

# Sea Country

87-1000 Kahiwelola St. Waianae, HI 96792

Office (808) 668-4275 Fax (808) 748-0330

October 9, 2012

**To:** All Home Owners and Residents.  
**From:** Sea Country Board of Directors

Over the past year Sea Country Community Association has received numerous complaints in regards to house rules and design review violations. In response, Sea Country board of directors authorized the formation of a house rules committee. Each subdivision was represented by a committee member living within their subdivision.

Sea Country house rules committee drafted attached new house rules. The Board of Directors adopted new house rules on 8-9-2012. The attached house rules and fine policy will take effect on 11-10-2012.

Moving forward Sea Country Community Association will adopt a **low tolerance policy** on yard maintenance and house rules violations. In addition to new house rules, a new fine policy has been adopted. **Please familiarize yourself with these new house rules and fine policy.**

Pet owners need to pay special attention to the new pet rules. All pet owners need to register their pets with Sea Country. To register your pets, please bring your pets to the clubhouse on Mondays and Tuesdays from 6 to 9PM.

Any pet registered before November 10<sup>th</sup>, 2012 will be grandfathered in and not be Subject to the three pet rules, no matter how many pets you have. Any pets registered after November 10<sup>th</sup>, 2012 will be considered NEW PETS and fall under the three pet rules. **No Exceptions.**

The purpose of these Master Association Rules (these "Rules") is to protect all owners and occupants of the Sea County community (the "Community") from annoyance and nuisance caused by improper use of the Lots and also to protect the reputation and desirability of the Community and to provide for the maximum enjoyment of the Community.

These Rules supplement, but do not change, the obligations of Lot Owners and other persons using the Community as set forth in the Amended and Restated Master Declaration of Covenants, Conditions, Restrictions and Easements for Sea Country (the "Declaration") and the Bylaws of Sea Country Community Association (the "Bylaws").

In the event of any inconsistency between these Rules and the Declaration and the Bylaws, the Declaration and the Bylaws, in that order, will prevail. The Board of Directors (the "Board") has the authority to make such other rules or to amend these Rules from time to time as the Board deems advisable for the safety, care and cleanliness of the Community and for securing the comfort and convenience of all the Owners and Occupants of the Community, as provided in the Declaration. All Owners, Occupants and their guests shall be bound by these Rules and by standards of reasonable conduct whether covered by these Rules or not; provided, however, that neither the Board nor the managing agent shall be responsible for any noncompliance with or violation of these Rules by Owners, Occupants or their guests.

Edward J Lauer

A handwritten signature in black ink, appearing to read "Edward J Lauer", enclosed within a hand-drawn oval.

General Manager  
Sea Country Community Association

FOR THE SEA COUNTRY COMMUNITY ASSOCIATION BOARD OF DIRECTORS

# SEA COUNTRY MASTER ASSOCIATION RULES

## PURPOSE OF THESE RULES

The purpose of these Master Association Rules (these "Rules") is to protect all owners and occupants of the Sea County community (the "Community") from annoyance and nuisance caused by improper use of the Lots and also to protect the reputation and desirability of the Community and to provide for the maximum enjoyment of the Community. These Rules supplement, but do not change, the obligations of Lot Owners and other persons using the Community as set forth in the Amended and Restated Master Declaration of Covenants, Conditions, Restrictions and Easements for Sea Country (the "Declaration") and the Bylaws of Sea Country Community Association (the "Bylaws"). In the event of any inconsistency between these Rules and the Declaration and the Bylaws, the Declaration and the Bylaws, in that order, will prevail. The Board of Directors (the "Board") has the authority to make such other rules or to amend these Rules from time to time as the Board deems advisable for the safety, care and cleanliness of the Community and for securing the comfort and convenience of all the Owners and Occupants of the Community, as provided in the Declaration. All Owners, Occupants and their guests shall be bound by these Rules and by standards of reasonable conduct whether covered by these Rules or not; provided, however, that neither the Board nor the managing agent shall be responsible for any noncompliance with or violation of these Rules by Owners, Occupants or their guests.

## **I. RULES**

### **1. Parties –Garage Doors - Yard Usage**

- a. All outside social gatherings and parties shall be held in fenced areas only.
- b. Garage doors must be kept closed after 9:00PM (except to enter and exit vehicle or trash bin).
- c. Barbequing, outdoor cooking, or playing of audible music permitted in fenced areas only.
- d. Any exceptions to the above stated policies must have the approval of the appropriate home owner's board (usage contract).
- e. Second offense grace period does not apply to above rules. A fine may be imposed if violation occurs again in a 90 day period.

### **2. Pets**

- a. Only three (3) pets are allowed per Lot
- b. Pets are defined as dogs, cats or rabbits.
- c. Any dog barking or cat meowing for 15 minutes continually or 30 minutes intermittently shall constitute a pet nuisance violation.
- d. 1<sup>st</sup> violation shall be a warning violation with a 14 day correction period.

- e. Upon a 2<sup>nd</sup> violation or any additional violations, the Board may impose a \$100.00 fine per violation.
- f. Upon a 3<sup>rd</sup> violation, the Board may require the pet owner to remove the pet from the Community. An Owner or Occupant must be violation free for 90 days from first violation date to reset pet removal process.
- g. Caged birds, hamsters and fish are also allowed as pets, but do not count in the three pet rule.

### **3. Resident parking**

- a. No Owner, Occupant or guest may park in another Lot's driveway without written permission from the Lot Owner, which permission must be on file with Sea Country manager's office.
- b. Any vehicle parked in another Lot's driveway without written permission on file may be towed at the vehicle owner's expense.
- c. Any vehicle parking on one of the Community roadways over 48 hours in the same spot may be subject to tow at the vehicle owner's expense.
- d. No vehicle may leak oil onto the Community roadways. Any vehicle found leaking oil will be responsible for removing oil from affected area at resident's expense and/or repairing any damage resulting from the oil leakage.
- e. Any vehicle leaking oil is not permitted to park on the Community roadways until such vehicle oil leak has been repaired.
- f. No parking is permitted within 25 feet of Anaha Street intersection on Anaha Street at Pakeke Street intersection.

### **4. Vehicle noise**

- a. No music audible from outside of vehicles while traveling through, parked or standing in Sea Country.
- b. No excess acceleration of vehicles.
- c. No excess noise from modified exhaust systems.

### **5. Window treatment -Windows must have some form of window treatments.**

- a. Window treatments may be vertical blinds, horizontal blinds, wooden blinds, bamboo blinds, or cloth draperies.
- b. Outward facing colors of window treatments must be white, off white, natural wood colors or solid earth tones.
- c. Window treatments must be able to cover entire window when closed.
- d. Any worn or broken window treatments needs be replaced promptly.

## 6. Rubbish/trash/garbage Containers

- a. Containers may be placed out for collection no earlier than 6 pm the day before scheduled trash collection, and must be returned to resident's property no later than 11:59 p.m. the same day.

## II. FINES

The Board may impose monetary fines for a violation of any association rules or design review guidelines.

1. First offense: Written notification of the violation with 14 day grace period. The written notice shall be either delivered in person or by mail.
2. If the offense is not corrected within the 14 day grace period, the Board may impose a \$100.00 fine per violation.
3. Second offense of the same infraction occurring after 14 day grace period, the Board shall notify the Owner or Occupant in writing of the offense and may impose a \$100.00 fine per violation.
4. For a continuing violation, the Board may impose a \$100.00 fine for each successive period of 14 days until the violation has been corrected.

All fines imposed will be deducted from your maintenance fee payment as stated in the Priority of Payment Schedule. Any fine not paid in full may result in late fees being imposed, and/or a lien being filed against your Lot as set forth in the Declaration and Bylaws.

### **Appeal from Fines:**

Any person fined ("appellant") may appeal the fine as follows:

**Notice of Appeal:** By delivering to the Property Manager, within twenty (20) days after the date of delivery or mailing to the appellant, whichever is first in time, of written notice of such fine and / or penalty, a written notice of his or her appeal and the reasons thereof. The delivery of notice of appeal shall not halt the accrual of any ongoing fine imposed for the violation, which is the subject of the appeal. However, the Board may waive or rescind all or part of such fine for good cause at the time of hearing such appeal.

**Time for Hearing Appeal:** All appeals shall be heard at a meeting of the Board within ninety (90) days after the notice of appeal has been delivered to the Property Manager.

**Procedure:** A statement of facts upon which the fine and / or penalty was based shall be delivered or mailed to the appellant at least ten (10) days before the meeting. At the meeting, the appellant and / or witnesses on his / her behalf

may present his / her defenses and supporting evidence, if any. The Board may ask other persons to attend and present testimony and the Board may consider all relevant testimony, evidence and information related to the offense.

**Disposition of Appeal:** The Board shall vote as to whether the fine and / or the amount thereof, and / or the penalty, will be affirmed. If less than a majority of the directors participating in the meeting vote in the affirmative, the fine and / or penalty shall be rescinded. If a majority of the directors participating in the meeting shall vote to uphold the fine or any portion thereof, that sum shall be remitted by the appellant in full, within twenty (20) days of the date that the appellant is delivered or mailed written notice of the decision of the Board upon the appeal. If a majority of the directors participating in the meeting shall vote to uphold the penalty, the penalty shall continue in force.

### III. AMENDMENTS

These Rules may be amended by the Board of Directors at a duly called meeting, as provided in the Bylaws, and shall become effective when notice thereof is delivered to the Owners.

The Board hereby adopts the foregoing Master Association Rules this day of August 9, 2012.

*Nichole Wright*

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Name: Nichole Wright  
Title: Board President