

LA TIERRA CONDOMINIUMS

RULES & REGULATIONS & PROCEDURES

As Adopted by La Tierra Condominiums Board of Directors (Per CC&R 6.3)

FEBRUARY 3, 2016 and Amended November 07, 2018

1. HIERARCHY OF RULES: La Tierra Condominiums Unit Owners must abide by the Declarations of --Covenants, Conditions and Restrictions (the CC&R's) as agreed upon by taking deed to said Unit, and these Rules & Regulations & Procedures. These Rules & Regulations will refer to CC&Rs when appropriate and when in conflict with the CC&R's are controlled by the CC&R's.

2. Pet Rules: (CC&R 4.5.1; 4.5.2; 4.5.3)

- Up to 3 pets allowed, not to exceed 2 Dogs (limit of 45 lbs. if 1 dog) (limit of 25 lbs. each if 2 dogs) cats, birds, or fish may be kept provided that they are not kept, bred or maintained for any commercial purpose. No reptiles, exotic pets, rodents, ferrets, etc. are permitted. Fish and birds are allowed if contained in the appropriate tanks and/or cages. No aquariums over 30 gallons

-Dogs and cats must be kept on a leash at all times. **(CC&R 4.5.2)**

-Cleanup of all pet droppings anywhere on the property is mandatory. The community has provided doggie stations for this purpose.

- All owners of dogs and cats must register their pet once a procedure is established by the BOD by name, type, (breed), date of last shots rabies vaccination, and proof of being licensed by City of Tempe or County of Maricopa (if required by ordinance).

3. Storage: (CC&R 4.15)

-The common areas and stairwells of the building shall not be obstructed in any manner. No bicycles, scooters, baby carriages, or similar vehicles shall be allowed to stand or be left unattended in the common areas and/or in or on stairwells and front entrance areas. Bicycles may be stored at the community bike rack or on back patio/balcony. Flammable substances are not to be stored in the storage areas.

-No toxic or noxious matter shall be put into drains or sewer systems. No air pollutants or contaminants sufficient to create a nuisance shall be discharged. Bicycles remaining in the bike rack in nonworking condition and tagged for removal by the BOD will be removed after 15 days of bicycle being tagged.

4. Noise: (CC&R 4.16)

-Unit Owners/Residents shall exercise extreme care to avoid making (or permitting) loud or objectionable noises and in using or permitting the use of any radio, television, musical instrument, amplifier or any other instrument or device in such a manner as to disturb other Unit occupants. Unit Owners/Residents are responsible at all times for the reasonable conduct of themselves, their occupants and guests. No loud or boisterous conduct that will disturb the comfort and quiet enjoyment of La Tierra Unit Owners/Residents is permitted. Stereos, radios, TVs, musical instruments, etc. shall be held at a reasonable level at all times. After 10:00PM, the volume must be significantly reduced so as to not disturb others in the building or surrounding neighbors. First, try to talk to your neighbor, if comfortable to do so, and if the problem persists, contact Tempe Police, and report the incident to the Community Manager in the morning.

5. Disposal of Trash: (CC&R 4.4)

-Regular household trash must be tied securely in trash bags and deposited in the trash dumpsters. No trash or dog waste bags are to be placed outside your front door, under stairwells or on your patio/balcony for any period of time.

-There is to be no harmful or hazardous waste deposited in the trash dumpsters.

-please utilize the recycle dumpster located in the NW corner of the facility and flatten cardboard.

6. Signs and/or Advertisements: (CC&R 4.9)

-No Unit Owner/Resident shall put any signs on any exterior window or interior window that is visible from the exterior of the building, nor on any portion of the building or the common elements of the Condominium. Exception is one sign For Lease, For Rent, "For Sale" sign of standard industry size.

7. Patio/Balcony Furnishings and Accessories and Roller Sun Shades: (CC&R 4.13)

-No floor coverings shall be installed on the patios flooring unless approved by the Board of Directors in writing. (CC&R 4.13)

-Furniture, furnishings, plants, equipment or other materials used on any patio or balcony shall be colors harmonious with, and not in conflict with, the color scheme of the exterior walls of the building and must be approved in writing by the Board of Directors unless expressly permitted by the Rules.

-No patio/balcony may be used as a storage area for items that are not customarily intended for use on a patio/balcony. (CC&R 4.13) Bicycles may be stored at the community bike rack or on back patio/balcony. The Uniform Fire Code adopted by the City of Tempe prohibits grilling on patios and balconies.

-No items may be hung from any patio/balcony ceiling or wall unless written authorization is obtained from the Board of Directors, including linens, blankets, rugs, swimsuits, or similar articles. (CC&R 4.13)

-No furniture, furnishings, pots, plants or other items, shall extend above the patio/balcony or porch walls unless owner obtains prior written authorization from the Board of Directors. **The Board hereby gives a blanket written approval for each owner to hang or place up to ONLY THREE (3) of the following items: (wind chime, other wind item, decorative spinner, plant, wall hanging, hummingbird feeder) and provided that any, hanging plants or plants placed on a ledge of a balcony shall not leak water onto other units, (A wall item shall not breach the stucco surface of the building). Any items not conforming will result in a notice being given to the owner to remove said item.**

-Interior (seen from exterior) and Exterior ornamental items and lighting associated with holidays may be displayed & illuminated only from the week before and the week after any holiday and then they must be removed.

-Roller Sun Shades maybe installed on the owner's patio but **must** first be approved by the Board of Directors prior to installation and must fit the below requirements:

-Patio's are a limited common area and any damages caused will be billed back to the unit owner.

-All materials must match the color of the community screens, windows and doors that are currently existing, currently in a bronze and neutral color.

-The exterior portions of the patio areas are not be to damage or used to hang the Roller Sun Shades (specifically, the stucco and ceiling), and must be attached from the wood headers in the patio.

-Roller Sun Shades can only be on a roller and must be able to be fully rolled up and retracted out of view from the outside of the patio and must be wide enough to cover the full width of the patio opening in one piece or section.

-All Roller Sun Shades must be maintained in good condition by the unit's owner at their own expense. Failure to maintain said Roller Sun Shades will result in their removal by the Association.

-The Association and its Agents are authorized to raise the Roller Sun Shades at anytime for the purpose of inspecting the Patio which is a Limited common area under the control of the Association. (CC&Rs 4.3.3,4.3.5, 4.3.6,4.12 & 4.13).

8. Window Coverings: (CC&R 4.12)

- The Board of Directors must approve all window coverings and shades. No window guards are allowed. Unit owners are responsible for the painting and maintenance of screens, security doors, and patio door windows. Metal kick plates on entry doors are not permitted. Tinting is prohibited, except for the tinting that is established by the original construction.

9. Floors: (CC&R 4.34)

-No waterbeds or hot tubs shall be placed, kept or used in any Unit without written approval of the Board of Directors.

Any hard floor coverings installed in a Unit must have advanced written approval from the Board of Directors.

10. Additions to Unit: (CC&R 4.3.5 & 4.3.6)

-Except for paint, wallpaper, or carpeting, no alterations or improvements can be to units without the prior written approval from the Board of Directors.

-Any owner making any addition, alteration, or improvements within his/her Unit shall be responsible for any damage to other Units and to the Common Elements, which result from any such addition, alteration, or improvements. The Board of Directors may require that an architect or engineer, licensed in Arizona, certify that such addition, alteration, or improvement

11. Parking and Motor Vehicles: (CC&R 4.7)

-Each resident has been assigned 2 parking spots, one covered and one uncovered. Parking tags have been issued for all units. It is the owner's responsibility to park in their assigned spot and displace the tags. Any unauthorized car parked in an assigned spot is subject to tow at owner's expense. There is a \$10.00 replacement fee per parking sticker.

-No abandoned or inoperable vehicles (both to be defined as flat tire, cobwebs, expired tags, no plates, and the like...) to be parked, maintained, or stored on any portion of the Common Elements or in any parking space of La Tierra Condominium Association. Any said vehicle in violation of this resolution will be subject to be towed away at the sole expense of the owner of said vehicle. (Advance notice of violation to be given.)

12. Leasing and Rental of Units. (CC&R 4.14)

-A Unit Owner may lease his/her Unit for no less than 1 month; there will be no sub-leasing. At least 10 days prior to commencement of any lease, the Unit Owner must provide the Association with a copy of the signed lease and include the following:

-Names of each of the occupants, address, email, cell phone, work phone and home phone must be proved to management

-The Unit Owner must provide the lessee with copies of the Site Specific CC&Rs and these Rules.

13. Satellite Dishes: (CC&R 4.2)

-Satellite Dishes may be placed on an owner's patio with written Board approval. No dishes may be placed in any portion of the common areas or balconies nor can it be affixed to the roof, and no exterior wall penetrations are permitted when installing a dish or running cables.

14. Fitness Center Rules:

1. The Fitness Center hours are **6:00 AM until 11:00 PM**. It will be necessary to use your key to gain access to the Fitness Center at all times.
2. Unit Owners, Residents, and Guests must be at least 16 years of age to use the Fitness Center without an adult or legal guardian present. For safety purposes, it is recommended that children do not use the Fitness Center.
3. Wipe down exercise equipment before and after each use.
4. All equipment is to be used as intended. Lower weight stacks carefully to the start position to avoid striking and damaging other plates.
5. No glass containers, food items, pets, or smoking is permitted in the Fitness Center.
6. All persons using the Fitness Center do so at their own risk.
7. Notify the Community Manager of any equipment malfunctions or safety concerns.
8. Music from the Fitness Center shall not be piped out to the pool area.
9. Turn off all fitness equipment after use.
10. Turn off the TV and stereo when finished using the Fitness Center.
11. No smoking.

15. Pool Rules & Spa Rules:

1. Pool and Spa hours are **6:00 AM to 11:00 PM**.
2. Children 16 years of age and under must be accompanied by a responsible adult.
3. It is recommended swimmers use the "buddy system" at all times. No one should swim alone.
4. The use of the pool is expressly limited to Unit Owners/Residents, and their guests.
5. Tenants or Guests on an extended stay are considered members of the household and may use the facilities unaccompanied. Extended stay guests must register with the Community manager and are subject to all community guidelines.
6. All entrances to the pool must remain closed and latched at all times. Do not leave doors propped open. This is for the safety of all, especially children.
7. Keep noise to a minimum so as to not create a disturbance to residents and others enjoying the pool area.
8. No glassware of any kind is permitted in the pool area.
9. No smoking in pool area.
10. No pets are allowed in the pool/spa.
11. Persons with skin disorders, colds, coughs, or communicable diseases are asked to refrain from pool use due to obvious risk of health problems to others.
12. No infant, young child or person subject to involuntary natural bodily functions is permitted to use the pool/spa without proper and effective diaper protection.
13. No child under the age of 5 shall be allowed in the spa for health and safety concerns. It is recommended that pregnant women, persons with heart problems, high blood pressure, or diabetes refrain from using the spa.

14. Only persons dressed in standard swimwear are allowed in the pool or spa.
 15. Portable TVs or radios are permitted only if headphones are used.
 16. The Board reserves the right to deny the use of the pool, pool area, and spa to anyone at any time.
 17. The Association is not liable, and does not assume any liability whatsoever for injury, property damage, or any kind of loss arising in connection with the use of the pool, spa, or fitness center. The pool, spa and recreation areas have no lifeguard on duty; use of these areas is at your own risk.
 18. Residents are NOT permitted to give their pool key to anyone who does not reside at La Tierra. Violation will be loss of pool privileges. Pool and Fitness Center privileges will be revoked if Unit Owner is delinquent on assessments or fines. Keys may not be duplicated. Lost keys can be purchased from management for \$25.00, if in good standing with payment of HOA dues.
- 16. Speed limit:** The speed limit in the parking area of La Tierra is 5 MPH.