless expressly authorized by, and then subject to such conditions as may be imposed by, the Board of Directors:
 - a. **Parking** Parking of commercial vehicles or equipment (as defined having a curb weight of \geq 7,000 pounds and/or having \geq 20% exterior covering in commercial marketing), mobile homes, unlicensed vehicles, recreational vehicles, golf carts, boats and other watercraft, trailers, stored vehicles, or inoperable vehicles on public or private streets or thoroughfares or in any places other than enclosed garages; provided, construction, service and delivery vehicles shall be exempt from this provision during daylight hours for such period of time as is reasonably necessary to provide service or to make a delivery to a Unit or the Common Area. In addition to the above, Owners shall notify the Oldfield Security Department ("Security") prior to parking vehicles in locations other than the Owner's garage, carport or driveway if it is anticipated the parking of such vehicles would exceed the Owner's Unit boundaries. Upon notification to Security or upon Security's discovery of such parking, Security shall have the right to manage such parking, including but not limited to, directing vehicles, placing traffic cones and prohibiting such parking. Notwithstanding the above, no parking is permitted on Oldfield Way, as set forth in the Oldfield Security Department Traffic Citation Procedures. Security shall be contacted prior to parking any vehicles along Oldfield Way. Every effort should be made for a residential vehicle to be parked inside a garage, otherwise only 2 residential vehicles are allowed to be parked outside, unless they are short-term or registered guests
 - b. **Pets** Except as provided by the Declaration, raising, breeding, or keeping animals, livestock, or poultry of any kind, except that a reasonable number of dogs, cats, or other usual and common household pets may be permitted in a Unit; however, those pets which are permitted to roam free, or, in the discretion of the Board, make objectionable noise, endanger the health or safety of, or constitute a nuisance or inconvenience to the occupants of other Units shall be removed upon the Board's request. If the pet owner fails to honor such request, the Board may take action to have the pet removed. Pursuant to the Beaufort County Code of Ordinances, dogs, cats and other household pets shall not be allowed to run at large. Dogs shall be kept on a leash or otherwise confined in a manner acceptable to the Board whenever outside the dwelling. Invisible fencing is an acceptable method of containment. Owners shall clean up after their dogs and properly dispose of any waste. Pets shall be registered, licensed and inoculated as required by law, provided however, that in addition, dogs must be registered within thirty (30) days of ownership. Collar identification tags issued at registration must be worn at all times when the dog is outside the dwelling at Oldfield. All residents shall update their online member profile with their pet's information including the registered Oldfield number and photo.
 - c. **Odors** Any activity which emits foul or obnoxious odors outside the Unit or creates noise or other conditions which tend to disturb the peace or threaten the safety of the occupants of other Units;
 - d. **Legal Violations** Any activity which violates local, state, or federal laws or regulations; however, the Board shall have the right, but not the obligation to take enforcement action in the event of a violation;

- e. **Physical Conditions** Pursuit of hobbies or other activities which tend to cause an unclean, unhealthy, or untidy condition to exist outside of enclosed structures on the Unit; firewood stored outside shall be covered in black or brown tarp to minimize unsightly colors.
- f. **Offensive Physical Activities** Any noxious or offensive activity which in the reasonable determination of the Board tends to cause embarrassment, discomfort, annoyance, or nuisance to persons using the Common Property or to the occupants of other Units. Outdoor activity shall be kept to a reasonable noise level, especially after dusk;
- g. **Burning** Outside burning of trash, leaves, debris, or other materials, except by Declarant and its contractors;
- h. **Noise Conditions** Use or discharge of any radio, loudspeaker, horn, whistle, bell, or other sound device so as to be audible to occupants of other Units, except alarm devices used exclusively for security purposes;
- i. **Fireworks** Use and discharge of firecrackers and other fireworks;
- j. **Dumping** Dumping grass clippings, leaves or other debris, petroleum products, fertilizers, or other potentially hazardous or toxic substances in any drainage ditch, culvert, drain grate, or other drainage structure, stream, pond, or lake, or elsewhere within Oldfield, or dumping or burying rocks or any other debris, except that fertilizers may be applied to landscaping on Units provided care is taken to minimize runoff;
- k. **Garbage** Accumulation of rubbish, trash, or garbage except between regular garbage pickups, and then only in approved containers. Garbage containers must be placed on the street for pick up no earlier than the night before a scheduled garbage pickup and shall be returned to garages/service yards by the end of the scheduled pick up day. Dumpsters located within Oldfield, except those located on an Owner's Unit, may not be used by Owners. In addition, Owners shall not use dumpsters located on another Owner's Unit;
- l. **Stormwater Control** Obstruction or rechanneling drainage flows after location and installation of drainage swales, storm sewers, or storm drains, except the Association shall have such right; provided, the exercise of such right shall not materially diminish the value of or unreasonably interfere with the use of any Unit without the Owner's consent;
- m. **Unit Subdivision** Subdivision of a Unit into two or more Units, or changing the boundary lines of any Unit after a subdivision plat including such Unit has been approved and Recorded;
- n. **Waterway Activities** Swimming, use of motorized personal watercraft, or other active use of lakes, ponds, streams, or other bodies of freshwater within Oldfield, except that the Board may permit the Association, Oldfield Club and Owners to use certain types of watercraft in designated areas. Owners must register their boats with and have their boats approved by staff at the Outfitters Center. It is within the discretion of the Outfitters Center whether to approve a boat for use within Oldfield; however, by way of example, boats likely to be approved include kayaks, canoes, and jon boats of fifteen (15') feet or less. Boats must be hand carried and launched by hand. No boats may be launched by trailer. Electric motors less than three (3) horsepower and trolling motors are permitted, but gasoline or other fueled motors are prohibited. In the event use of boats within Oldfield causes disturbance or conflict with other activity within Oldfield, such as fishing, golfing, wildlife nesting, etc., the Board shall have the right to close certain bodies of water within Oldfield to boating. Fishing from the shores of bodies of water that the Association may designate shall be permitted, with such licenses as may be required by South Carolina law. Oldfield Club, its successors and assigns, shall be permitted to draw water from lakes, ponds, and streams within Oldfield for purposes of irrigation and such other purposes as Oldfield Club shall deem desirable. The

Association shall not be responsible for any loss, damage, or injury to any person or property arising out of the authorized or unauthorized use of rivers, lakes, ponds, streams or other bodies of water within or adjacent to Oldfield;

- o. Timeshare** Use of any Unit for operation of a timesharing, fraction-sharing, or similar program whereby the right to exclusive use of the Unit rotates among participants in the program on a fixed or floating time schedule over a period of years;
- p. Firearms** Discharge of firearms, except by persons whom the Board may designate from time to time to help control wildlife within Oldfield; provided, the Board shall have no obligation to take action to prevent or stop the unauthorized discharge of firearms;
- q. Fuel Storage** On-site storage of gasoline, heating, or other fuels, except that a reasonable amount of fuel may be stored on each Unit for emergency purposes and operation of lawn mowers and similar tools or equipment, and the Association and Oldfield Club shall be permitted to store fuel for operation of maintenance vehicles, generators, and similar equipment. This provision shall not apply to any underground fuel tank authorized pursuant to Article IV of the Declaration;

r. Conducting Outside Business

Any business, trade, garage sale, moving sale, rummage sale, or similar activity, except that an Owner or occupant residing in a Unit may conduct 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 outside the Unit; (ii) the business activity conforms to all zoning requirements for Oldfield; (iii) the business activity does not involve door-to-door solicitation of residents of Oldfield; (iv) the business activity does not, in the Board's reasonable judgment, generate a level of vehicular or pedestrian traffic or a number of vehicles being parked in Oldfield which is noticeably greater than that which is typical of Units in which no business activity is being conducted; and (v) the business activity is consistent with the residential character of Oldfield and does not constitute a nuisance, or a hazardous or offensive use, or threaten the security or safety of other residents of Oldfield, as may be determined in the Board's sole discretion.

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 undertaken on an ongoing basis which involves the provision of goods or services to persons other than the provider's family and for which the provider receives a fee, compensation, or other form of consideration, regardless of whether: (i) such activity is engaged in full or part-time, (ii) such activity is intended to or does generate a profit, or (iii) a license is required.

Leasing of a Unit shall not be considered a business or trade within the meaning of this subsection.

- s. Wildlife** Capturing, trapping, removing or killing wildlife within Oldfield, except insects, rodents, moles and other common pest species typically covered under standard pest control practices (where control does not involve or require live capture) and except in circumstances posing an imminent threat to the safety of persons using the Property and by such persons as the Board may designate from time to time to manage wildlife populations within the Property, in accordance with the Oldfield Natural Resources Policies and Procedures, dated May 1, 2007, as amended;
- t. Environmental Concerns** Any activities which materially disturb or destroy the vegetation, wildlife, wetlands, or air quality within the Property or which use excessive amounts of water or which result in unreasonable levels of sound or light pollution, including the installation of individual automated insect/mosquito misting systems;

- u. **Property Conversion** Conversion of any garage to finished space for use as an apartment or other integral part of the living area on any Unit, except as approved by the ARC and pursuant to Article IV of the Declaration;
- v. **Motorcycles & Golf Carts** Motorcycle use between the hours of 9:00 p.m. and 8:00 a.m. is prohibited, unless such use is necessary to exit Oldfield or to drive from Oldfield's entrance directly to a Unit. Additionally, operation of motorized vehicles off roads and operation of golf carts on roads is prohibited, except that electric golf carts approved by and displaying a valid permit issued by the Oldfield Club Security shall be permitted on roads and on cart paths intended for such purposes;
- w. **External Objects** Any construction, erection, placement, or modification of anything, permanently or temporarily, on the exterior portions of a Unit, whether such portion is improved or unimproved, except in strict compliance with the provisions of Article IV of the Declaration and as approved by the ARC. This shall include, without limitation: basketball hoops permanently affixed to the exterior portion of a Unit, swing sets, trampolines, volleyball nets, sandboxes and other sports and play equipment not readily moveable and intended to remain on the exterior of a Unit, excluding portable basketball hoops which are allowed without ARC approval; exterior lighting; exterior siding or paint color; clotheslines; sculptures; fountains; flag poles permanently affixed to the ground of a Unit; swimming pools, spas, hot tubs or other water features; storage sheds; garages; tree houses; play houses; hedges; landscaping and retaining walls; dog runs or animal pens; fences; and satellite dishes and antennas, except that:
 - i. an antenna designed to receive direct broadcast satellite services, including direct-to-home satellite services, that is one meter or less in diameter;
 - ii. an antenna designed to receive video programming services via multipoint distribution services, including multichannel multipoint distribution services, instructional television fixed services, and local multipoint distribution services, that is one meter or less in diameter or diagonal measurement; or
 - iii. an antenna that is designed to receive television broadcast signals; (collectively, "Permitted Antennas") shall be permitted on Units, subject to such reasonable requirements as to location and screening as may be set forth in the Architectural Guidelines, consistent with applicable law, in order to minimize obtrusiveness as viewed from streets and adjacent property. Association shall have the right, without obligation, to erect an aerial, satellite dish, or other apparatus for a master antenna, cable, or other communication system for the benefit of all or a portion of Oldfield, should any master system or systems be utilized by the Association and require such exterior apparatus; and
- x. **Advertising** The display, posting, placement, or attachment of "for sale" or "for lease" signs, banners, posters, placards, billboards, advertisements, bulletins, announcements, flyers or any other manifestation of a message, slogan, or advertisement of any kind anywhere within the Community so as to be visible from outside of structures on a Unit (including upon or attached to any vehicle), other than in such areas, if any, as the Board may designate for posting of such items, except that (i) the ARC may authorize designated Builders to post signs in accordance with such rules and design criteria the ARC may adopt, and (ii) those signs installed by the Board during the Development and Sale Period, or by the Association, and those signs required by South Carolina law, shall be permitted.
- y. **Seasonal Decorations** Holiday and seasonal ornamentation and similar exterior ornamental items remaining on a Unit or visible from outside a Unit longer than three (3) weeks after the applicable holiday or season concludes;

- z. **Items on Docks** Allowing boats, coolers, chairs and other personal property to remain on or adjacent to docks after dusk; and
 - aa. **Exterior Condition of Items** Leaving toys, bicycles, tricycles, plastic pools, and other similar recreational items and lawn maintenance equipment on and around a Unit so as to be visible from outside of such Unit when not in use. These types of items shall be stored away when not being used.
3. **Prohibited Conditions.** The following shall be prohibited at Oldfield:
- a. **Exterior Activities** Plants, animals, devices, or other things of any sort whose activities or existence in any way is noxious, dangerous, unsightly, unpleasant, invasive or of a nature as may diminish or destroy the enjoyment or safety of the Property;
 - b. **Poor Condition of Exterior** Structures, equipment, or other items on the exterior portions of a Unit which have become rusty, dilapidated, or otherwise fallen into disrepair; and
 - c. **Use of Waterways** Sprinkler or irrigation systems or wells of any type which draw upon water from lakes, creeks, streams, rivers, ponds, wetlands, canals, or other ground or surface waters within Oldfield, except the Association shall have the right to draw water from such sources. Notwithstanding the foregoing, Owners may submit to the ARC plans and specifications for use of water-source heating and cooling systems and such plans will be considered provided they meet all requirements of the South Carolina Department of Health and Environmental Control, the South Carolina Water Resources Commission and other agencies or other governmental bodies having jurisdiction in such matters and provided such installation otherwise meets the usual aesthetic considerations of the architectural review process as herein provided.
 - d. **Leasing of Units** "Leasing," for purposes of this Paragraph, is defined as regular, exclusive occupancy of a Unit by any person, other than the Owner for which the Owner receives any consideration or benefit, including, but not limited to, a fee, service, gratuity, or emolument. All leases shall be in writing and shall require minimum lease terms of ninety (90) days except for Lots 17-22, 208-218, and 366-374 which may enter into lease agreements of less than ninety (90) days provided that the Owners of such lots must participate in the rental program approved by the Board. Notice of any lease, together with such additional information as may be required by the Board, shall be given to the Board by the Unit Owner within 10 days of execution of the lease. The Owner must make available to the lessee copies of the Declaration, Bylaws, and the Restrictions and Rules, all as may be amended.