

## **RULES & REGULATION**

### **1. ADVERTISING SIGNS**

- For Sale, For Rent, or any signs other than the Unit Number are not permitted anywhere within the community, including on windows or on exterior doors of individual units, and may not be posted as to be visible from the outside.
- A notice advising of a unit For Sale or For Rent may be posted on community bulletin boards. Please see BULLETIN BOARDS.

### **2. ANTENNA AND SATELLITE DISHES**

- All existing and proposed satellite dish installations must have the approval of the Architectural Review Committee and Board of Directors to ensure the best possible signal reception consistent with maintaining the integrity of the appearance of the community. Please submit an Architectural Review Committee Submittal Form to the Management Company.
- An antenna one meter or less in diameter or diagonal measurement that is designed to receive signals from direct broadcast satellites (DBS) or designed to receive video programming services from multi-channel multi-point distribution (wireless cable) providers (MMDS), or an antenna that is designed to receive television broadcast signals (TVBS), may be placed, installed, or kept on a Lot.

### **3. BIRDFEEDERS**

- Bird feeders on any kind are not allowed in the common area.
- If you use a feeder within the confines of your property line, it should be the type that does not allow seed to spill on the ground, such as hummingbird or finch feeders. Seed spill encourages ground feeding birds, snakes, packrats and other rodents that may attract javelinas and bobcats.

### **4. BULLETIN BOARDS**

- A bulletin board is located next to the mailboxes at the Clubhouse for the homeowners. All notices are to be no larger than an 8.5 x 11 inch piece of paper. However, please minimize your notices to provide optimal use of the bulletin board. Postings are on a first come first serve basis.
- All postings will be removed once per month.

### **5. CABLE**

- Cable is available to homeowners at their own cost. Homeowners must ensure that the cable company hides wires from view on building exteriors and that installers put all cables and wires under ground. The cable company will be liable for any landscape or building damage.

### **6. CLOTHESLINES**

- Clotheslines are not permitted. Clothes, towels, etc. cannot be hung outside to dry.

#### 7. CLUBHOUSE REGULATIONS

- The Clubhouse is available to residents for private functions. The pool, spa, fitness room, and office will remain available to owners during the Clubhouse reservation period.
- A \$150 cleaning deposit is required at the time of application. The deposit will be refunded after clubhouse and pool area is inspected to assure it has been cleaned and left in an orderly condition.
- Owners/users are liable for any damage to the Clubhouse, pool, spa, fitness room, or office.
- Owners/users are required to follow all laws.
- All functions must terminate by 1AM.
- Reservation application must be submitted and approved prior to holding an event. Reservations are on a first come first serve basis. You may contact the Management Company for a reservation application.

#### 8. ENFORCEMENT PROCEDURES

- Demand: Written demand to cease and desist from an alleged violation of the Association's Rules & Regulations or of the Declaration of Covenants, Conditions, and Restrictions (CCRs) shall be served upon the Owner of the involved Dwelling Unit, specifying: (a) the alleged violation; (b) the action required to abate the violation and a time period, of not less than seven (7) days, if the violation is a continuing one, or a statement that any further violation of the same rule may result in the imposition of sanctions after notice and hearing if violation is not continuing.
- Continuing Violations: Each day a violation continues after notice to cease has been given by the Board to the Owner shall constitute a separate violation.
- Notice: If the violation continues past the period allowed in the notice for abatement without penalty, or if the same rule is subsequently violated, the Board shall serve the Lot Owner with written notice of a hearing to be held by the Board in executive session within one month of such notice. The notice shall contain: (a) the nature of the alleged violation; (b) the time and place of the hearing, which time shall not be less than seven (7) days from the giving of the notice; (c) an invitation to attend the hearing and produce any statement, evidence and witnesses on his or her behalf to dispute the alleged violation; and (d) the proposed sanction to be imposed, which may include the imposition of a penalty of not more than \$200.00 for any one violation.
- Hearing: the hearing shall be held in executive session pursuant to the notice given, thereby affording the Owner a reasonable opportunity to be heard. Prior to the imposition of any sanctions, proof of notice and invitation to be heard shall be placed in the minutes of the meeting. Such proof shall be deemed adequate if the officer or director who delivered such notice enters a copy of the notice together with a statement of the date and manner of delivery into the minutes. The notice requirement

shall be deemed satisfied if the Owner or owner's designated representative appears at the meeting. If the Owner does not appear, the hearing shall be terminated after the Board establishes the penalty as provided below. The minutes of the meeting shall contain a written statement of the notice given to the Lot Owner, the results of the hearing and the sanctions, if any, imposed.

- Imposition of Penalty: upon conclusion of the hearing, the Board of Directors shall determine the amount of penalty to be imposed, if any, based on the seriousness of the violation, whether the type of offenses poses a danger to property or any person, and whether the violator agrees to abate the violation within the time specified by the Board of Directors. If the Owner chooses not to attend the hearing, the Board shall proceed to levy a penalty against that Owner for the infraction. After the amount of the penalty is determined, the Board shall determine the due date for the payment of such penalty.
- Collection: Collection of any penalty may be enforced against any Owner in accordance with A.R.S. 33-1807, including applicable attorney fees, costs, late charges and interest for non-payment.

#### 9. EXTERIOR CHANGES AND THE ARCHITECTURAL REVIEW COMMITTEE (ARC)

- No addition, alteration, or improvement within a unit or on a lot that would be visible from a neighboring property shall be made without the prior written consent of the Architectural Review Committee and/or Board of Directors.
- You may obtain an ARC Submittal Form from the Management Company.
- No exterior changes of any kind including, but not limited to doors, door hardware, windows, porch lights, patios, and privacy walls are allowed without the prior approval of the Architectural Review Committee and/or Board of Directors.
- If the proposed modifications are deemed to be minimal and unobtrusive, no comments from neighbors need to be solicited. If the modifications are substantial in nature (causing noise, dust or disruption) or are highly visible to neighbors, comments will be solicited.
- Before any permanent modifications to a property are initiated, the homeowner must submit a written description and drawing to the ARC, as part of their submittal package. If the changes include new walls, demolition of existing walls, new footings, a new roof or new windows, there must be an architectural drawing by a certified architect.

#### 10. FITNESS ROOM

- The fitness room is available to homeowners and tenants 24 hours a day on a first come first serve basis.
- Please follow the instructions for use of the equipment and courtesy guidelines posted in the fitness room. Do not remove equipment out of the fitness room.
- Report any problems with the equipment to the Management Company.

- A parent or legal guardian must accompany persons under 18.
- No food or beverage, except water, is allowed in the fitness room.
- No glass is allowed in the fitness room.
- Use equipment at your own risk. Management assumes no liability for injuries or accidents that may occur.
- The code to the Fitness room will be given to owners only. Please contact the management Company for the code.

#### 11. FLAMMABLE MATERIALS

- Fire department regulations stipulate that explosive and flammable materials cannot be stored in residential units. These materials include paint thinner and gasoline.
- Please note there are fire extinguishers throughout the complex.
- Due to Insurance Purposes and Rural Metro Fire Regulations Gas and Charcoal grills may NOT be used on porches. Electric Grills are permitted.

#### 12. GARDEN HOSES

- Garden hoses should be stored neatly and out of site within the Owner's patio or unit. Hose spools, reels, or hooks mounted on an outside wall are not permitted.

#### 13. LANDSCAPE MAINTENANCE

- The Association provides landscape maintenance including trimming, fertilizing, weed control, raking, blowing out debris, and irrigation maintenance in the common areas and exterior areas.
- Homeowners may not modify any irrigation system, adjust irrigation time clocks, or install their own irrigation system.
- Planting of any plants on the common area is prohibited.
- Removal of any plants from the common area is prohibited.
- If homeowners would like to have plantings beyond their property line or in front of their Unit, an application must be submitted to the Landscape Committee for review and consideration by the Board.

#### 14. LEASING RULES

- "Lease" shall be defined as any occupancy of a residence by any person other than the homeowner of residence or the homeowner's immediate family members, whether or not any consideration is exchanged.
- A written lease is required for all rental arrangements.
- No owner shall enter into a lease for less than the entire dwelling unit.
- No lease may be for a term of less than one (1) month.
- The Owner shall deliver to the tenant, prior to the start of the tenancy, a copy of the Association's Rules & Regulations and any amendments.
- Each owner shall deliver to the Management Company or Board of Directors an acknowledgement by the tenant of receipt of the Rules & Regulations. At the same time, the Owner shall provide the names, phone numbers, and license plate numbers of all occupants of the unit.
- The Owner shall provide a signed copy within seven (7) days of the Association's request for the same. Failure to provide a copy of said lease

or any of the other information required to be provided by these Rules, will constitute a violation which could result in enforcement proceedings as previously set forth.

#### 15. NOISE AND DISTURBANCE

- Quiet should be observed after 11PM in all common areas. No radio, stereo, amplifiers, loudspeaker, or other broadcast unit of any kind shall be allowed outside of an owner's residence at any time.
- Excessive noise or disturbances in the common areas or coming from inside of a unit should be reported to the Pima County Sheriff.

#### 16. PARKING AND VEHICLES

- All vehicles must be parked in parking spaces so that emergency vehicles or fire trucks have clear access. Please park in your assigned covered parking space and ask your guests to park in the unassigned, uncovered parking spaces.
- Please call the management company if you do not know your assigned covered parking space. Every owner has one covered parking space.
- Curbside parking is not allowed and vehicles parked as such are subject to towing.
- Trailors, R.V.'s, campers, and boats may not be parked anywhere within the Tierra Catalina Condominium Association.
- Disabled vehicles will be towed at the owner's expense.
- Vehicles may not be repaired on the Tierra Catalina Grounds.
- Storage of any vehicle is prohibited.

#### 17. PETS

- No more than two household pets are allowed in a residence. Pet owners must abide by the provisions of the CC&Rs and all local, county, and state animal laws.
- Animals must be leashed when outside the unit and must not create a nuisance in the community. A maximum six foot leash is required.
- All animal waste must be picked up immediately and disposed of properly.

#### 18. POOL AND SPA

- Pool and spa hours are 8AM until 11PM
- The pool gate must be closed and locked at all times.
- Children under fourteen (14) years of age are not allowed in the pool area without adult supervision.
- No glass of any kind, including drinks in glass bottles, is allowed in the pool area.
- No diving is allowed in the pool.
- Pool furniture must remain in pool area.
- Proper swimwear must be worn in the pool.
- No running, boisterous play, or excessive noise is allowed in the pool area.

#### 19. SCREEN DOORS AND SECURITY DOORS

- The installation of a screen door or security door must be approved by the Architectural Review Committee. Contact the Management Company for an application.

#### 20. SEASONAL DECORATIONS

- Seasonal decorations must be removed within twelve (12) days after a holiday.

#### 21. STORAGE

- Storage outside a homeowner's unit and storage closet, temporary or permanent, is not allowed. Storage includes, but is not limited to strollers, sheds, boxes, shelves, ladders, tools, building materials, miscellaneous parts, appliances, furniture, and toys.
- Storage is not allowed in carport or parking areas.

#### 22. TENANTS

- A statement must be included in the tenant's lease that they are required to follow the Rules & Regulations of the community and a copy of the Rules & Regulations must be attached to tenant leases.
- Homeowners are responsible for their tenants and tenants guests' behavior, as well as, for fees, fines or attorney costs that may be imposed or incurred due to their tenant's noncompliance with the Rules & Regulations.

#### 23. TRASH DISPOSAL

- Trash must be bagged and boxes broken down before depositing in dumpsters.
- Do not leave the dumpster lid open.
- If the dumpster is full, place your trash in another dumpster. Do not place any garbage on the ground next to the dumpster. Trash outside of the dumpsters will not be collected.
- Do not put batteries, tires, oil, transmission fluid, hazardous waste, furniture, or mattresses in the dumpster.

#### 24. WINDOW COVERINGS

- No aluminum foil, sheets, newspaper, window film, tablecloths, signs, or other materials shall be used for window coverings that are visible from the exterior of the residence.