

# Villas las Palmas

Community Rules

and

Information

for

Residents and Owners

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## Table of Contents

Introduction .....	3
Management Company .....	3
Board of Directors.....	4
Exterior Maintenance .....	4
Gates .....	5
Leasing and Renting.....	5
Access Card .....	5
Garage Sales.....	5
Animals .....	5
Noise .....	6
Parking .....	6
Pool Rules.....	7
Sport Court Rules.....	10
Trash Containers .....	11
Architectural Control.....	11
Flags .....	13
Violations, Fines, and Late Fees .....	13

**Introduction.** Villas las Palmas is a private community with 175 homes. The Declaration of Covenants, Conditions, and Restrictions (CC&Rs) governs the community, and the Bylaws, while being subordinate to the CC&Rs, also govern the community. In addition, these Community Rules, which are subordinate to both the CC&Rs and the Bylaws, also govern the community.

Purchasing a home and the acceptance of a deed to the property obligates the owner(s) and their guests and/or tenant(s) to abide by the CC&Rs and the Bylaws recorded on the property and to abide by subsequent rules adopted by the Board of Directors. The elected Board of Directors is responsible for enforcing the CC&Rs, the Bylaws, and the Community Rules, and the Board is also responsible for operating the Association in a financially accountable manner.

The Board of Directors has developed these Community Rules, in conformance with the CC&Rs and Bylaws, for the purpose of protecting your property and for protecting the ability of everyone in the community to enjoy the property. The Community Rules summarize, clarify, and amplify the CC&Rs and the Bylaws. The Community Rules are not intended to modify or waive the CC&Rs or Bylaws. In the event of any conflict between the Community Rules and the CC&Rs or Bylaws, the CC&Rs or Bylaws prevail. Copies of the CC&Rs, the Bylaws, and the Community Rules are available from the management company. We urge you to read these documents since they set forth in detail the rights, duties, and obligations of each homeowner and resident. If you lease or rent your home to someone, please be certain to make your tenants aware of the rules.

Everyone benefits by using and caring for our property in a reasonable manner and by respecting the rights and feelings of other residents. The Board compiled these Community Rules to protect our property and its value and to make Villas las Palmas a pleasant, safe place to live. Your cooperation is essential. We do not have a specific rule for every conceivable situation. We must always be considerate of our neighbors and use common sense and common courtesy in community dealings. The rules of good citizenship and morality always apply.

As you read these Community Rules, please bear in mind that each rule is designed for a specific purpose. These rules are intended to protect the rights of residents, the safety of residents, and the values of our properties. The rules also protect the appearance of our community while fostering conformity with all federal, state, and local laws and ordinances.

This printing, dated November 14, 2023, supersedes all previous printings of the Community Rules for Villas las Palmas.

**Management Company.** The management company for our community is Vision Community Management. Their offices are at 16625 S. Desert Foothills Pkwy, Phoenix AZ 85048, and their phone number is (480) 759- 4945. You can also reach them by sending an email message to VillasLasPalmas@WeAreVision.com. While the Board of Directors make policy decisions and governs the community's finances, the management company manages the day-to-day operation and maintenance of the community. The management company is the place to start if you have any questions or concerns about our community.

The management company maintains an email distribution list for people who want to receive newsletters and other information via email. Please contact the management company if you want them

to add your email address to their list. There is no charge for this service. The management company and Association will keep all members' email addresses private.

If you lose or misplace your copy of the CC&Rs or the Bylaws or these Community Rules, please contact the management company regarding a replacement copy. These documents are also available online at

<https://www.visioncommunitymanagement.com/current-homeowners/community?name=Villas+Las+Palmas>

**Board of Directors.** As specified by the CC&Rs and the Bylaws, the Board of Directors is an elected legal body that represents the Association and whose authority is absolute and final in all Association matters. The Board includes a President, Vice President, Secretary, Treasurer, and Directors. The Board meets once a month to deal with community issues, as necessary, and the meetings are open to homeowners who want to observe. The management company can provide the time and place of the next meeting, and this information is also available online at

<https://www.visioncommunitymanagement.com/current-homeowners/community?name=Villas+Las+Palmas>

The Board arranges an annual meeting of the Association (normally in March) for purposes of electing Board members and managing other business that requires consideration of the homeowners at an annual meeting. The management company sends information about the time and place of the annual meeting to all homeowners in advance of the annual meeting, and all homeowners are welcome to attend and participate.

Board members are volunteers who donate their time and effort to the community with no compensation.

**Exterior Maintenance.** Aside from the exterior painting of structural walls, individual homeowners are entirely responsible for the maintenance of their own homes in accordance with the CC&Rs. The HOA is responsible for painting the exterior surfaces of structural walls and the HOA is also responsible for the maintenance of trees, shrubs, grass, sidewalks, driveways, private streets, and other exterior improvements in the common area.

If you replace a front door or garage door or door trim or do any other work that requires touch-up painting, the following information about paint will be useful for you.

- The paint for the exterior stucco is Dunn-Edwards DEC 772 Navajo White EVSH10-2 Evershield exterior flat.
- The paint for the garage doors is Dunn-Edwards DEC 772 Navajo White EVSH40-2 Evershield exterior low sheen.
- The paint for the exterior door frames is Dunn-Edwards DEC 772 Navajo White EVSH50-2 Evershield exterior semigloss.

- The paint for patio ramadas and painted front doors is Dunn-Edwards DEC 712 Briar EVSH50-2 Evershield exterior/interior acrylic semigloss. For reference, Briar is a specific shade of dark brown color.

**Gates.** All gates are maintained and the responsibility of the owner. Any gate change or installed gate must obtain prior association approval and must conform to other gates previously approved and installed in the community.

**Leasing and Renting.** If a homeowner leases or rents a home to a tenant, the homeowner is responsible for making the tenant familiar with the CC&Rs, Bylaws, and Community Rules. The homeowner is financially responsible for any violation of the rules by the tenant or a guest of the tenant or damage that the tenant or a guest of the tenant causes. A tenant, as a resident of Villas las Palmas, may contact the management company just as a homeowner would to report problems or to voice concerns. Rental properties, including short-term (vacation rentals), shall adhere to all city, county, and State rules and regulations.

**Access Card.** We use electronic access cards to provide access to the swimming pool and the sport courts. The use of the access cards excludes outsiders and thereby keeps our facilities private for the enjoyment of homeowners and residents. We allow one and only one access card for each home in the community, and that card is valid as long as the homeowner's account with the Association remains current. The management company suspends access for a card if the homeowner's account becomes delinquent, and the management company activates the card again when the homeowner brings the account current.

If you are a homeowner and you lose or damage your access card or do not receive a card from the previous owner, you can purchase a new card from the management company. Only a homeowner can purchase a new access card — a tenant can obtain a replacement access card by getting it from the homeowner. When issuing your new access card, the management company will deactivate your lost or damaged card.

**Garage Sales.** A resident is allowed to have a maximum of two garage sales per calendar year. Each sale event not to exceed two consecutive days. A resident who wants to have a garage sale must notify the management company at least seven days in advance of the sale. If items are displayed outside, the items must not be displayed before the day of the sale and must be removed by sundown of the same day.

**Animals.** Only domestic animals are allowed as pets. Breeding of pets for commercial purposes is not allowed. Aside from domestic pets, no other animals or livestock are allowed to live in Villas las Palmas.

Per city code, a dog must be on a six-foot or shorter leash and controlled by a person whenever the dog is not inside your home or inside your walled patio. The city code specifies a fine of as much as \$2,500 for a violation of the leash law, so all residents would be wise to abide by this law.

Per city code, owners of animals must pick up animal feces promptly and dispose of them properly. The city code specifies a fine of as much as \$500 for failing to pick up your dog's defecation, so abiding by this law is expected.

Per county code, no dogs, cats, or other animals are allowed inside the fenced area around the swimming pool. A violation observed by or reported to a county inspector could result in the closure of our pool for everyone for an indefinite period of time, so please observe this rule for the benefit of everyone in the community. Our community also prohibits animals inside the sport courts area adjacent to the pool area.

For these reasons, a violation fee can be issued immediately without warning.

Exception: The county code allows an exception for an animal necessary to accommodate a person's disability. If you have a disability that prevents you from visiting the pool or sport courts without the aid of a service animal, please provide the Board with documentation to that effect from your medical professional (e.g., doctor) along with what service your service animal is trained to perform for you. In addition, please provide a wallet-size 2.5- inch by 3.5-inch color photograph of you and your service animal, and the Board will use that photograph to create an identification tag that identifies you and your service animal as an exception to the rule prohibiting animals from the pool area and sport courts. Please note, however, that the county code strictly prohibits any animal, including a service animal, from entering the water in the swimming pool or spa even with this special exception.

All residents must control their animal, so they do not make unreasonable noise that disturbs the neighbors. Violations can result in fines by the Association without a prior warning. If a barking dog is disturbing you, you can call the Tempe Police at (480) 350-8311 to report the problem.

Any animal that is not inside the animal owner's fence and is not on a leash is subject to removal by Animal Control. Any homeowner or resident has the right to call Animal Control at (602) 506-7387 to ask the authorities to remove an unattended or uncontrolled animal from the premises.

**Noise.** Every resident and homeowner have the right to the quiet enjoyment of his or her home and the common areas, so excessive noise is not allowed. Examples of sources of excessive noise include radios, television sets, recorded music, live music, and power equipment. If a resident is making too much noise, you can call the Tempe Police at (480) 350-8311 to report the disturbance.

**Parking.** When the original planners designed our community, they designed it with just one city street, Louis Way. They designed all the other streets in our community as private streets, and the city approved that design. Our private streets are not as wide as city streets and can never qualify as city streets because there is not enough room to make them wider and to increase the turning radius at the end of each cul-de-sac.

Although our private streets are not wide enough to accommodate on-street parking while still providing safe access for emergency vehicles, the city approved our subdivision because the plan included four parking places for each home with room for two vehicles in the garage and two more vehicles in the driveway. Also, the community provides specific parking areas for visitors, so the design meets city parking requirements although the private streets cannot safely accommodate on-street parking.

As a result of the original community plan that the city approved, the following parking restrictions are necessary.

1. No parking is allowed on any of our private streets, and a towing company is under contract to tow away vehicles that are parked on any of our private streets.
2. Guest parking areas are solely for guests, and vehicles owned by residents are subject to towing from the guest parking areas. If overnight parking is needed for your guest you should request a special placard from our property management company to be placed on the dash visible for anyone to view. The make, model, color, and license plate number is needed to request a placard. A guest may use guest parking for as long as seven consecutive days and that guest must then be absent for at least 7 days before becoming eligible to use guest parking again.
3. Residents may park any motor vehicle up to and including a 3/4-ton vehicle in their garage, and residents may also park such a vehicle in the driveway as long as the vehicle is operational, well maintained, licensed, and in good repair and does not extend beyond the driveway so as to block the sidewalk, or street in the event no sidewalk exists. Other vehicles such as motor homes, boats, trailers, and vehicles over 3/4 ton are not allowed, but residents may park their vehicles of these types in the designated RV parking area adjacent to the sport courts.
4. Vehicles in the RV parking area must be owned or leased by a homeowner or resident (no parking for friends or relatives) and must be operational, well maintained, licensed, and in good repair. Vehicles must be parked in designated parking space and must not block egress or ingress and must not extend beyond curbing in the parking area. Contact the management company to request a parking spot in the RV area and to get a key (refundable deposit required) to the area. Violations of the rules in the RV parking area can result in towing of the offending vehicle at the owner's expense.
5. Repair or maintenance of a vehicle is allowed inside the garage, but the only vehicle jobs allowed in the driveway are washing and waxing and short-term emergency work such as replacing a dead battery or a flat tire. No vehicle work is allowed in the guest parking areas or the RV parking area except for emergency work such as replacing a dead battery or a flat tire.
6. Parking in the lot adjacent to the swimming pool is only for owners or residents and their limited guests using the pool or sport courts. Since those facilities are not open all night, overnight parking in this area is not allowed and only allowed during open hours for the swimming pool or sport courts.

**Pool Rules.** The county licenses our swimming pool, so we are subject to the rules that the county specifies for community swimming pools. We also have rules of our own to promote safety, to protect the pool equipment, and to make the pool as enjoyable as possible for the residents of our community. Violations of the pool rules can result in fines and/or loss of the privilege to use the pool. Also, the Board has the authority to assess expenses for repair work to anyone who causes any damage. If one of the following rules does not cover a situation, please use common sense and common courtesy.

1. The pool facilities are for the enjoyment of residents and their guests only. A maximum of four guests per home are allowed, and a resident must be present with his or her guests.
2. There is no lifeguard on duty, so use the pool at your own risk.
3. The pool and spa are available daily 5:00 A.M. until 11:00 P.M. The pool and spa are closed at all other times.
4. Minors under the age of 18 are not allowed in the pool area after 10:00 P.M. unless accompanied by an adult resident of Villas las Palmas.
5. Children under the age of five are not allowed to use the Spa..
6. Any child under the age of 14 must be always accompanied by an adult (over 18), and the adult must be a resident of Villas las Palmas.
7. No alcoholic beverages are allowed in the pool area.
8. Running, diving, and boisterous play are not allowed.
9. Replace the spa cover after you use the spa.
10. Deposit all trash into the trash receptacles. If a trash receptacle is full, take your trash to your home for proper disposal.
11. Climbing on the fence, any fence column, the gate, the ramada, the furniture, or the safety rails is not allowed.
12. No bicycles, skateboards, roller blades, roller skates, or comparable items are allowed in the pool area.
13. No smoking or vaping is allowed in the pool area.
14. Proper swimwear is required for everyone in the pool.
15. All sound equipment must be battery powered and kept at a low volume that is acceptable to everyone else using the pool.
16. No toys other than toys made specifically for pools are allowed in the pool area.
17. Proof of residency may be required at any time. Please show your access card to anyone asking for proof of residency.

Because of the potential loss of use impact to other owners and residents an immediate fine can be assessed without prior notice if these rules are not followed.



***The following pool rules are part of the Maricopa County Environmental Health Code, herein known simply as the county code.*** The county licenses and regulates our pool, and a violation of any of the following rules can cause the county to close our pool indefinitely, not just for the violator but for everyone in the community. Observing these rules is therefore important since we do not want everyone in the community to lose access to the pool because of the actions of a single thoughtless person. These rules appear in Chapter VI, Section 1, Regulation 4 of the Maricopa County Environmental Health Code.

1. In accordance with the county code, no animals are allowed in the pool area at any time. A violation can cause the county to close our pool for an indefinite period of time.

Exception: The county code allows an exception for a trained service animal (but not for a comfort animal). If you have a disability that prevents you from visiting the pool without the aid of a trained service animal, please provide the Board with documentation to that effect from your medical professional (e.g., doctor) along with a statement from the agency or person who trained your animal to explain what service your service animal is trained to perform for you. In addition, please provide a wallet-size 2.5-inch by 3.5-inch color photograph of you and your service animal, and the Board will use that photograph to create an identification tag that identifies you and your service animal as an exception to the rule prohibiting animals from the pool area. Please note, however, that the county code strictly prohibits any animal, including a service animal, from entering the water in the swimming pool or spa even with this special exception.

2. In accordance with the county code, make sure you securely latch the gate after you go through it. An unlatched gate can cause the county to close our pool for an indefinite period of time.

3. In accordance with the county code, no glass containers are allowed in the pool area. A violation of this rule can cause the county to close our pool indefinitely.

4. The county code specifies that “no drinks, candy, tobacco, popcorn, gum, alcohol, or food of any kind shall be permitted in the pool or within the required walkways of the pool.” A violation of this rule can cause the county to close our pool indefinitely.

For purposes of this county requirement, however, we define the area under the ramada to be separate from the “required walkways” of the pool, so we do allow nonalcoholic drinks and food (but not tobacco, gum, or alcoholic drinks) under the ramada even though the county health code strictly prohibits drinks and food from the rest of the pool area.

5. The county code specifies that “persons with sore or inflamed eyes, colds, nasal or ear discharges, boils, or other acute or obvious skin or body infections, or cuts shall be excluded from the pool.” A violation of this rule can cause the county to close our pool indefinitely.

6. The county code specifies that anyone who is incontinent must wear tight-fitting rubber or plastic pants or a swim diaper. A violation of this rule can cause the county to close our pool indefinitely.

7. The county code requires that everyone must “remove oils and lotions and use the toilet before entering the pool.” An outdoor shower and bathrooms are available at the pool for your convenience.

8. The county code requires that everyone must observe all safety regulations, and a violation of this rule can cause the county to close our pool indefinitely. Safety regulations include the rules regarding children and the rules regarding behavior at the pool.

Because of the potential loss of use impact to other owners and residents an immediate fine can be assessed without prior notice if these rules are not followed.

**Sport Court Rules.** Please be courteous and considerate when using the sport courts. Violations of the rules can result in fines and/or loss of the privilege to use the sport courts. Also, the Board has the authority to assess expenses for repair work to anyone who causes any damage. If one of the following rules does not cover a situation, please use common sense and common courtesy, and follow each sport’s common etiquette rules. Eg. How long to play when a group is waiting for the court.

1. The sport courts are available for use every day from 6:00 A.M. until 10:00 P.M. Please do not use the courts at any other time.
2. A maximum of three (3) guests at the tennis court, seven (7) guests at the pickleball court and five (5) guests at the basketball court per home are allowed, and a resident must be present with his or her guests.
3. Everyone on the sport courts must wear tennis shoes or basketball shoes.
4. No bicycles, skateboards, roller blades, roller skates, or comparable items are allowed on the sport courts.
5. After playing at night, be sure to turn off the lights when you leave.
6. No animals are allowed on the sport courts.

Exception: If you have a disability that prevents you from visiting the sport courts without the aid of a trained service animal, please provide the Board with documentation to that effect from your medical professional (e.g., doctor) along with a statement from the agency or person who trained your service animal to explain what service your service animal is trained to perform for you. In addition, please provide a wallet-size 2.5-inch by 3.5-inch color photograph of you and your service animal, and the Board will use that photograph to create an identification tag that identifies you and your service animal as an exception to the rule prohibiting animals from the pool area and sport courts.

7. No chairs of any kind are allowed on the sport courts.
8. Always keep noise to a reasonable level to avoid disturbing other residents.

9. No glass containers are allowed in the court area. No alcoholic beverages are allowed in the court area.

10. No smoking or vaping is allowed in the court area.

11. Make sure you securely latch the gate after you go through it.

12. Proof of residency may be required at any time. Please show your access card to anyone asking for proof of residency.

**Trash Containers.** Trash containers and recycling containers must not be visible to other residents except when they are out for collection (from the evening before the collection day until the evening of the collection day).

**Architectural Control.** The CC&Rs restrict all residents and owners from making alterations that are visible to other residents. The Board of Directors may allow some alterations, but an Owner must request permission by submitting a written request prior to making any visible alterations. Forms for such requests are available from the management company, and also available online at: <https://www.visioncommunitymanagement.com/current-homeowners/community?name=Villas+Las+Palmas>.

Be sure to get approval for your proposed change before you make the change so you can be confident you will not be required to redo the change(s) at your cost to comply with community requirements. The following list is not comprehensive, but it does cover several specific items that may be of interest to residents and homeowners. In addition, all references to "color" or "original" can sometimes be misinterpreted and believed acceptable when it may not comply with our community requirements. Thus, to further emphasize the importance and for your best interest in mind, please obtain prior board approval before starting any change to your property.

1. Any alteration that changes the exterior appearance of any unit must have prior written approval by the Board of Directors. Such alterations include, for example, alterations to patio covers, walls, gates, exterior doors, windows, exterior lights, garage doors, etc. In particular, new windows must have mullions and grids that match the style of the original windows, and the window frames must be bronze in color to match the frames of the original windows. Similarly, the style and color of garage doors and window inserts for the garage doors must match the color and style of the original garage doors and window inserts.

2. The exterior side of all drapes, curtains, blinds, and other window treatments must be white, off white, or natural in color. Interior wood shutters may be stained to a natural color or painted white or off white.

3. Only items that are specifically designed for window treatments are allowed as window treatments. Blankets, sheets, tablecloths, plastic sheeting, and comparable items are not allowed for covering windows.

4. Window tinting (not foil) is allowed on windows as an interior window treatment.

5. Bug screens and sunscreens must be made of black screening with bronze or black metal frames. Reflective exterior sunscreens are not allowed.
6. First-floor security doors must be black or Navajo White, the same color as the exterior walls. Balcony security doors must be Navajo White, and the installation of a balcony security door requires prior written approval from the Board of Directors.
7. Window awnings must conform in color, design, and material (canvas) to awnings previously approved for other homes and must have prior written approval from the Board of Directors.
8. Residents are allowed to attach black wire mesh to patio gates to restrict their pets. Mesh not to extend beyond the perimeter of the fence, and no other material should be used. Recommend prior board approval before installing barrier.
9. No basketball backboard or similar sporting equipment is allowed where it is visible from the common area.
10. Driveway and sidewalk lighting is allowed only with prior written approval from the Board of Directors.
11. No items are to be displayed on top of any patio wall, courtyard wall, or party wall.
12. Plant growth in front or back patio areas, and backyard areas must not encroach on any other unit or the common area. Residents must regularly care for and trim their plants to maintain a neat, attractive appearance. After a warning, the Association may hire landscapers to trim a resident's plants and will bill the cost of such trimming to the homeowner.
13. Storing any items in the common area is prohibited. Any items stored on the front or back patio must remain below the level of the patio walls. Any standing umbrellas or hanging decorations must remain in good condition.
14. Lighting - Holiday lights and decorations are allowed between Thanksgiving and the second Monday of January. Decorations for any other holiday are allowed during the season for the holiday. All lighting and decorations must be neatly and securely hung at all times. No decorations or lighting allowed on common property at any time. Gate and entryway lighting must adhere to the general color and style of the community. Decorative patio lighting is restricted to under the ramada on back patios only and must not interfere or distract the view from neighboring properties. Colored and decorative bulbs are prohibited in gate areas and all entry areas.
15. Any exterior hanging patio shades must be properly approved prior to installation and must remain securely attached, clean, and in good repair.
16. Except for political signs, the only signs allowed at a home are standard size "For Rent", "For Sale", and "Garage Sale" signs. Per state law, political signs are allowed from 71 days before the date of an election until three days after the election, and the maximum aggregate total

dimensions of all political signs at one home must not exceed nine square feet. No signs are allowed anywhere in the common area except for the area directly in front of your home.

17. As the CC&Rs specify, "Failure by the Association or by any Owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter." At the direction of the Board of Directors, the management company advises Association members in writing of areas of noncompliance. If a homeowner fails to take appropriate actions in a timely manner, the Board of Directors then escalates the request for compliance and may assess a fine or correct the problem and bill the homeowner for any associated costs. If a homeowner fails to pay such fines or bills, the Board of Directors has the authority to pursue legal means of collection.

**Flags.** Our community's rules regarding the display of flags follow the Federal Flag Code and the state statutes regarding the display of flags. Some of those rules are as follows.

1. The display of the American flag must be in accordance with the Federal Flag Code.
2. The display of the following flags is permissible with the same guidelines that apply to the American flag: United States Army, Navy, Air Force, Marines, or Coast Guard; POW/MIA, Arizona state flag, and Arizona Indian Nations flag, Gold Star Flag, Blue Star Flag, and First Responder Flags as defined under A.R.S. §33- 1808.
3. No resident may fly more than two flags at a time.
4. A flagpole is allowed if the height of the pole is no greater than the distance between the placement of the pole in the yard and the closest point of any sidewalk or driveway, any common area, or any neighbor's property line.
5. Each installation of a flagpole and its lighting must have prior written approval from the Board.

**Violations, Fines, and Late Fees.** The Board has the authority to assess fines and to remove privileges such as use of the swimming pool and sport courts for violations of the community rules as well as for violations of the CC&Rs and the Bylaws. The amount and immediacy of a fine depends on the nature of the violation. The Board also has the authority to assess late fees and to remove privileges if a homeowner does not pay the monthly assessments on time. State laws and the CC&Rs specify legal actions that the Board may pursue to collect fines, assessments, and other amounts that are due from a homeowner. Please refer to the Assessment Collection Policy and CC&R Violation and Enforcement Policy, both of which were updated and adopted June 14, 2022, for more information.

# Index

Access Card .....	5	Noise.....	6
Alcohol .....	8, 9, 10	Noisy Animals .....	6
Alterations.....	11	Paint Specifications .....	4, 5
Animal Control .....	6	Parking.....	6
Animal feces.....	6	Patio Restrictions.....	12
Animals .....	5	Phone Numbers.....	3
Animals in Pool Area .....	9	Police (Tempe Non-Emergency) .....	6
Animals on Sport Courts .....	10	Pool Guests.....	7
Annual Meeting .....	4	Pool Hours .....	8
Architectural Control.....	11	Pool Parking.....	7
Basketball Backboards .....	12	Pool Rules .....	7
Bicycles.....	8, 10	Private Streets .....	6, 7
Board Meetings.....	4	Removal of Privileges .....	13
Board of Directors.....	4	Roller Blades.....	8, 10
Bylaws .....	4, 5	Roller Skates .....	8, 10
CC&Rs.....	3, 4, 5, 11, 13	RV Parking .....	7
Children at Pool.....	8, 10	Security Doors .....	12
City Code .....	5, 6	Service Animals .....	6, 9, 10
County Code.....	6, 8, 9, 10	Signs .....	12
Email Distribution List .....	3, 4	Skateboards .....	8, 10
Exterior Lights .....	11	Smoking .....	8, 10
Exterior Maintenance .....	4	Spa .....	8
Flags .....	13	Sport Court Guests .....	10
Garage Doors .....	4, 11	Sport Court Hours .....	10
Garage Sales.....	5	Sport Court Rules .....	10
Gates .....	5	Stored Items .....	12
Guest Parking.....	7	Tenants .....	3, 5
Guests .....	3, 7, 10	Towing .....	7
Holiday Decorations.....	12	Trash Containers.....	11
Introduction .....	3	Vehicle Limits.....	6, 7
Key for Pool.....	5	Vehicle Repairs .....	7
Key for RV Gate .....	7	Violations, Fines, and Late Fees .....	13
Key for Sport Courts.....	5	Window Awnings .....	12
Leash Law.....	5, 6	Window Screens.....	11
Leasing and Renting .....	3, 5	Window Tinting .....	11
Lifeguard .....	8	Window Treatments.....	11
Management Company .....	3	Windows.....	11