

# Scottsdale Park Villas

## Rules and Regulations

### INTRODUCTION

This manual contains the Rules and Regulations established by the Board of Directors of this Association in February 2010. These Rules and Regulations become effective upon receipt of same by the Scottsdale Park Villas resident. Additional or revised Rules and Regulations may be enacted in the future and distributed to the members of the Association. Additional or revised Rules and Regulations will be subject to the enforcement provisions set forth herein and shall become effective upon receipt. This manual is intended to be of benefit to homeowners and tenants alike. Though these policies may seem restrictive in nature, they are designed as guidelines for good community relations. The provisions contained herein are supplemental to the covenants contained in the document known as the “Declaration of Covenants, Conditions and Restrictions” (CC&R’s) recorded in Maricopa County, Arizona. This manual also incorporates, by reference herein, the Articles of Incorporation and the By-Laws of this Association. Each member subscribed to the provisions and covenants contained in the afore—described documents by virtue of the member’s Warranty Deed.

Violation of these Rules and Regulations may result in unnecessary expense to the responsible party.

The Board hopes, however, that these policies will facilitate communication and cooperation throughout our community.

### ANIMALS

Reasonable household pets are permitted subject to approval of the Association, provided that no animal is kept, bred or maintained for commercial purposes. No pet shall be permitted to be a nuisance, become unsanitary, cause a foul odor, or make unreasonable noise. Continual barking of dogs will not be permitted. No animal of any kind shall be raised, bred, or kept in the Common Areas of the Association.

Owners must obey all local rules and laws pertaining to pets. Dogs shall be kept on a leash pursuant to Scottsdale City Code. Pets must be under the direct control of the owner while in the common areas. All droppings must be picked up immediately and disposed of in a sanitary manner. Failure to control your animal and to pick up waste is a violation of the Scottsdale City Ordinance and homeowners may be subject to City penalties.

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### **BUILDING COLOR CRITERIA**

Homeowner may make touch ups to their patio areas with the Scottsdale Park Villas approved colors. However any touch up to areas visible from the common area must be approved by the board.

### **BUSINESSES**

Units within Scottsdale Park Villas must be used for single family purposes only. Residents are permitted to work from home or operate a home based business; provided that the resident lives in the unit and that no additional foot traffic is created or caused as a result of such operation.

### **CLUBHOUSE**

- a) Our clubhouse facilities are available to Scottsdale Park Villa residents only.
- b) If you desire to use the clubhouse for a special occasion, it is necessary to request permission by sending a request to the management company in writing at least two (2) weeks in advance. If there are no conflicts, permission will be granted
- c) It is the responsibility of the homeowner to return the clubhouse to a neat and orderly condition. Kitchen to be cleaned and carpet areas vacuumed. An advance security deposit of fifty (\$50.00) dollars shall be obtained and shall be returned after inspection. Any breakage or additional clean-up will be charged to the homeowner in addition to the deposit.
- d) Residents may not unreasonably use signs or balloons throughout the property to advertise an event at the clubhouse. The displaying of any signs shall conform to the McCormick Ranch POA regulations and any balloons or adornments advertising such shall not be attached to common area walls in a way that may cause any damage.
- e) To schedule an event please contact the management company for a Clubhouse Rental form. Renters/tenants may use the facilities however, the owner is ultimately responsible for any damages caused by renters, guests, or invitees.
- f) Failure to abide by the clubhouse rules or the community rules may result in a homeowner being denied use of the clubhouse facilities in the future.

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### **COMMON AREA**

Nothing shall be stored, kept, placed, built, planted or maintained on any part of the common area without board approval. "Common area" refers to all the property outside your unit, including the exterior of the building, walkways, landscape areas, private drives, and recreational amenities. All common area walkways must be kept in a safe condition, free from obstructions.

### **COMPLAINTS**

Pursuant to Arizona Revised Statutes 33-1242 and 33-1803, homeowners who wish to report a violation of these rules or any other covenant must provide the following information:

1. Name and/or address of the person in violation.
2. Description of the violation.
3. The date and time the violation was observed or took place
4. The name of the person (s) that observed the violation.

### **DECORATIONS**

No residents may place any type of decoration outside of their unit, front entryway or patio. This includes fencing, gating, birdfeeders, and hummingbird feeders. Holiday decorations may be displayed twenty one (21) days prior to the holiday and must be removed fourteen days (14) after the holiday. "Common Area" refers to all the property outside your unit, including the exterior of the building, walkways, landscape areas, private drives, and recreational amenities. Any decoration or adornment visible from the common area is subject to board approval.

### **DOORS AND GATES**

Residents are responsible for exterior doors or gates that service the unit. Doors and gates shall be maintained in good repair. Replacement doors and gates are subject to approval of the board. Awnings or gate coverings must be approved by the board prior to installation.

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### **ENFORCEMENT OF VIOLATIONS**

- a) A violation notice shall be posted or mailed to the property owner of record, providing ten (10) days to permanently correct the violation. The violation notice will also give the owner an opportunity to write a dispute letter regarding the violation to the Board of Directors to the extent he/she so chooses. To be considered by the Board, the dispute letter must be received by the Association within ten (10) days of the date on the violation notice.
- b) Board of Directors will review each violation with the homeowner and determine if there will be an exception or a fine levied against the homeowner based on criteria from the community rules.
- c) Continued non-compliance or the failure to correct the violation shall result in a fifty (\$50.00) dollars fine, or other amount to be determined by the board, levied against the property owner of record and must be paid within ten (10) days of notification. Additional fines may be levied for continued non-compliance.
- d) Continued non-compliance or non-payment of fines will be referred to the Association's legal counsel for appropriate action. Legal fees as a result of this action will be the responsibility of the property owner in addition to the levied fine.
- e) To the extent that the violation remains unresolved, SPVA amenities such as the clubhouse, pool area or visitor parking will not be available for use by the property owner of record, his tenant or guests.
- f) Homeowners should be aware that they are responsible for any damages caused by their guests, invitees, renters/tenants, or their renter's guests to any portion of the common area within Scottsdale Park Villas.

### **FRONT ENTRYWAYS**

Nothing shall be kept in the front entryway to the unit except welcome adornments, seasonal decorations, or reasonable potted vegetation. Pots shall not obstruct the use of the walkway, interfere with the community landscaping or constitute a hazard of any sort. Empty pots or pots with dead vegetation in them will not be permitted. It is the resident's responsibility to maintain plants in a neat and attractive manner. Only ceramic, clay or terracotta pots are acceptable as long as they are within the hues of the terracotta color range. The number of potted plants accenting homeowner's entryways or patio entryways shall not exceed 2 reasonably sized pots in front of each, as described above. All other adornments or additional items must be approved prior to placement in the entryway.

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### **INSURANCE**

Each owner shall carry and keep current a standard property insurance policy (HO-3) providing adequate building coverage on the entire structure of the owned condo. Such coverage is deemed adequate if the policy will build back the entire structure of the owned condo according to original specifications in the event of a total loss. All owners must provide proof of insurance to the association upon acquisition or renewal of coverage. Failure to provide proof of insurance will result in a \$200 fine, and will be subject to any fees related to the late payment thereof.

### **MAINTENANCE**

Each homeowner is responsible for the following maintenance, repair and/or replacement of the following items:

1. Decorative Beams on patios
2. Floor Covering on patios
3. Patio Gates
4. Irrigation Systems on patios
5. Lighting Fixtures and Replacement bulbs
6. Party Wall/Fence
7. Plants & Trees on patios
8. The Main Water Shut Off valve to their individual unit.
9. AC Unit and required fence surrounding the unit
10. Front Door and Security Door
11. Windows and Window Screens
12. Hot water heaters
13. All Plumbing Lines and appliance servicing the unit
14. All Electrical wires and fixtures servicing the unit

### **NON PAYMENT OF FEES**

The Board of Directors, in consult with the Management Company, will administer the collection of all monthly fees. When a homeowner fails to pay by the 15<sup>th</sup> of the month, there will be a \$25.00 late fee applied for each month that the account is delinquent. The board reserves the right to shut off water service, after proper notice, to any unit that is delinquent in their monthly assessment.

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### **NUISANCE**

Owners shall not permit or suffer anything to be done or kept upon the premises which will obstruct or interfere with the rights of other owners, or annoy them by unreasonable noise or otherwise. Owners shall not commit or permit any immoral or illegal act to be committed upon the premises. The owner shall comply with all of the requirements of the Board of Health and of all other governmental authorities with respect to the said premises. No one shall affect the peaceful enjoyment of another homeowner's property by any means deemed to be unreasonable.

### **PARKING**

The following rules have been adopted by the Board of Directors in accordance with the Declaration of our Association and McCormick Ranch:

- a) No vehicle may be parked overnight or stored on any driveway or common area, except in the areas specifically provided by the Association for such purpose.
- b) An area is provided for the overnight parking of a homeowner's personal vehicle, or that of a resident or a guest. Such areas designated in sections to be on the eastern side of Via De La Luna running parallel to Pima Road and the designated section of the painted guest only parking spaces along the southern side of Via Taz Norte.
- c) To ensure sufficient available parking for all homeowners and guests, homeowners and residents are required to utilize both of their two car garage spaces for currently registered vehicles before being permitted to use designated outdoor overnight parking spaces.
- d) Daytime parking, defined as parking from 7:00 am through 11:00 pm, is permitted for residents and guest in all areas except common driveways and where otherwise specifically prohibited (e.g. fire zone).
- e) The overnight parking of boats, campers, trailers, motor homes, fifth wheels or similar vehicles is not permitted within the complex.
- f) No vehicle may be placed on jacks or block on any driveways or common area.
- g) Vehicles without a display of current registration are subject to tow and may not be parked in the common area or designated parking areas.
- h) There will be no storage of vehicles on driveways or common areas. For purposes of this specific section, storage is defined as the presence of a non-

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operational vehicle; the failure to move a vehicle for over 10 days; or the covering or tarping of a vehicle.

- i) Commercial auto repair and/or auto sales ventures are not permitted within the complex.
- j) All outdoor parking shall be on a first-come-first-serve basis and there shall be no reserving or saving of spaces.

### **PATIOS AND BALCONIES**

Residents shall not permit patios or balconies to be used for storage, for the accumulation clutter or debris, or permit an unsanitary condition to occur. Trash, garbage or other waste shall not be kept on any lot except in sanitary containers. No items may be stored on the rooftops of any unit or on the shade arbor of the patio. No stored item should be visible from the common area. Patio and balcony areas visible from the common area must be kept in a neat and attractive condition. All vegetation shall be confined to the owner's patio and shall not encroach onto neighboring properties or common area walls.

Garden hoses visible from the common area shall be neatly coiled or stored in a color-coordinated container matching the wall color or terracotta pot.

### **POOL**

- a) It is posted that you swim at your own risk. Please do not swim alone. The Association is not responsible for any accidents or injuries.
- b) Children under 14 years of age are not permitted in the pool area unless accompanied by an adult.
- c) No pets are permitted in the pool area at any time.
- d) Appropriate swim wear is required. Cut-offs or "street" clothes are not permitted in the pool.
- e) No running, yelling, rough-housing, diving or any other hazardous activity is permitted within the pool area.
- f) The pool area is for the use of homeowners and their guest only. Homeowners are solely responsible for their guest (or renters) conduct.
- g) The posted pool hours are 6:00 am to 11:00 pm daily.

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- h) The Association reserves the right to deny access to the pool to anyone not abiding by the community rules.
- i) Pool Gate must be closed at all times.
- j) Failure to abide by the pool rules or community rules may result in denial of the use of the facility.

### **RENTAL PROPERTIES**

Rentals are to be used as a single family unit only. No unit shall be rented for less than six (6) months. Weekly and monthly rentals are NOT allowed. Landlords must provide copies of the lease agreement to the management company. Landlords shall also give tenants a copy of all rules and regulations of the community.

### **ROOFS**

Each owner shall be solely responsible for maintaining, painting, repairing, replacing and caring for all roofs, gutters and downspouts servicing the owner's unit.

No tiled roof may be replaced on any unit without prior approval of the Architectural Control Committee.

### **SATELLITE DISHES AND ANTENNAS**

Satellite dishes are permitted however; the dish must be placed in an inconspicuous place on the roof. Additionally, any damage caused by the attachment of the dish to the building will be the sole responsibility of the unit owner. Wires must be securely fastened to the building and painted the color of the building.

No radio towers, exterior antennas or similar structures shall be erected or maintained on any lot without the approval of the board.

### **SIGNAGE**

Homeowners may display one "For Sale" sign, of the standard size, in the window of their home or in proximity to the front door as long as it does not impede the landscaper's ability to maintain the common area. Upon the request of the homeowner the board may make exceptions for owners who have limited or no exposure to main roads or walkways.



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For Rent signs may only be placed in the window of the unit.

Political signs may be displayed by owners in the unit's window and must be taken down within 10 days after the election. Security signs may be posted by the front door or on patios.

### **STRUCTURAL CHANGES**

There shall be no structural alterations, additions, construction performed to buildings or roofs; or the removal of any building, fence or other structure in the project without the approval of the architectural control committee.

### **WINDOWS - SUN SCREEN COVERINGS**

Homeowners are responsible for their windows and window screens. Windows and window screens must be kept in a state of good repair. Windows & window Sun Screens must be approved by the board prior to purchase and installation. Please contact the Management Company for an application to submit for approval.

No retractable awnings, aluminum foil, sheets, newspaper, window film, tablecloths or other materials shall be used for window coverings that are visible from the exterior of the unit. Tinting is permitted as long as it is in good repair with no streaking or bubbles.

Color selections for window tinting require a Management Company application form to be filled out for approval by the board.

### **WORKING CAPITAL FEE**

Immediately upon acquiring a Unit, the purchaser or owner of record, whether one or more persons, holding beneficial, equitable or legal title to said property, shall be charged a Working Capital Fee in the amount of \$500, or other reasonable amount to be determined by the board, for the purpose of building the working capital fund of the association. These funds will be used to meet unforeseen expenditures, to purchase any additional equipment or services by or for the Association. The Working Capital fee may also be used to temporarily pay Association expenses, such as insurance, as they come due in the ordinary course, in the event there are not sufficient funds in the Association's general accounts at the time of the due date to pay such expenses. Working Capital Fee is nonrefundable and shall not be considered an advance payment of any Assessments levied by the Association.