

Kihei Shores Condominiums

Association of Apartment Owners of Kihei Shores, Inc.
A Hawai'i nonprofit corporation

2747 South Kihei Road
Kihei (Maui), Hawai'i 96753

Rules & Regulations

(also known as "HOUSE RULES")



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Introduction:

Welcome to Kihei Shores. We are pleased that you have chosen our community as your new home, and hope that you will find your new residence to be a peaceful, enjoyable place to live. We welcome any questions or suggestions, and will do our best to address any concerns you may have.

Please take a moment to familiarize yourself with these House Rules for Kihei Shores. This does not represent the House Rules in their entirety, but rather a “shortened” version, highlighting those which most often come up as a questions or violations with residents. To view the complete House Rules, you may pick up a copy at the Kihei Shores office, or access them at our website www.kiheishores.net under the link “Project Documents.”

**Note: some sections will recommend review of the full House Rules for more information on a particular subject.*

**Please note that all owners and occupants are responsible for being familiar with and complying with the House Rules, in their entirety.*

If you have any questions or need clarification on any of the House Rules, please do not hesitate to contact the management at the Kihei Shores office, by phone or via e-mail. The contact information for the office is available on the front page of this packet, as well as posted by the office at Kihei Shores.

Again, welcome to your new home!



Aloha from the Kihei Shores Board of Directors, Management & Staff

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Occupancy:

HR #9 - Maximum Number of Occupants: The maximum number of Occupants per unit shall be as follows:

One-Bedroom Unit: three (3) persons

Two-Bedroom Unit: six (6) persons

Three-Bedroom Unit: eight (8) persons

Families with children under the age of eighteen (18) may apply to Management for reasonable exemption from this occupancy limitation.

HR #10 - All Owners, Tenants, Guests, Visitors, and Vehicles must register with the on-site office within one (1) day. Information requested by management will include names of all occupants, contact numbers, and vehicle information. Noncompliance may result in an immediate \$100 fine to the owner and possible towing of tenant vehicles.

HR #12 - Keys Must be Given to Site-Manager: Please verify that a copy of any keys needed to access your dwelling unit are kept on file in the on-site office. If you change the locks during your tenancy, you must provide a copy of the key(s) to the office on-site. Registered Owners and Tenants may request duplicate unit, mail and pool keys at a rate of \$25.00 per key.

Use:

HR #16 - Units and lanais shall be kept clean and sanitary at all times, including windows and screens.

HR #17 - Window Coverings & Fans: Window coverings visible from the Common Area shall be white in color and in good condition. No sheets, blankets, posters, foil, laundry, signs, stickers, etc. may be placed in the windows. No fans are permitted in the window sills. Fans used near windows must be placed out of the window sill via a stand, shelf, etc.

HR #19 - Quiet Hours: Quiet Hours shall be between 10:00 p.m. and 8:00 a.m. During Quiet Hours, noises of any kind shall be kept at a very low minimum, so as not to disturb other Occupants. This includes activities inside parked vehicles, driving vehicles around the complex, walking around the complex in courtyards, walkways, hallways, stairs on lanais and inside units. Excessive or disturbing noise of any kind, at any time day or night, should be reported to the site Manager or Security.

HR #20 - No Washer or Dryer use is permitted during Quiet Hours.

HR #21 - No Noisy Parties, Illegal or Immoral Acts, Drunkenness, vulgar language or disturbing actions are permitted any time day or night within the complex. Such actions, such as public urination, may result in an immediate \$100.00 fine, if determined by MANAGEMENT to be excessive in nature. 5

HR #22 - No Noise Producing Devices shall be placed outside any unit or in the Common Area, including, but not limited to Wind-Chimes, Bells, Speakers, & Stereos. Alarm devices used to protect the security of a vehicle or unit shall be permitted, provided that the devices do not produce annoying sound or conditions as a result of frequently occurring false alarms.

HR #23 - Vehicle Sound Amplification Systems shall not be heard outside of the vehicle when the vehicle is parked or operated in the driveway, parking stalls, or parking lot, unless it is to request assistance or warn of a hazardous condition.

HR #24 - Pets; Animals; Reasonable Accommodation Animals: No pets or animals of any kind are permitted to be kept, maintained, or to visit anywhere on the premises. Occupants shall not feed or shelter any animals in the Common Area, especially feral cats or birds. **Please read the full version of the House Rules for Exemption for Reasonable Accommodation Animals.*

HR #25 - No Smoking in Dwelling Units & Certain Common Areas: Smoking is prohibited in the buildings, which includes in dwelling units (condos). Smoking is prohibited in the common areas consisting of lanais (balconies & patios), doorways, stairwells, hallways, windows, ventilation systems, pool area, mail and office area, or anywhere within twenty feet (20') of these areas or any building. There is no smoking permitted at the BBQ's nor within 20' of the BBQs and picnic tables. For your convenience, smoking receptacles have been set up throughout the property in the central parking area and along the driveway behind H, I, & J buildings.

HR #26 - No Barbecues or Open Fires: No barbecues or similar stand-alone grills of any kind are allowed in either a unit or its lanai area. Barbecuing is only permitted in areas designated by Management.

- a. Barbecues are available for use between 8:00 a.m. & 10:00 p.m. daily.
- b. Residents are responsible for the actions of their household members and guests when using the barbecues.
- c. Barbecues are not to be operated by anyone under the age of 16. Residents 16 - 18 years of age may operate grill with parent or legal guardian present.
- d. Grills should never be left unattended while in operation. Barbecue grills must have all burners shut off after each use.
- e. Picnic tables are to be used as intended. Table tops are not to be sat on, stood on, have feet on, nor animals placed upon them.
- f. Area must be cleaned of trash, food debris, etc. after use. Please bag up loose trash and properly dispose of it in closest trash receptacle.
- g. Barbecues and picnic tables are available on a first come, first serve basis. When finished using the barbecues and picnic tables, please make them available for other residents to use.
- h. If you notice any gas smell, malfunction of barbecues, empty fuel, or other issues, please turn off grill, then contact Management and/or Security right away.
- i. Misuse of barbecues, and/or failure to follow these rules may result in restriction from use of barbecues.

HR #27 - Air-Conditioners: Tenants may not install Air Conditioners without written permission from the unit Owner. **Please read the full version of the House Rules for information on installation of air conditioners.*

HR #28 - Personal Property shall NOT be left or allowed to stand in the Common Areas, including shoes, packages, baby carriages, chairs, bikes, laundry, surfboards, boogie boards and plants. Any such item may be removed by Management and disposed of in accordance with Applicable Law.

HR #30 - Lanais, Front Entrances, Hallways:

a. **No chairs or other seating** shall be allowed in the front entrance areas or hallways outside Unit entrances.

b. **No towels or laundry** shall be allowed to hang from lanai or hallway areas or railings.

c. **No storage of workout equipment, surfboards, windsurf equipment, kayaks or the like** shall be permitted in lanai or hallway areas unless approved by Management. **Up to two (2) bicycles may be stored on non-ground floor lanais, provided the removable tire has been taken off and they are stored so as to not be seen over the edge of the lanai railing.*

d. **No exterior sun shades or pull down blinds** shall be permitted in lanai areas or outside of any window or perimeter door unless approved by Management.

e. **Potted plants and planters** should be limited to the lanai areas only. No plants shall be hung from the building or allowed to sit on railings.

f. **Only good quality furniture** intended for outdoor use shall be used within any lanai area.

g. **No storage furniture or bins** shall be allowed on any lanai, hallway or other portion of the Common Area except as authorized by Management.

h. **Floor coverings:** No rugs, carpet or any type or other surface destructive to the balcony surface or structure may be used at any time.

i. **Front metal screen door** installation must be approved by Management prior to installation, of the approved door styles.

j. **Nothing shall be thrown, swept, rinsed, or shaken** from lanais, windows, walkways, or entrance areas including but not limited to cigarettes, matches, water, towels, sandy items, etc.

k. **No spitting** from lanais, windows or entrance areas.

HR #31 - Pest Control is Mandatory at Kihei Shores. All units will be available for pest control treatment when asked for by Management, such as the treatments done to all units on a quarterly basis. If you experience issues with ants, roaches, mice, or other pests between quarterly treatments, please notify Management right away.

HR #32 - Trash: Regular household trash shall be disposed of by Occupants into the trash bin. Loose trash should be bagged or wrapped securely so that it is not blown out of the bin. Empty cardboard boxes and large bulky items must be broken down. Bulky refuse and construction refuse shall be removed from the property and disposed of off site at the sole cost of the occupant/owner.

Construction: **Please review the full version of the House Rules for information on permitted construction times, locations, and modifications.*

Vehicles & Parking Lot:

HR #38, 39, 40 - A Kihei Shores parking permit is mandatory for parking of Occupant vehicles on the property. Such a permit may be obtained by registering your vehicle with the site Manager. (Please bring a copy of your current safety, registration, and insurance to register your vehicle.) Vehicles must display current Hawai'i safety & registration stickers. Motorcycles, mopeds, scooters and bicycles need to be registered and display a KS parking sticker as well. **Please review the full version of the House Rules for information on Authorized and Prohibited Vehicles.*

Visiting guests may obtain a visitor parking tag for their vehicle from the Kihei Shores office during office hours. If the office is closed when guests arrive, please have them leave a note on the driver's side dashboard of their vehicle indicating their last name, the Occupant's last name, and the unit they are visiting.

HR #41- Maximum decibel level permitted is 75 dbL. Vehicles exceeding 75 decibels in noise levels are not permitted to be operated on Kihei Shores property.

HR #44 - Two vehicle maximum per unit: Occupants of a unit may collectively maintain no more than two (2) authorized vehicles within the property (Note: this includes motorcycles).

HR #45 - Only one reserved parking space per unit. The second parking space belonging to your unit is any of the non-reserved, non-"Visitor" parking spaces, available on a first come first served basis. **Note:** parking stalls marked "Visitor Parking - 3 hour limit" "are only to be used by guests, for a period of up to but not more than 3 hours. Resident vehicles parked in those spaces may be subject to booting or towing of their vehicle. Vehicles registered to a Unit may not park in the same non-reserved stall for more than fourteen (14) days, regardless of there being one consistent vehicle or a rotation of vehicles registered to that one unit, unless authorized by Management to be parked there for an extended period of time.

HR #46 - Motor vehicles must be parked "front-end-into-stall" first. Back in parking is not permitted unless approved by Management.

HR #47 - Only one vehicle per stall. Regardless of size of vehicles, only one vehicle of any kind is permitted in a parking stall at any one time. The only exception to this are stalls being used for Motorcycle - Moped parking, which allow for more than one of such type vehicle to be parked in that space, provided access to all vehicles within that stall and neighboring stalls is preserved. Parking of a Moped &/or Motorcycle in the same stall as a car, truck, van, or other such vehicle is NOT permitted.

HR #50 - No vehicle mechanical repairs or maintenance shall be performed on the property except in the case of an emergency - such as repairing a flat tire, adding water or oil. **Note:** there shall be no draining of oil or other vehicle fluids anywhere within the Property.

HR #51 - Parking areas may not be used for any recreational activities such as ball playing, riding of bicycles, rollerblades or skateboards, etc.

HR #58 - Car Washing: The car wash area is located next to G bldg. Faucet is kept locked when not in use to ensure water conservation. If you wish to use the car wash, please stop by the office to sign the car wash agreement, show proof of biodegradable soap, in pick up the key & hose.

Swimming Pool & Spa:

Management reserves the right to exclude any and all persons from the use of the pool/spa. Pool is open 10:00 a.m. to 10:00 p.m. Please read all posted pool and spa rules. Practice safety and be aware of the potential health risks associated with using the pool or heated spa. Persons using the pool facilities do so at their own risk. No Lifeguard is on duty in the pool/spa area.

HR #70 - Access to the pool area shall be restricted to only Occupants and their visitors. Pool guests are limited to four per unit without prior approval of Management. Occupant's family members or guests shall be presumed to be there with the full knowledge and consent of the Occupant. Lost pool keys will be replaced at a cost of \$50 to the owner.

HR #72 - Children; Non-Swimmers: Children under the age of 12 should be accompanied by an adult when using the pool. Children 12 and older, who are competent swimmers, may swim without being accompanied by an adult.

HR #75-78- No Alcohol, No Glass, No Food permitted anywhere in the pool or spa area. Non-alcoholic beverages are permitted, provided they are in plastic containers or their original aluminum cans. Please do not take beverages into the pool or spa - leave them at tables or chairs on the deck.

HR #79 - No Nude sunning or swimming regardless of age.

HR #80 - A bathing suit must be worn by anyone entering the pool or spa. No cutoff shorts or street clothes.

HR #81 - Swim diapers: Persons who are incontinent or not toilet trained shall not use the pool or spa unless they wear appropriate swim bottoms that will prevent leaks (e.g. swim diapers)

HR #82 - Showers are required prior to entering the pool or spa.

HR #83 - No ailing person or person who has a skin condition, infection, open sore, or communicable disease may use the pool or spa.

HR #84-89 - No toys, inner tubes, pool noodles, coins, stones, marbles, snorkel gear, boogie boards, **horseplay**, diving, bombing, water guns, etc. permitted in the pool or spa. Only water wings, goggles or masks are acceptable. Only **sound producing devices** being used with earphones are permitted in the pool area.

Conduct

HR #90 - Respect your neighbor's right to peace and quiet enjoyment, even during times not considered "Quiet Hours."

HR #91 - No roller blades, skates, shoe skates (Heely's), skateboards, or scooters may be ridden/played with anywhere on the Property.

HR #93-95 - Roofs, Manhole covers, Utility Access Plates, & Trees, are off limits - no climbing or opening.

HR #96 & 97 - Minors in possession of items that could be a danger to themselves or others may have such items confiscated by Management, to be released only to parents/guardians within 14 days. The County of Maui curfew restrictions shall apply to all Kihei Shores Common Areas.

HR #100 - No illegal drugs will be permitted anywhere on the Property.

HR. #102 - No alcoholic beverages shall be consumed anywhere in the Common Areas, including the parking lot, pool area and barbecue area.

HR #103 - No climbing over fences or walls - (this includes the pool fence).

HR #105 - Display of commemorative, festival and holiday decorations shall be allowed for a limited time, as determined by Management.

Violations

HR #106 - Management authority regarding violations - If an Owner or Tenant violates any of the House Rules, Management may enter the unit to abate or remove anything contrary to the Rules, impose penalty such as suspension of privileges, or levy a reasonable fine.

HR #107 - Notices and Actions for violations shall be as follows (except in the case of an Emergency or for Pre-Posted Notices/Fines):

First Notice - written notice of specific violation(s)

Second Notice - written notice of specific violation(s) and \$50.00 fine levied

Third Notice - written notice of specific violation(s) and \$100.00 fine levied

HR #110 - An opportunity to be heard shall be given to any Occupant and the Owner of the Unit in accordance with the "Appeal Procedure" described in paragraph 200 of the complete, full version of the House Rules. Grievances / Appeals must be filed at the office within **forty-five (45) days after receipt of a written notice of the penalty.**

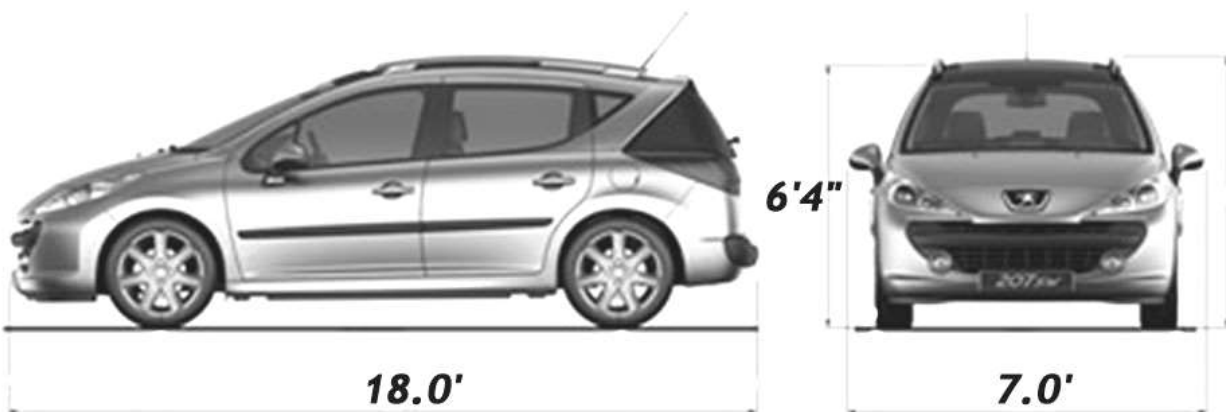
Kihei Shores Occupant Vehicle Information

Authorized Vehicles:

- **standard passenger vehicles**
- **passenger vans** (to accommodate ten (10) or fewer people)
- **motorcycles** (which operate at noise levels not exceeding 45 decibels)
- **pick-up trucks** (with payload capacity of one(1) ton or less)
- the forgoing vehicles which are used both for business and personal use, and have signs or markings of a commercial nature on such vehicles, provided that such signs or markings are unobtrusive as determined by the Board.

Maximum Dimensions of Authorized Vehicles:

- **seven feet (7.0')** in width from furthest point to point, including mirrors and tires
- **eighteen feet (18.0')** in length, including bumper attachments and hitches
- **six feet, four inches (6'4")** in height, including roof racks or other projections



Prohibited Vehicles:

- **commercial vehicles**, including but not limited to, stake-bed trucks, tank trucks, dump trucks, tow trucks, buses, step vans, concrete trucks, excluding those describe as authorized above
- **buses or vans** designed to accommodate more than ten (10) people
- vehicles having more than two (2) axels
- **trailers** (including boat trailers)
- **recreational vehicles**, motor homes, campers, ATVs, boats, or pickup trucks with a camper shell that is higher than the cab or longer than the factory bed
- **inoperable vehicles**, unlicensed or unregistered vehicles, vehicles with legally required operating part(s) removed
- **unsightly vehicles**, “high-boy” jacked up vehicles, vehicles with oversized tires, noisy (in excess of 45 decibels) vehicles or vehicles without mufflers or bad mufflers