



**3 CHISOLM STREET  
HOMEOWNERS ASSOCIATION, INC.**

**BOARD RESOLUTION**

**Affirmation and Adoption of  
(Rules and Regulations)  
Construction Rules Section and New Roof Rules**

WHEREAS, 3 Chisolm Street Homeowners Association, Inc. (“Association”) is constituted to provide and charged with the operation, care, upkeep and maintenance of the Association and its property, and is also responsible for exercising for the Association all powers, duties and authority vested in or delegated to the Association and not reserved to the membership by the law or provisions of the Master Deed Establishing 3 Chisolm Street Horizontal Property Regime, as amended, (“Master Deed”) and Bylaws of 3 Chisolm Street Homeowners Association, Inc., as amended, (“Bylaws”) recorded December 13, 2001, in Book V390 at Page 659 with the Charleston County Register of Deeds. The Master Deed was amended by that: Amendment to the Master Deed Establishing 3 Chisolm Street Horizontal Property Regime recorded March 26, 2021, in Book 0975 at Page 710 with the Charleston County Register of Deeds. The Master Deed as amended and/or supplemented by the foregoing hereinafter referred to collectively as “Master Deed”. Also applicable: Rules and Regulations recorded July 2, 2018, in Book 0730 at Page 104; Rules and Regulations recorded October 26, 2021, in Book 1046 at Page 618 and Collateral Assignment of Assessments, Accounts and Contracts and Security Agreement recorded November 16, 2022, in Book 1148 at Page 594 with the Register of Deeds for Charleston County, South Carolina. The Articles of Incorporation, Master Deed, Bylaws and all promulgated rules, regulations, guidelines, policies and the like, as each may be amended or supplemented, hereinafter collectively referred to as the “Governing Documents”.

WHEREAS, Section III, Subsection 8, of the Bylaws states “A Quorum at Directors’ meetings shall consist of a majority of the entire Board of Directors. The acts approved by a majority of those present at a meeting at which a quorum is present shall constitute the acts of the Board of Directors...”

WHEREAS, the South Carolina Homeowners Association Act, S.C. Code Ann. Section 27-30-110, et seq., requires all existing homeowner association’s governing documents, rules, regulations, and amendments be recorded.

WHEREAS, the Board previously recorded Rules and Regulations on October 26, 2021, in Book 1046 at Page 618, and has determined it is in the best interests of the Owners to amend the Rules and Regulations.

WHEREAS, the Board has determined to affirm, adopt and record two (2) new subsections under Work and Construction Rules titled Utility Wiring and Insulation

Requirements as well as adding a new section titled **Roof Rules**. These additions to the Rules and Regulations are attached hereto as “Exhibit A”.

WHEREAS, a duly held and authorized meeting of the Board was held February 8, 2024, and the within Resolution was put to a vote of the Board. The required quorum was present and the within Resolution was approved by the requisite members of the Board.

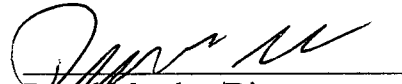
NOW THEREFORE, BE IT RESOLVED, in order to protect and assure an attractive, high-quality community, and to best maintain and preserve the community, the Board hereby affirms and adopts this Resolution, and the Construction Rules and Roof Rules as follows:

1. The foregoing whereas paragraphs and recitals are and shall be deemed material and operative provisions of this Resolution, and not mere recitals, and are fully incorporated herein by this reference.
2. All capitalized terms used herein shall have the same meaning ascribed to them in the Master Deed and Bylaws, unless the context shall clearly suggest or imply otherwise.
3. Each member of the Board expressly waives any notice requirement, if any, for the meeting.
4. The Board hereby affirms and adopts the 3 Chisolm Street Homeowners Association, Inc. Construction Rules and Roof Rules, attached hereto as Exhibit A and incorporated herein by reference.
5. This Resolution was adopted by the Board on February 8, 2024.
6. Distribution. The Association and/or the Association's property manager is authorized and directed to circulate a copy of this Resolution and the Construction Rules and Roof Rules upon recording. Members/Owners are responsible for distributing the same to all occupants and residents.

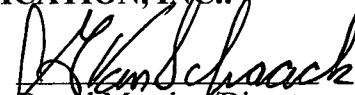
Each Board Member/Director voting in favor of this resolution has signed his/her name below, and by signing below, s/he acknowledges that this Resolution and the attached shall be effective upon recording.

*[Signature Page to Follow]*


**3 CHISOLM STREET HOMEOWNERS ASSOICATION, INC.:**

  
\_\_\_\_\_  
Board Member/Director

2/8/24  
Date

  
\_\_\_\_\_  
Board Member/Director

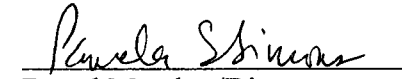
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Board Member/Director

2/8/24  
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Board Member/Director

2/8/24  
Date

\_\_\_\_\_  
Board Member/Director

\_\_\_\_\_  
Date

# EXHIBIT A

Rules and Regulations to be added to those approved 10/25/21

## **Work and Construction Rules**

### **Utility Wiring**

Any resident or their contractor installing, or rerouting, any utility wiring underneath any 3 Chisolm building must follow the applicable electrical code during the time the work is completed. The current version as of the date of these Rules and Regulations is the 2020 National Electrical Code (NFPA 70) with SC modifications. This shall include, but is not limited to, protection of wiring in corrosion resistant conduit and support of all conduits utilizing stainless steel pipe hangers, complete with stainless steel threaded rods and stainless-steel fasteners. Photographic proof may be requested from the HOA Board, or its representative. The HOA Board may require the resident to consult with a licensed Electrician and Stantec Consulting Services regarding the enclosed wiring.

### **Insulation Requirements**

Any resident opening common walls while doing renovations must install rock wool insulation within them before closing them up, as suggested by Chastain construction. This is of particular value to the gym building. Existing visible wall penetrations, such as electrical junction boxes, must be sealed with acoustic putty around their perimeter. Any new electrical junction boxes must be acoustic rated. Photographic proof may be asked for from the HOA or its representative.

## **New Roof Rules**

### **AC Condensers**

When the HOA determines that a new roof on the main building is necessary, every resident with an AC condenser on the roof is required to convert their condenser's footings to aluminum as per Stantec Field Report # MU1 and MU2 issued on 6/14/2022 and repeated in its Field Report dated 6/30/2023. Residents may use Cahill Contracting LLC in a group effort to save money on this retrofit.

First floor units are the only residents allowed to relocate their condensers to the alleyway behind the main building, as per Historic Charleston Foundation.

**Roof Garden requirements**, as per Historic Charleston Foundation and the HOA Board, are adopted as follows:

- Drawings should be prepared by qualified architect and should show a drainage and irrigation plan as well as document how the deck will not negatively impact the existing roof or drainage systems for the building. These drawings must be reviewed and approved in writing by the HOA, HCF, and consultant of HOA's choice (ABS). The expense of this third party review will be covered by the applicant. Approval by HOA does not guarantee HCF approval or BAR approval.
- Roof decks and associated handrails must not be visible from the public right of way and will not be permitted toward the front of the building. Drawings showing the proposed roof deck must be prepared by a qualified architect and must demonstrate, with a sight line study from various vantage points

in the public right of way, that the proposed roof deck will not be visible from the public right of way, particularly from the Horse Lot, Ashley Avenue, or Broad Street. Roof top additions will not be allowed. Changes that impact the historic character of the building will not be allowed.

- Property owner must hire an inspector of the HOA's choice to inspect the roof deck annually. A report must be submitted to the HOA. If any issues are identified in the report, the property owner must pay to address these issues to the satisfaction of the HOA.
- If vegetation overgrowth or maintenance becomes a problem for the building, the HOA reserves the right to remove the vegetation and deck.
- If damage occurs to the building or to units below the roof deck area, the cost of repairing all related issues is to be covered by the owner of the roof deck.

# RECORDER'S PAGE



**NOTE:** This page **MUST** remain with the original document

**Filed By:**

SIMONS & DEAN ATTY AT LAW  
147 WAPPOO CREEK DR  
STE 604  
CHARLESTON SC 29412 (MAILBACK)

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Time:	4:20:11 PM	
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Karen Hollings, Register of Deeds Charleston County, SC		

**MAKER:**

3 CHISOLM ST HOA

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# of References:			

**RECIPIENT:**

NA

Note:

Recording Fee	\$ 25.00
Extra Reference Cost	\$ -
Extra Pages	\$ -
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V390

**Original Page:**

659

**TOTAL \$ 25.00**

<b>DRAWER</b>	Drawer 2
<b>CLERK</b>	SLW



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