

Villas Montanas

Rules and Regulations

Adopted
November 10th, 2008

The Board of Directors in accordance with the Covenants, Conditions & Restrictions (CC&R's) and the By-Laws of Villas Montanas has developed the following Rules and Regulations. Included are various city codes, which have been emphasized.

Mission Statement

The Boards mission is:

- 1. Ensure enjoyable living conditions for our community.**
- 2. Maintain an aesthetically pleasing environment for our community.**
- 3. Maintain a safe environment for all residence, their children and guests.**
- 4. Protect the property values of our community.**

The Board of Directors has the responsibility to see that the Rules and Regulations listed within this booklet, as well as those detailed in our CC&R's are clearly communicated and followed.

It is the responsibility of each homeowner(s) to understand, and co-operate in the adherence of these Rules and Regulations. All questions with regards to the Rules and Regulations should be directed to the Association Property Management Company.

If a conflict exists between this document and the CC&R's, the CC&R's shall prevail.

These Rules and Regulations shall be effective (date)

Thank you for your cooperation,

**Villas Montanas HOA
Board of Directors**

VILLAS MONTANAS

HOMEOWNERS ASSOCIATION

RULES AND REGULATIONS

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RULES AND REGULATIONS

Section 1. Nuisances:

A. The following items and activities are considered to be nuisances and are not allowed at Villas Montanas:

Continuously barking dogs, allowing dogs and cats to use other homeowner's yards to relieve themselves, loud car or home stereos, loud parties, revving/racing engines, spinning of tires, excessive honking of horns, unattended vehicle alarms, parking, blocking other homeowners drives, speeding and/or racing through our Community.

B. Home Based Business:

Must not cause excessive traffic in and out of home and Community.

May not store large equipment or excessive quantities of equipment on the lot or in the community.

May not use, store or dispose of toxic materials and/or chemicals on lot or in home.

Must not cause loud and excessive noise.

May not store unsightly objects that are visible from the street, common area or neighboring property

Section 2. Unsightly Objects:

A. Garbage cans are to be stored out of sight in an inconspicuous place.

B. Garbage cans shall be placed out the night before pick-up and shall not be left out more than 24 hours after pick-up.

C. Bulk trash shall only be permitted 1 week prior to City of Phoenix posted bulk trash collection days for our Community (City code ARS 13-1603).

D. Storing of unsightly objects that are visible from the street or common area is strictly prohibited. This includes, but is not limited to, play equipment, trash cans, rubbish, home improment discards etc.

E. All antennas and satellite dishes are prohibited from being mounted on the front area of the home or in the front yard as to be seen from the street and are subject to prior architectural approval (see section 4.8 of the CC&R's).

F. Driveways are to be kept clean of major oil leaks from vehicles.

side of house

Section 3. Exterior Maintenance:

A. Driveways, sidewalks and entrances are to be kept free of obstructing plants, trees, shrubs, containers and/or unsightly objects.

B. Homes are to be kept in good repair and painted in accordance with approved colors. Prior to any renovation(s) and/or modification(s) written approval must be received from the Architectural Committee and/or Board of Directors as stated in section 4.1 of the CC&R's.

C. Screens, doors and gates are to be kept in good condition. If deteriorated or in disrepair, they must be repaired or replaced.

(Continued) Prior to any renovation(s) and/or modification(s) written approval must be received from the Architectural Committee and/or Board of Directors as stated in section 4.1 of the CC&R's.

- E. House numbers must be on all homes in our Community. This assists emergency personnel
- F. Holiday, seasonal and special event decorations are to be kept neat and not interfere with others or create a nuisance. All decorations shall be displayed no more than 30 days prior to or 30 days past such holiday, season or event.
- G. Only one For Sale or Rental sign is permitted for each home. The sign shall be no more than five (5) square feet in size. The sign is limited to area on the lot in close proximity to the home (not posted on the home or in the window).

Section 4. Exterior Landscape:

- A. Front landscape is to be gravel or grass or a combination. Grass landscape is to be watered, trimmed and mowed regularly. All sections of grass landscape are to be over seeded each winter. This must be done between the months of September and the first of November to maintain a green lawn year round. Gravel is to be neat, free of weeds, grass and debris at all times.
- B. All dead or dying trees and shrubs must be removed immediately; stumps must be removed or ground down to ground level.
- C. Front landscape is to be kept free of yard clippings, trash and other unsightly objects. bulk trash shall only be permitted 1 week prior to City of Phoenix posted bulk trash collection days for our Community.
- D. Homeowner(s) is required to obtain written approval from the Architectural Committee and/or Board of Directors prior to **all** exterior modifications and renovations to exterior landscape as stated in section 4.1 of the CC&R's.
- E. Trees and shrubs in the common area are considered common property and are maintained at the direction of the Board of Directors.

Section 5. Garage Sales/Yard Sales: no private auctions, flea markets, white elephant sales, yard sales or garage sales of any nature are allowed in the Community without written permission from the Board of Directors.

Section 6. Pets:

- A. Dogs are to be kept on a leash at all times when not in the fenced area of your yard. City Code: article II, section 8 – 14A
- B. Owners are responsible for keeping their pets out of other homeowners property.
- C. Pet owners must pick up after their animals City Code _____
- D. Dogs and cats are the responsibility of their owners and shall not be allowed to be a nuisance or danger to others. Owners must control dogs from excessive barking, City Code: Article 1, section 14-10
- E. No animals shall be kept within our community for commercial purposes or breeding.

Section 7. Children/Guests:

- A. Homeowners are responsible for the cost of any repairs for damage caused by their children and or guests to any part of the common area (streets, walls, lights, lawn etc.) or to other homeowners property.
- B. Homeowners are responsible for their childrens behavior. When playing in the neighborhood, on the sidewalks or streets, it is the homeowners responsibility to ensure their childrens safety. Childrens play should not impede traffic.

Section 8. Vehicles:

- A. The speed limit within Villas Montanas is **15** miles per hour. For the safety of others, speeding will not be tolerated and violators will be fined and reports made to the appropriate law enforcement agencies.
- B. All boats, watercraft, RVs, camper trailers, large campers mounted on trucks, and utility trailers are specifically restricted from being parked on driveways or streets in the community in excess of 24 hours. If you have guests with RVs or campers that are visiting for more than 24 hours, and they need to park on the street, you must notify the Associations Management Company with their license number, make of vehicle and length of stay.
- C. No automobile, motorcycle, motorbike or other motor vehicle shall be repaired on any lot other than minor repair work, i.e. flat tires, battery changes, etc. Owners are responsible for keeping their driveways free of oil stains.
- D. Vehicles are to be parked in garages or in the driveway.
- E. Vehicles that are not operable or currently licensed are not allowed to be parked anywhere in Villas Montanas that is visible from a neighboring property or common areas. All vehicles visible from the street or common area must be free of cobwebs, debris, flat tires, broken windows or extensive damage, in good operating condition and appearance and not under repair.
- F. “ Inoperable” vehicles shall include, but not be limited to, wrecked vehicles, vehicles with significant or unsafe body damage, vehicles that are in a state of disrepair, vehicles up on blocks and vehicles that lack license plates or exhibit expired plates or tags.

Section 9. Modifications & Renovations:

A. In accordance with Article 4, section 4.1 of the CC&Rs, a Homeowner(s) is required to obtain written approval from the Architectural Committee and/or Board of Directors prior to all exterior modifications and/or renovations. This includes but is not limited to, improvements, replacements, additions, removals, alterations or repainting of any home, roof, fence, wall, gate, patio cover, driveway, walkway, lighting or front yard landscaping.

B. Architectural Approval form must be submitted in writing to the Board of Directors with homeowner(s) signature(s) for approval to be valid.

C. Copies of the Architectural Approval Form may be obtained from the Association Property Management Company.

Section 10. Rental Units:

A. It is the Homeowner(s) responsibility to provide a copy of the Rules and Regulations to their tenants each time their unit is rented out.

B. Homeowner(s) is liable for all violation assessments incurred for Rules and Regulations, the CC&Rs or the By-Laws violations including the cost to repair damage caused by their tenants or their guests, and all legal costs.

SECTION 11. Violations:

A. Violations of these Rules and Regulations, the CC&Rs, or the By-Laws will result in a violation assessment against the responsible homeowner.

B. Before any assessment is rendered, a letter will be sent to the responsible homeowner stating the nature of the violation. The homeowner will have ten (10) days to correct or appeal the violation.

C. Exception to “ B” is the rental agreement, which must be submitted to the Property Management Company within 10 days of renting the unit. This violation will result in an immediate assessment being rendered against the homeowner.

Section 12. Fine Assessments:

Violations:

- 1st offense ----- Ten days to correct or appeal the violation
- 2nd offense----- \$50.00 penalty with ten (10) days to appeal
- 3rd offense----- \$100.00 penalty with ten (10) days to appeal
- 4th offense----- \$200.00 penalty with third photography charge.

The fourth offense and higher will be turned over to the Association’s Attorneys for CC&R enforcement. All legal fees will be charged to the homeowner(s) account.

Malicious Mischief (Criminal Damage as per Arizona Statute) \$300.00 penalty with ten (10) days to appeal.

This penalty schedule is effective , 2008.

HEALTH, SAFETY AND WELFARE:

In the event additional uses, activities and facilities are deemed by the Board to be a nuisance or to adversely affect the health, safety or welfare of the owners and residents, the Board may make rules restricting or regulating their presence in Villas Montanas or may direct the Architectural Review Committee to make rules governing their presence within Villas Montanas as part of the Architectural guidelines.