

FIPOA Rules and Regulations Committee

Enforcement

Enforcement

The Board of Directors of the Fripp Island Property Owners Association has approved and consented to the adoption of a schedule of specific fines and penalties for violations of the Association Rules and Regulations, Bylaws, and certain Covenants.

The Board and Fripp Island Security, or its authorized delegate, shall be responsible for receiving complaints, investigating those complaints and issuing citations for violations of the Rules and Regulations, Bylaws and certain covenants. They may impose and collect fines and penalties as provided in these Rules, institute legal proceedings to enjoin further violation of the Rules and Regulations, and take any such further action as may be provided in the covenants or as may be necessary or appropriate to enforce compliance with the Rules and Regulations.

In addition to any fine or penalty prescribed herein, a person who violates these Rules and Regulations shall be liable to the Association for civil damages arising out of the violation and shall be subject to any other remedy available to the Association at law or in equity.

Security

Fripp Island Security operates under the power and authority granted by applicable State and County laws to enforce all public safety, health and traffic laws on Fripp Island. Security is also empowered to enforce these Rules and Regulations, Bylaws and certain Covenants.

Fripp Island Security is empowered to administer all entrance control and vehicle identification procedures as directed by the Board. They may investigate, detain, search, ticket, and arrest persons violating or charged with violating public health, safety and traffic laws, Rules and Regulations, Bylaws and certain Covenants within the physical boundaries of Fripp Island.

Definitions

For purposes of this document, the following terms shall have the following meanings:

1. "Owner" shall mean and refer to a person who owns property on Fripp Island.
2. "Owner Guest" shall mean and refer to a person who is the guest of an owner. This includes guests of children of an owner.
3. "Day Guests"
 - a. Contractors
 - b. Vendors
 - c. Golf/Tennis
4. Renters
 - a. Resort short term (daily, weekly)
 - b. Guests of Renters
 - c. Long term (monthly or more)
5. Fripp Island Resort Employees
6. Others

Enforcement of the rules and regulations will be done in a nondiscriminatory manner.

Health, Safety and Traffic Laws

If violation of the Rules and Regulations is found to have occurred, Security or its authorized delegate may, depending upon the nature and frequency of a violation, take any or all of the following actions:

1. Request that the person or persons cease and desist;
2. Issue a Fripp Island citation and fine;
3. Issue a state citation;
4. If a minor child (under 18) is in violation, every attempt will be made to identify and locate the child's parents and/or person who authorized entry onto Fripp Island;
5. Order restitution to be paid by the offender in situations where a violation of rules has resulted in damage or destruction of private property. Parents may be held responsible for restitution in cases involving minor children.
6. Terminate the right of an individual and/or vehicle to enter Fripp Island;
7. If violation involves a motorized vehicle, Security has the right to seize such motorized vehicle until fine is paid. In cases involving a rental motorized vehicle, depending on the violation, the rental company may be involved for final resolution.

Fines and Payment Procedure

See attached for Schedule of Rules and Regulations and corresponding fines.

The fine for committing an infraction of the Rules, except as otherwise specifically provided in the Rules, shall not exceed the amount listed on the attached Schedule. Fines for infraction of rules that are not covered under the Schedule of Fines shall be established by the Board of Directors.

The offender must pay the appropriate fine in accordance with the authorized fine schedule. All fines shall become due and payable five (5) calendar days* after the citation is issued. The fine may be paid at the FIPOA office or at the drop box located at the exit gate. If fine is not paid or written notice of an intent to appeal not given within five (5) calendar days*, the Board and/or Security has the right to take further action.

A \$25 fee will be imposed for returned checks.

Parents, guardians, or responsible party of minor children are responsible for their minor children, and/or their children's guests, who violate the Rules and Regulations.

The fine may be doubled if the offender has been cited for the same offense previously.

Failure to Pay Fine

If within five (5) calendar days* after the notice of fine is issued the fine is not paid and no statement of appeal has been filed, the Board and/or Security or its authorized delegate is authorized to take further action.

Any or all of the following actions may be taken upon non-payment:

1. Issue state citation;
2. Refuse entry into Fripp Island;
3. Initiate collection proceedings;
4. In cases involving an owner, or guest or minor child of an owner, the FIPOA Board may authorize adding said fine or restitution to the FIPOA member's annual assessment statement;
5. In cases involving an owner, or guest or minor child of an owner, the FIPOA Board may file a lien against such owner's property;
6. Double original fine;

* *Postmarked, Hand Delivered, or Drop Box*

APPEALS PROCEDURES

Introduction:

The Fripp Island Property Owners Association (FIPOA) Board of Directors has adopted Rules, Regulations, Enforcement and Appeals Procedures. Any individual receiving a written citation for violation of the rules and regulations has the right to appeal. Specific Appeals Procedures are outlined below.

Appeals Committee:

The FIPOA shall establish an Appeals Committee consisting of seven (7) members in good standing with the FIPOA, one of these Committee members shall be a member of the Board of Directors and one shall be a member of the Fripp Island Resort Architectural Review Board (ARB). The member of the Board of Directors (FIPOA) and the Fripp Island Resort (ARB) will not vote (ex officio members of the Committee). All voting Committee members shall be appointed by the President and confirmed by the Board of Directors. The Chairperson of the Appeals Committee shall be selected by the President and shall serve at the pleasure of the Board. A quorum of the Appeals Committee consists of a majority of the voting members of the Committee.

Once the Committee is appointed a meeting shall be held to establish organizational procedures for the Committee functions/operations.

Appeals Process:

If the alleged offender requests an appeal of a citation for violation, he or she must notify the General Manager in writing within ten (10) calendar days* of issuance of the citation. The Appeals Committee must first acknowledge receipt of the request for an appeal by Standard Mail, and then notify the alleged offender by Certified Letter and Standard Mail that the Appeals Committee meeting has been scheduled. The appellant will be notified by Standard Mail of the action taken by the Appeals Committee.

The alleged offender is presumed to have waived his/her right to an Appeal if a request for an appeal is not received by the General Manager within the required ten (10) days*.

A meeting of the Appeals Committee shall be conducted to hear the Appeal. The alleged offender shall be given the opportunity to be heard and present witnesses, if appropriate. The alleged offender must appear in person unless the Committee agrees that appearing in person is not feasible. In this case the Committee shall allow written appeals.

The decision established by majority vote of a quorum of the Appeals Committee is final. A written report of the decision by the Committee shall be sent to the offender.

**Postmarked, Hand-Delivered, or Drop Box*