



Shipyard

ARCHITECTURAL REVIEW BOARD
GUIDELINES



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I. History of Shipyard

When Charles Fraser developed the first plantation on Hilton Head Island in 1957, he instituted a master land use plan that blended with and accentuated the natural beauty of the Island. The second plantation to be developed for residential purposes was Shipyard Plantation. Much like its Sea Pines predecessor, Shipyard was developed with special consideration given to complementing rather than competing with nature.

There are approximately 2,100 density units in Shipyard with an unusual combination of resort, residential, and commercial interests. Nestled in among the trees are twenty-seven holes of golf, twenty tennis courts, a 338-room beachfront hotel, a world-class Health Institute, 255 residential lots, and approximately 400 timeshare units and 1,000 condominium units.

In the late 1980's Shipyard Property Owners' Association was organized to provide homeowner management of Shipyard Plantation. Its authority was derived from the original developer, the Hilton Head Company, by Assignment of the Declarant Rights that mandates the enforcement of protective Covenants and Restrictions. After several years of operation under thirty-two individual sets of covenants, the Shipyard Property Owners' Association adopted a uniform set of Covenants in 2002 that defines how the property in the neighborhood can be used.



SHIPYARD
Property Owners Association

II. Board of Directors and Management

Restrictive Covenants and By-laws that are on file in the Beaufort County Office of the Register of Mesne Conveyances govern Shipyard Property Owners' Association. It is these Protective Covenant Restrictions and By-laws that provide for a SPOA Board of Directors to govern the operation of the community.

The management of Shipyard is under the direction of a 24-person Board of Directors. The Board includes representation from all commercial, resort, and residential elements of the property. Directors serve a two-year term by appointment or election within their varied areas. There are 6 board meetings a year and an annual meeting of the entire association in early March. Under their guidance of the Board of Directors, on-site personnel manage the day-to-day operations. The General Manager, along with the Director of Safety & Security and the Administrative Operations Manager, coordinates the in-house security and additional subcontract services required for the operation of the common areas of the property.



III. General Guidelines to Living in Shipyard

◇ **Property Access:**

PURPOSE: To define the limitations and controls for access to Shipyard

POLICY: It is the policy of Shipyard Property Owners' Association (SPOA) to control access to the property by means of a pass/decal system. These rules are established by the Shipyard Property Owners' Association Board of Directors. Shipyard Security, which is licensed and certified by the South Carolina Law Enforcement Division (SLED), will manage and enforce this policy. Accordingly, all vehicles or persons entering Shipyard must possess and display a pass or decal to demonstrate authorization as required.

ENTRY GATES: There are two gates to enter Shipyard, the 278 Parkway Gate and the Pope Avenue Gate.

The Association reserves the right to deny admission to any person or conveyance that does not meet proper access requirements for residential, commercial, or resort entrances. To enter, a vehicle must display a proper decal, daily pass, temporary pass, domestic pass, staff decal, or real estate pass. For additional information on specific access policies, contact the Security office at Shipyard Welcome Center for a copy of the Guide to Shipyard Security and Access Policies.



III. General Guidelines to Living in Shipyard

B. Animals in Shipyard:

1. **Alligators:** There are many animals that reside in and around Shipyard and Hilton Head Island, South Carolina. One of the most common is the American Alligator. It is imperative that owners and guests refrain from feeding, harassing, or approaching the alligators. If an alligator is fed, it associates people with food and loses its natural inclination to remain at a safe distance. Alligators also prefer 70-degree weather conditions, and will be most visible on the lagoon banks and in the lagoons during these temperatures. Shipyard POA respects the life of the natural inhabitants and asks all owners and guests to respect them and their habitat.

2. **Domestic Animals:** No animals, livestock, or poultry of any kind may be raised or permitted within Shipyard with the exception of dogs, cats, or other usual and common household pets. All owners, renters, and guests shall remove their pet's waste from the common areas and all other properties. Dogs must be kept in accordance with the Beaufort County "Leash Law," and they may not be tied or left unattended outside. In accordance with Town Code, no dog or cat may bark or meow to such an extent to interfere materially with or affect the health, comfort, peace, or quiet of any other person.

3. **Fishing:** Fishing **is not** permitted in the common area lagoons.



III. General Guidelines to Living in Shipyard

◇ Assessments and Fees:

Every property owner in Shipyard pays an annual fee to the Shipyard Property Owners' Association to cover the costs of operating the common areas of the property. This fee is approved by the SPOA Board of Directors and is based on the budgetary needs for the coming year. The annual invoice is forwarded on January 1st of each year and is due upon receipt. The funds collected are for the operation of security and maintenance of common roads, grounds, buildings, bike paths, and lagoons. Additional fees may be charged for interest on late assessment payments or for Covenant or Architectural Review Board fines. A schedule of fines for violations is recommended by each Committee and approved by the SPOA Board of Directors.

Each Committee has procedures for any appeals.

◇ Beach Club Use and Rentals:

All property owners may access the beach at the Beach House and use the restroom during daytime hours of operation. The private Beach Club may be rented by an owner for a private party and can be reserved by contacting the Beach Club Coordinator.

◇ Bicycles and Leisure Paths:

Shipyard has several miles of leisure paths available for jogging, biking, walking, and skating. All bikes used within Shipyard should comply with State regulations and have an operating bell and light. All owners and guests should exercise caution while using the paths and remember that they are multipurpose paths.



III. General Guidelines to Living in Shipyard

◇ Commercial Contractors and Work Times:

All commercial contractors must purchase a decal or a pass to work within Shipyard. This pass gives them access to and from the work site only. Work is only permitted from 7:00 a.m. to 7:00 p.m. on weekdays. Management must approve weekend work. No work is permitted on holidays.

◇ Easements Reserved:

The Association reserves the right to grant or amend easements over any part of the common properties for utilities, drainage, or other such Board-approved reasons. The Association also reserves easements for maintaining utility services over and under ten feet of land adjacent to each side of the property as shown by reference in the plats or records.

◇ Fire Pits:

Recreational fires are defined as fires contained within a commercially built and ARB-approved structure. Recreational fires are restricted to burning logs and charcoal. Burning of any trash or rubbish is prohibited. Failure to comply with this rule may result in a violation being issued and or fines levied. To build an outdoor fire pit/ fireplace, you must apply for a permit with the ARB and the Town Building Division.



III. General Guidelines to Living in Shipyard

◇ **Fences:**

No fences or fencing-type barrier of any kind shall be placed, erected, allowed, or maintained upon any unit or Commercial parcel without the prior written consent of the Architectural Review Board. The Board shall have the right to erect fencing of any type considered appropriate or reasonable by the Board at any location on the common areas. The only location that Residential fencing would be considered by the ARB would be immediately around swimming pools and within the building setback lines. Type and height of fence would have to be approved by the ARB. Fencing will not be allowed around properties for enclosing an area for pets or to prevent wildlife from entering a property. Fences should maintain a reasonable scale and complement the house.

◇ **Hurricane Shutters:**

Hurricane shutters must be removed within two weeks after official recovery of the storm, or after a reasonable period of time.

◇ **Mailboxes:**

All residential homes will have a uniform mailbox and 911 identification sign. Please contact the Membership Coordinator at the Welcome Center for owner installation and repair costs. The costs of the 911 signs and mailboxes are the owner's responsibility.



III. General Guidelines to Living in Shipyard

◇ Non-Conforming Vehicles:

No boat, motor home, trailer or recreational vehicle or trailer may be left upon any portion of Shipyard for longer than 48 hours without the written consent of SPOA unless it is stored in a garage. Access permitted once per season. The Covenants define the recreational vehicle to include motor homes, boats, trailers, motorcycles, mini-bikes, scooters, go-carts, campers, buses, vans, jet skis or jet ski trailers, (Mini-vans are not included in the term van.) Due to various commercial access agreements, the above does not apply to certain commercial entities within the property.

Please note that regimes may have further restrictions regarding non-conforming vehicles, and residents may not exercise this option on repeat entrances

◇ Landscape Debris:

Shipyard does not provide pick up for yard or landscape debris. The regime, commercial entity or owner individual must contract this service. Landscape debris cannot be staged on the roadside or remain unscreened for more than a brief period.

◇ Motorcycles and Mopeds:

Motorized vehicles are not permitted into the residential or regime areas unless they are garaged and display a property owner's decal. They are permitted access only to and from the Sonesta or other commercial entity with specified commercial access easements. Rental mopeds are not permitted on the property.



III. General Guidelines to Living in Shipyard

◇ **Parking:**

Vehicles need to be parked in designated parking spaces or residential driveways or garages.

◇ **Roadside Parking:**

Parking along the roadsides is discouraged. This rule may be waived for temporary periods of time for special functions, but no overnight parking is permitted.

◇ **Skateboards and Roller Blades:**

Limited use of skateboards and roller blades are permitted on the leisure paths. Owners and guests need to exercise great caution on the paths and yield to the slower means of transportation on the paths.

◇ **Signs, Flags, and Banners:**

No sign, flag, or banner of any kind (except for the American flag, National Flags, South Carolina State flag, and sports team's flags) shall be erected by an owner or any occupants without the written consent of the Shipyard Architectural Review Board. This includes for sale signs on vehicles or windows. Political signs, flags, or banners are not permitted.

◇ **Solar Panels:**

Application for the addition of solar panels must be submitted to the ARB for approval.



III. General Guidelines to Living in Shipyard

◇ **Solicitation:**

No door-to-door solicitation of any kind is permitted within Shipyard. Mailboxes may not be used for any type of distribution other than the U.S. mail.

◇ **Trash:**

All garbage cans, woodpiles and landscape debris shall be located or screened as to be concealed from view of neighboring streets and property. All rubbish, trash and garbage shall be regularly removed and shall not be allowed to accumulate. Trash cans may not be staged on roadsides.

Please keep Shipyard beautiful for everyone to enjoy. If you have any questions or concerns about the Shipyard Guidelines, stop by the Welcome Center or give us a call at 843-785-3310 ext. 1000



IV. Architectural Review Board (ARB)

Shipyard is one of the most beautiful tracks of land on Hilton Head, and through the efforts of the Architectural Review Board, the Shipyard Property Owners' Association strives to maintain a balance with development and the natural surroundings. The Architectural Review Board's responsibility, as required in the Covenants, is to assure the orderly development and renovation of any structure within the property. The ARB is made up of owners and a staff architect whose job is to review all new construction, tree removal, additions, landscaping, renovations, and substantial exterior construction within Shipyard. The Committee meets as needed. The ARB Office and pertinent forms and guidelines are located at the Shipyard Welcome Center at 10 Shipyard Drive.

All Shipyard property owners, (this includes all private residential, condominium, commercial and timeshare), must adhere to the ARB Guidelines as required by the SPOA Covenants.



IV. Architectural Review Board (ARB)

A. ARB Goals

1. Preserve and Enhance Community Aesthetics

Ensure all new construction, renovations, and exterior modifications maintain a cohesive and attractive appearance that aligns with the community's design standards.

2. Maintain Property Values

Enforce architectural guidelines that support consistent quality and curb appeal, helping to preserve and potentially increase home values.

3. Ensure Compliance with Governing Documents

Review all submissions to confirm they adhere to the community's Covenants, Conditions & Restrictions (CC&Rs), architectural guidelines, and applicable local regulations.

4. Protect Common and Shared Interests

Prevent architectural or landscaping changes that could negatively impact neighbors or the overall community appearance and function.

5. Stay Current on Design Trends and Best Practices

Periodically review and update guidelines to reflect changes in technology, materials, and resident preferences while maintaining the community's identity.

B. Architectural Review Board Jurisdictions:

The Shipyard Property Owners' Association (SPOA) Architectural Review Board (ARB) has jurisdiction over the following:

I. Vertical and Horizontal construction, including but not limited to:

- Buildings, walls, fences, garages and carports, driveways, parking areas, signs, roofs, pools, permanent sculptures places in yards, on buildings, or on patios, playground equipment, satellite, TV dishes, or antennas, decks, patios, terraces, and screened enclosures, changing exterior surfaces, awnings and shutters (side and hurricane, all window coverings), and solar panels



IV. Architectural Review Board (ARB)

II. Dredging and Fill Operations for Shaping of Land Areas and Drainage as well as all Site Preparations

III. All New Construction

- Residential, commercial, or multifamily addition, garages, room additions, pools and spas, pool enclosures, porch or patio enclosures of any kind, driveways, decks, patios, and porches

IV. All Alterations - Major and Minor

- New doors, window replacements, decks, patios, and porches, exterior stairs, service yards, porch and screen enclosures of any kind, all landscape features (trellis work, walkways, etc.)

V. Remodeling, Demolition, or Altering the Exterior of Existing Structures including:

- Repainting (new or same color), re-shingle (new pattern or color and same pattern or color), decks or stair repairs, additions of any kind

VI. Removal of Trees that are four (4) inches or greater in diameter at two (2) feet above existing development grade.

VII. All Exterior Lighting and Landscaping

IX. Building Heights and Design Guidelines



IV. Architectural Review Board (ARB)

C. Submission Procedure:

Applications must be submitted to SPOA - ARB on forms provided in the Appendix of the official document or in the ARB office. The initial submission, whether conceptual, preliminary or final must include the appropriate fee (\$) for the type of work proposed.

D. Plans Approval Procedure:

Submit Preliminary Plans, Final Plans, Exterior Colors and Materials to the ARB, which will review them for completeness.

1. The ARB meets on a necessary basis at the Welcome Center or as indicated. The ARB will act on most minor submissions within two weeks of receipt of the plans.
2. The ARB will notify the applicant in writing of the results of the review procedure. If the ARB's decision is negative, it will explain the decision and make suggestions for corrective action. Oral representations of any decisions will be non-binding on the part of the ARB.
3. All plans and documents submitted to the ARB, pursuant to these procedures, will remain the property of SPOA. Under no circumstances will the plans and documents be returned. Special visual aids, such as models, photos, slides, and renderings are encouraged and will not become the property of the SPOA, but must be reclaimed within ten days of the review meeting.
4. The decisions of the ARB are final. The ARB decision may be appealed as described in Section D.6 herein.



IV. Architectural Review Board (ARB)

E. Requirements and Guidelines for Proposed Projects

1. Full Size Lot Setbacks

- 50 feet - from a golf course or lagoon and oceanfront property line
- 35 feet - from street or road property line
- 20 feet - from all other property lines, including rear if not golf course, lagoon or deep water
- Pools - 40 feet from golf course or rear of property line; 20 feet from side property line

The ARB has the authority to grant variances from these guidelines when they are justified by special circumstances, such as irregularly shaped lots, corner lots, and retention of specimen trees for aesthetics or other reasons.



IV. Architectural Review Board (ARB)

2. Patio Lot Guidelines - Misty Cove, Kingston Cove & Kingston Dunes

Dwelling units constructed on patio lots must be constructed to utilize a patio wall as designated on the plat. The patio house emphasizes an indoor-outdoor use relationship and full utilization of the site for living purposes. The main architectural element of every patio home is the patio wall. The design criteria for the patio wall require greater imaginative utilization than simply a straight wall or fence. Architects are encouraged to optimize the "private garden-court" character of the patio home where the wall enclosure is employed to provide privacy and obtain a maximum utilization of living space. **No window or opening is allowed on the patio wall side of the house, and no overview of the adjacent lot (on either side) is allowed.** Skylights will be considered by the ARB if deemed appropriate. The patio wall must be at least 6 feet in height above the adjacent first floor level or above natural grade beyond the house walls and is normally located three feet inside the designated lot line. The length of the wall should normally extend to within 10 feet of the front and rear property lines and may extend the entire length of the lot -- except for golf course patio lots, where the rear patio wall must remain at least 30 feet (exception Misty Cove) from the golf course property line. All other setbacks for patio homes vary depending on the location. Please contact the ARB to find setbacks for specific lots.

3. Exterior Paint Colors

General: No exterior paint color shall be applied to any new (not grandfathered in) construction or to an existing structure without the approval of the Architectural Review Board. For all construction, colors, and samples must be included for review by the ARB. Submit colors and samples for all materials that can be viewed from outside the structure. All colors shall be compatible with those within the visible area and within the context and character of the neighborhood. Colors that may be acceptable and approved within a certain neighborhood may not be appropriate or approved for another neighborhood. The above also applies to any subsequent exterior additions or



IV. Architectural Review Board (ARB)

alterations, including repainting.

Color Guidelines: Exterior paint colors are reviewed by the ARB on a case-by-case basis. Adjacent properties are considered in the ARB review as well. A muted palette of earth-tone colors that are nature-blending are required. Nothing reflective is allowed. The use of a significant expanse of white tones will not be approved. White as a trim color will be considered. Service yards and equipment enclosures are to match the adjacent siding material and color. Garage doors shall coordinate with the adjacent siding color.

Samples: Actual samples of building materials, viewed under outdoor light conditions, both in sun and shade, will be used as a criteria in selection. An on-site display board is preferred. Small color chips will not be used as the basis for selection. Shipyard has a recommended color palette in the ARB office, which is to be used only as a guide. ARB approval is still required.

4. Exterior Lighting

- Exterior lighting may be provided to illuminate the driveway, walkways, and entryways, or to highlight landscaping features. Such lighting shall be of low intensity and shall comprise of a limited number of fixtures. Illumination of the exterior of the house is not allowed. All exterior lighting shall be installed so as not to disturb neighbors or street traffic. Higher intensity lights are allowed when they are coupled with an alarm system, provided they are illuminated only when the alarm is activated and then only for a limited time.
- Standing lamp post lighting (maximum of one) is permitted to illuminate driveways, walkways, and entryways. It must be of low intensity, not exceeding 60 watts. The fixture must match or coordinate, in style and finish, with existing exterior lighting and must be submitted for ARB approval. The fixture will consist of only one globe, standing no more than seventy-eight inches (78") in height, and be installed no closer to the street than the property line.
- High-efficiency exterior lighting, such as (LED) lighting, is recommended.
- All exterior lighting must be subtle and understated, not garish or obvious.



IV. Architectural Review Board (ARB)

- Night lighting must be directed downward and confined to drives, paths, and steps for safe pedestrian movement.
- Walkway illumination sources must be concealed into steps, walls, bollards, and handrails whenever possible to avoid direct view of light sources.
- Lighting used to accent vegetation must be subtle, subdued, and hidden from view.
- Bulb wattage must be kept to a minimum.
- Landscape lighting must be submitted on the landscape plan with cut sheets of the proposed fixtures for review by the ARB. Lighting must be subtle, subdued, and the source must be hidden from view. Landscape lighting must be used to accent the landscaping. Direct light must not be visible from outside the property perimeter.
- All exterior lighting requires approval by the ARB.

5. Shipyard Building Permit

Once the ARB has issued its Final Approval, the applicant has paid all required Fees and Deposits, and all Town or State permits are acquired, the ARB will issue a Shipyard Building Permit for construction. **No work may be performed without a Shipyard Building Permit. A copy of the Building Permit is located in the appendix, and when issued, it must be posted in clear site during any project.**



IV. Architectural Review Board (ARB)

6. Approval Period

Approvals are issued for a period of ninety (90) days. If construction has not commenced within the ninety days following approval, the applicant must resubmit the plans for construction for reconsideration to the ARB. Failure to resubmit will result in cancellation of all approvals.

7. Inspections

The SPOA ARB Architect or Staff conducts six inspections: Stakeout, Batter Board, Foundation, Framing, Landscape and Final. **No building project, dredge, fill, remodeling, site clearing, etc., may proceed unless a permit certifying that stage of construction is in full display on the property.** Request for all inspections must be made 5 business days prior to the day of inspection. Construction may not progress to the next stage without inspection approval. For request, call 785-3310 ext. 1005.

A. Stakeout (String) Inspection : Prior to final ARB approval, the applicant must request a Stakeout Inspection to the ARB Administrator. This inspection must be performed prior to any clearing or other site work on property. The Stakeout must show all building corners, driveways, walks, service yards, property lines, and setback lines. Trees to be removed must be flagged in red. Following the approval of the Stakeout Inspection, the ARB will issue a permit to clear and proceed with construction of batter boards.

B. Batter Board Inspection : When the batter boards are in place but **before** slabs or footings are poured or work of a permanent nature begins, the applicant must request a Batter Board Inspection.

C. Foundation Inspection

D. Framing Inspection : When Framing is completed, the applicant must request a Framing Inspection. When ready to make the request from the Town of Hilton Head, the Architectural Review Board Office must be notified.



IV. Architectural Review Board (ARB)

E. Landscape Inspection : When completed, the ARB landscape architect will inspect the lot for compliance with approved plan and submitted drainage plan.

F. Final Inspection : When the applicant is ready for the Certificate of Occupancy, the applicant must request a Final Inspection by a representative of and the staff architect of SPOA ARB. Final inspection to include compliance with all plans.

8. Appeal of Decisions

The applicant may appeal the decisions of the ARB according to the following procedures:

A. The applicant receiving a negative decision is encouraged to revise the plans in accordance with written recommendations from the ARB and resubmit them to the ARB for approval, with written comment.

B. If the applicant is unable to comply with the requirements of the ARB or feels that the requirements are overly stringent, the applicant may request a hearing before the Architectural Appeals Board. Such a request must be made in writing and should be directed to the President, SPOA, who will appoint an Architectural Appeals Board to review the application.

C. The Architectural Appeals Board will consist of a minimum of three (3) members, none of whom may be members of the ARB. The SPOA President will chair the Architectural Appeals Board.

D. The Chairman of the Architectural Appeals Board will convene a meeting of the Architectural Appeals Board within fifteen (15) days of receipt of the request.



IV. Architectural Review Board (ARB)

9. Changes in the Project - Change Orders

- A.** If after the ARB has granted final approval and the applicant wants to make changes to the project that would affect any exterior design, materials, or elevation, the applicant must submit revised, detailed plans to the ARB.
- B.** The ARB will review the changes and issue a final approval for the changes. Implementation of any changes may not proceed until change is approved in writing by the ARB.
- C.** The ARB will accept two changes to final approved plans. Any additional change will incur a \$50.00 review fee.



IV. Architectural Review Board (ARB)

10. Architectural Review Board Fees

Application Fees for Construction and Ongoing Maintenance for All Regimes, Single-Family, Multi-Family, and Commercial Residences in Shipyard

Commercial/Multi Family Units	\$2,500.00
<u>Single Family Residence</u> Up to 3,000 square feet / \$0.50 per additional square feet & above	\$1,000
Additions or Major Alterations	
1,000 + square feet	\$750.00
Less than 1,000 square feet	\$500.00
Pools & Spas	\$500.00
<u>Minor Construction</u> New deck, stairs, service yards, porch enclosures, and privacy walls	\$100.00
New Color Paint—Requires Inspection	\$100.00
New Color Shingle—Requires Inspection	\$100.00
<u>Minor Alterations & Repairs</u> New doors, window replacement, satellite TV, new signage, fences, and driveways	\$100.00
Re-staining (same color)	\$50.00
Re-roofing (same shingle)	\$50.00
Tree Removal	
1 to 4 trees	\$50.00
5 to 9 trees	\$75.00
Over 10 trees	\$100.00



IV. Architectural Review Board (ARB)

8. Architectural Review Board Fees cont.

No Shipyard permit fee is required for tree removal in regimes, commercial or multi-family units. A Town permit is required for those entities. A no charge Shipyard permit will be issued upon the Shipyard ARB's receipt of the Town permit.

Demolition \$ 250.00

***All Multi-Family Buildings, Commercial Entities, Regimes-**The ARB fees for multi-family, commercial and regimes are per building not to exceed \$500.00. All exterior work must be permitted.

9. Deposits

Deposits are required from both the property owner and the contractor for all new construction, major renovations, commercial or residential, including foundation work, garages, pool, and spas. The deposits are due upon approval of plans and before the SPOA ARB issue either a clearing or a building permit. Make checks payable to SPOA ARB. A performance bond in lieu of a cash deposit is acceptable.

Deposits are refunded unless fines or penalties have been imposed due to non-compliance with the SPOA Covenants and ARB Guidelines. Property Owner deposits are refunded within fourteen (14) days of final inspection and with full compliance with the approved plans, including the landscaping, the removal of all construction debris, and the total restoration of common areas abutting the property.

Deposits from the contractor are refunded within approximately fourteen (14) days of final inspection and with full compliance with the approved plans, including decks, walkways, driveways abutting common areas, with the removal of portable toilet/trash receptacles, construction material, debris, contractor sign, and completion of repair to common areas damaged or built on in the construction process.



IV. Architectural Review Board (ARB)

9. Deposits cont.

Residential—New Construction (Homeowner)	\$5,000.00
Residential—New Construction (Contractor)	\$4,000.00
Commercial or Multi Family (Homeowner)	\$7,500.00
Commercial or Multi Family (Contractor)	\$7,500.00
Major Alterations requiring foundation work, including pools and garages (Homeowner)	\$2,000.00
Major Alterations requiring foundation work, including pools and garages (Contractor)	\$2,000.00



V. Covenant Compliance

The property owner, contractor, and landscaper will observe the SPOA Covenants and the ARB Guidelines during the construction period and insure that all subcontractors do likewise. Fines and/or penalties for non-compliance will be imposed. If necessary, a stop work order will be issued for repeated non-compliance. Some of the Covenants and Guidelines are listed below.

1. The property owner is ultimately responsible for contractor/ subcontractor adherence to all SPOA Covenants and ARB Guidelines.
2. Adherence to the site/house/landscape plans as submitted to and approved by the ARB is required. Any changes to the approved plans must be submitted to the ARB along with a set of revised plans. Without exception, these changes must be approved by the ARB before any changes are made to the site.
3. Plan approvals are dated and are in effect for ninety (90) days from the date of the approval. Construction must begin within the (90) days of plan approval and must be completed within one (1) year after commencement. Landscape installation must begin within thirty (30) days following completion of the house, decks, walkways, and driveways and must be complete within thirty (30) days of receipt of Certificate of Occupancy.
4. Lot clearing is not permitted until the ARB Building Permit has been issued by the ARB, the Town of Hilton Head Island Building Permit has been issued, and both permits are posted by the contractor, adjacent to the contractor's sign.
5. The contractor is responsible for providing water and electrical service at the job site before starting work that requires the use of water and electrical service. Using water and electricity from neighboring properties is strictly prohibited.



V. Covenant Compliance

6. All work is to be performed Monday through Friday between 7:00am and 7:00pm. Weekend work is permitted on Saturday between 8:00am and 5:00pm, but the work must be quiet work inside the house. A permit is required for Saturday work and must be applied for before 12:00 Noon on the preceding Friday. Saturday work is at the contractor's/subcontractor's risk. Noise or complaints from neighboring property owners will require that Security shut down the job for the day. No work is permitted on Sundays, Christmas, Thanksgiving, or National Holidays.
7. The site must be kept in good appearance at all times. Construction areas must be cleaned and free of debris at the end of each day or the job will shut down. No burning or dumping of any kind is permitted.
8. Store all materials on the building lot, not on adjacent property. Access to the building lot via an adjacent property is not permitted.
9. All vehicles used by contractors/subcontractors must display a valid commercial decal and will not be permitted access to Shipyard before a commercial decal is issued. All such vehicles must be parked off the roadway and on the building lot.
10. All Shipyard speed and traffic regulations must be obeyed.
11. Noxious or loud music or behavior will not be allowed on the building site or within Shipyard.
12. Any cost of repairs or maintenance to offsite areas, such as neighboring lots, roadways, bike paths, right of ways, etc., that are damaged in the construction process are the responsibility of the contractors/landscapers.
13. Upon completion of final inspection all dumpsters and toilet facilities are to be removed.



A. Shipyard ARB Compliance & Construction Penalties and Fines:

<u>Violation</u>	<u>Penalty</u>
Failure to construct the project in accordance with approved plans and stop construction until revised plans are received/approved	\$1,000.00
Clearing without a posted ARB permit	\$1,000.00
Tree pruning, trimming, or removal without a posted ARB permit and Shipyard approval	\$1,000.00
Failure to submit an as-built survey prior to construction	\$500.00
Violation of any sign rule	\$50 / day
Failure to submit a foundation survey before vertical construction has begun	\$1,000.00 and work stop until survey is received/approved
No trash receptacle on site	\$50/day
Failure to deposit trash in receptable	\$50/day
Failure to cover dumpster	\$50/day
Overflowing trash receptacle	\$50/day
No portable toilet on site/failure to enclose portable toilet	\$50/day
Failure to barricade trees or inadequate barricades or non-maintenance of barricades during construction	\$100/day
Tree damage due to improper care during construction	\$50/day
Use of privately owned property (adjacent home sites) without providing ARB written prior permission from owner	\$50/day
Use of water or electricity from neighboring properties	\$50/day plus reimbursement to owner
Use of exterior materials/colors not approved beforehand	\$500 plus change to approved colors
Failure to install approved landscape/drainage plan	Case by case basis \$500 & expenses
Legal or other expenses incurred	Actual Costs
Work without permit	\$500 and work stop until permit is obtained
Failure to request due inspections before work continuation	\$500.00



V. Covenant Compliance

B. Summary of Shipyard Property Owners' Association Covenant Fines:

Fine Category	1st OFFENSE	2ND OFFENSE
Violations	\$50.00	\$100.00
Solicitation	\$50.00	\$100.00
Tents	\$50.00	\$100.00
Signs	\$50.00	\$100.00
Boats/Trailers/Cars	\$50.00	\$100.00
Pets/Unleashed	\$50.00	\$100.00
Mailboxes	\$50.00	\$100.00
Noise/Nuisance	\$50.00	\$100.00
Lighting	\$50.00	\$100.00
Unkempt yard/home	\$50.00	\$100.00
Landscape Debris	\$50.00	\$100.00
Damage Common Area	\$50.00	\$100.00
Contractor Dumping	\$50.00	\$100.00
Play Equipment	\$50.00	\$100.00

Warnings: Before any fines are issued, an owner will receive a written warning of the offense. Continued non-compliance after 2nd offense will result in Board approved fines on a daily basis until the stated offense is brought into compliance.

Appeal: An appeal process will be determined and available to all owners. Time for Offense to be brought into compliance:

1. First offense 30 days from receipt of regular letter.
2. 2ND Offense after 30 days of non-compliance and owner must pay first fine. 15 days to bring offense into compliance and has an additional \$50.00.
3. After 45 days of said offense in non-compliance.

A fine of \$100.00 will be issued every two weeks. Until the offense is brought into compliance and all previous fines are paid by the owner.



SHIPYARD
Property Owners Association

VI. Covenant Compliance and ARB Guidelines for All Projects

All applications are available in the ARB office or
online at the SPOA Website - shipyardhhi.com