

# NORTH RANCH RULES

Amended April 20<sup>th</sup> 2011

The Board of Directors for North Ranch Community Association is charged with the Association's responsibility to enforce the deed restrictions set forth in the *Declaration of Covenants, Conditions and Restrictions* (CC&Rs), and to adopt and publish reasonable rules and regulations. Pursuant to NRCA CC&R's Article V Section 3 these rules and regulations shall be known as North Ranch Rules.

The North Ranch Rules may be modified by a majority vote of the Board of Directors.

## Section 1: Vehicle Parking (Reference: CC&Rs Article IV, Section 2 (r) (s) and (t))

- **1.1. Designated Parking Areas.** Vehicles are to be parked in garages or on driveways. No vehicle is to be routinely or intermittently parked, kept, or stored on the street, day or night. Intermittent but continuous parking, such as parking just during the day or just during the night, is considered a violation. Attempting to get around parking regulations by juggling vehicles' parking locations is considered a violation. Storage of belongings in the resident's garage, thus precluding garage vehicle parking, does not serve as justification for on-street parking.
- **1.2. RV Parking.** RVs may be parked on the street in front of Owner's residence for 24 hours for loading and unloading without a permit.
- **1.3. Guest Parking.** Temporary street parking on a limited basis by guests, or invitees will not be considered a violation if the resident has obtained a parking permit from the Management Company. Guest parking is restricted to a space in front of the host resident's house with the least inconvenience to neighbors. A parking permit may be obtained from the Management Company during regular business hours for up to a 10-day period.
- **1.4. Parking at Recreational Facilities**  
Vehicle parking in the marked, designated spaces in the parking lots of the North Ranch Recreation Facilities are expressly for temporary vehicle parking of North Ranch residents and guests while using the facilities. Other vehicle parking in the designated spaces, whether temporary, overnight, or long-term, is prohibited. Owners of vehicles violating this parking restriction shall be subject to Penalties for Vehicle Parking Restrictions per the North Ranch Rules.

## Section 2: Towing Abandoned Vehicles

An abandoned vehicle, as defined by ARS 28-4801, discovered on NRCA property shall be deemed in violation of association rules, and ticketed in preparation for towing. The ticket may be affixed to a window with the words, "If this vehicle is not removed within 72 hours it shall be considered abandoned and then towed to a designated location." After time expires the abandoned vehicle will be towed. The towing expenses may be charged to a Member if the Member's negligence is judged to be the cause of abandoning the vehicle.

## Section 3: Pool and Recreational Area Rules and Regulations

- **3.1. No Lifeguard.** All persons using the pools and recreational areas do so at their own risk. The NRCA does NOT provide lifeguards.
- **3.2. Admission Requirements.** Admission to the Ramada, pool, and recreational areas is limited to NRCA Members, authorized guests, and household residents 14 years of age or older. For safety purposes, household residents under 14 years of age must be accompanied by an NRCA Member or authorized guest. NRCA Members are responsible for adherence to the pool

and recreational area rules for all household residents and authorized guests.

- **3.3. Identification.** Users of the Ramada, pools and recreational areas must show proper identification in the form of an official North Ranch Pool Access Key or tennis court key, and must provide resident information including name and address upon request by NRCA Board Members, Management Company or their authorized representatives. Refusal can lead to suspension of pool and recreational area privileges.
- **3.4. Guests.** Household residents between the ages of 14 and 18 may sponsor one guest at any one time. Guests must be accompanied by an NRCA Member or authorized guest (Renter) who is responsible for their adherence to these rules. There is a limit of six (6) guests per household at any one time.
- **3.5. Attire.** Proper swimming attire is required when using the pool. No street clothes, cut-offs, long pants, sweat shirts, etc. are allowed. Tennis shoes must be worn on the tennis court.
- **3.6. No Disposable Diapers.** DISPOSABLE DIAPERS ARE NOT PERMITTED. Only rubber/plastic watertight pants over cloth diapers or “swimmers” diapers are permitted in the pool.
- **3.7. Children in Jacuzzi and Pool Area.** Children under the age of 14 are discouraged from using the spa as a wading/kiddy pool for health and safety reasons; however, if it is used, a responsible adult MUST be present at all times in or beside the spa. Children under the age of 14 are prohibited from the pool area unless accompanied by an adult.
- **3.8. Safe Behavior.** No roughhousing, running, loud/obscene language or music, or unsafe games are permitted. The use of toys is permitted to the extent that they do not cause any disruption to others or damages to property. **Tennis courts are for tennis only. No other sports/competition is permitted on the Tennis court. Chairs, strollers, baby carriages are prohibited from use on the Tennis court.**
- **3.9. No Glass.** No glass items are allowed in the pool area.
- **3.10. No Pets.** No pets or animals are allowed in the Ramada, pool area or tennis courts.
- **3.11. Gates.** Gates to the recreational areas must be securely closed and locked at all times.
- **3.12. No Bikes or Skateboards.** No bikes, skateboards, rollerblades/skates are allowed in the Ramada, pool areas, tennis courts or basketball court.
- **3.13. Restricted Eating and Drinking.** No eating or drinking while in the pool or spa. Alcoholic beverages are prohibited from the recreational areas and adjacent parking lots at all times.
- **3.14. Clean-Up Required.** Members and guests are responsible for picking up their belongings and trash and returning chairs and tables to their appropriate places. No food or drink other than water in plastic containers is permitted in the Tennis area.
- **3.15. Authority to Suspend Rights.** Persons who use the recreational areas must conform to these Rules. At the discretion of the Board of Directors, any person may be barred from the recreational areas by removal of keys or other means for violating these Rules or creating a hazard or disturbance. Additionally, the NRCA Member responsible will be charged for any costs incurred or property damage caused by themselves or any of their guests.

## **Section 4: Maintaining Attractive Yard Appearance, General Property Maintenance and Compliance with North Ranch Architectural Rules**

North Ranch residents are required to maintain their front and side yards and all other areas for which they are responsible with a neat and attractive appearance.

Residents are also required to comply with NRCA Architectural Rules as set forth by the North Ranch Architectural Review Committee. This includes submission of an Architectural Improvement Request Form for all exterior improvements or alterations.

- **4.1. Trash Can Storage** - Trash cans (refuse containers) and recycle bins shall be stored out of sight so as not to be visible from neighboring properties or streets except between the hours of 6:00 PM the day before trash pickup and 6:00 pm the day of trash pickup. Failure to comply is a violation and subject to fines and penalties.
- **4.2. Weeds, Plant Growth and Dead Foliage** – Removal of excessive weeds, including but not limited to lawn grass that exceeds six (6) inches in height, excessive weed growth, dead plants or dead trees etc. Failure to comply is a violation and subject to fines and penalties.
- **4.3. Accumulation of Refuse** – Removal of, includes but is not limited to, trash, rubbish, garbage, landscape trimmings, brush, tree limbs, construction materials, and other debris so as not to be visible to neighboring properties or streets. Failure to comply is a violation subject to fines and penalties.
- **4.4. Illegal Trash or Debris Dumping** – North Ranch residents are prohibited from dumping landscape trimmings, debris, trash, etc. in any NRCA common area or wash. Owners identified by the Board or authorized agent as being in violation are subject to fines and penalties as described below.
- **4.5. Property in State of Disrepair** – NRCA Members are required to maintain their property. Structures must be kept in good order. Properties identified by the Board or authorized agent as being in a state of disrepair are subject to fines and penalties as described below. This includes unpainted structures, broken windows and roof tiles and other violations.
- **4.6. External Modification to Property**. Requires approval of the Architectural Review Committee. (See Article IV Section 2 (a) of the CC&R's on page 11).
- **4.7. Non-Compliance with North Ranch Architectural Rules**. Some examples of non-compliance are, **but not limited to**, house painting with unapproved colors, aluminum screen doors, playground equipment. For more details see North Ranch Architectural Rules.

## **Section 5: Unauthorized Garage/Yard Sales**

North Ranch residents holding “garage” or “yard” sales from time to time as well as NRCA sponsored community “garage” or “yard” sales are considered acceptable activities. However, the operation of a recurring “Flea Market” is a violation of the CC&R's, Article IV Section 1 Land Use Classification.

Violators of this provision as identified by the NRCA Board or authorized agents are subject to the Penalties and Fines as described in sections on Enforcement Procedure and Schedule of Penalties for Violations.

## **Section 6: Tenant Registration**

NRCA Members who lease their property shall forward tenant information, to include the names of all adults residing at the property, to the NRCA manager within fifteen (15) days of the signing of a lease.

Property owners are responsible for ensuring that their tenants abide by the CCRs, North Ranch Rules and other governing documents.

### **Section 7: Enforcement Procedures**

- **7.1 Friendly Reminder.** The Manager shall mail a written notice in the form of a Friendly Reminder to the NRCA Member of each violation of the CC&Rs, the North Ranch Rules or North Ranch Architectural Rules. The notice shall specify the violation of the CC&Rs, the North Ranch Rules or North Ranch Architectural Rules.
- **7.2 Final Notice.** If the infraction is not corrected in fifteen (15) days, then the Manager shall send a Final Notice by first class mail.
- **7.3 Notice Requirements.** Each notice of violation will contain the following information:
  - The date the violation was noted.
  - The specific Rule or CC&R violated.
  - The date the violation must be corrected.
- **7.4 Opportunity to be Heard.** If a violation remains unabated, the NRCA Member will be given an opportunity to be heard by the Board before a penalty is levied. The NRCA Member will have fifteen (15) days from the date of the Final Notice to request a hearing before the Board of Directors.
- **7.5. Procedure to Request a Hearing.** The request for a hearing must be sent in writing via certified mail to the management company. At the hearing, the NRCA Member will have the opportunity to present all testimony as to why a penalty should not be charged. If no hearing is requested and the violation remains unabated, the Board may levy a reasonable penalty.
- **7.6. Penalty.** The Board has the power to levy a penalty for each violation (Arizona §33-1803) and may determine that the penalty accrues on a daily basis for as long as the NRCA Member is in violation. After the opportunity to be heard has been granted, the Board has the power to retroactively impose the penalty from the date the first notice of violation was given. Additionally, the Board can charge the NRCA Member for attorney fees incurred (if any) in the event that the Board sought legal advice as a result of the violation. These fees would be imposed as an additional penalty.
- **7.7. Further Legal Action.** If a violation remains unabated thirty (30) days after the date the penalty was charged, the NRCA may then take any action that it deems necessary and appropriate to correct the violation including but not limited to suspension of privileges to the NRCA recreational areas. Any legal and/or incidental expenses incurred in doing so will be charged against the NRCA Member.

### **Section 8: Enforcement Procedures for Parking Violations.**

- **8.1. First Violation.** If the Management Company, Board representative (referred to as “Authorized Agent”), or NRCA Member witnesses a parking violation, as defined in the CC&R’s. A **Notice of Violation** letter noting the violation, date, time, location, address, make, license number, and descriptive comments, is sent by mail to the NRCA Member. In addition to written notices a violation sticker may be affixed to the window of the vehicle.
- **8.2. Second Violation.** If the Management Company, Board representative or NRCA Member witnesses a repeat violation, a record is made and a **Final Notice** is sent by mail. In addition a violation sticker may be affixed to the window of the vehicle.
- **8.3. Opportunity to be Heard.** If a violation remains unabated, the NRCA Member will be given an opportunity to be heard by the Board before a penalty is levied. The NRCA Member will have

fifteen (15) days from the date of the Final Notice with Penalty Letter to request a hearing before the Board of Directors. The request for a hearing must be sent in writing via certified mail to the management company. If no hearing is requested and if the violation continues, the Board may levy a reasonable penalty for every future parking violation. The judgment and decision of the Board hearing regarding the implementation of penalties shall be final.

(Occasionally, a Notice of Violation Letter inadvertently may be sent to the wrong address because the offending vehicle is parked across the street or in front of a house other than that of the violator. If this happens, the recipient should notify the Management Company with a brief explanation).

### **Section 9: Schedule of Penalties for Violations (Ref. Arizona Revised Statutes § 33-1803)**

After notice of violation and an opportunity for a hearing is provided to the Owner, the Board may impose the following penalties:

#### **Parking**

\$25 per day – autos, cars, pickups, SUVs parked in violation. Also recreational vehicles, such as boats, boat trailers, motorcycle/jet sky trailers, motor homes, fifth wheel or similar vehicles, or inoperable vehicles stored in violation.

Penalties shall be: (A) charged from the date of the Final Notice, (B) due and payable immediately, and (C) shall continue to accumulate for each day cited.

#### **Landscaping, Property Maintenance and Violation**

\$10.00 per day – Violations: Trash Can Storage, Accumulation of Vegetation (Weeds), Accumulation of Refuse or debris, house in state of disrepair or in need of painting. Penalty accrues on a daily basis (\$10.00 per day) for each day the NRCA Member is out of compliance.

#### **Modification to Property Without Approval of Architectural Review Committee**

\$10.00 per day.

#### **Non-Compliance with North Ranch Architectural Rules**

\$10.00 per day. Some examples of non-compliance are, **but not limited to**, house painting with unapproved colors and aluminum screen doors. For more details see North Ranch Architectural Rules and Article IV Section 2 (a) of the CC&R's on page 11.

#### **Illegal Trash or Debris Dumping in Common Areas**

\$25.00 per day per incident as identified by an authorized agent or board member plus all expenses incurred by NRCA to remove and dispose of the trash/debris.

#### **Unauthorized Garage/Yard Sales (recurring Flea Market)**

\$100.00 per violation.

#### **Failure to Provide Tenant Information to the NRCA Manager**

\$10.00 per day and deactivation of pool keys.

#### **Reactivation of Pool/Tennis Key**

A \$25.00 reactivation fee shall be charged to any Lot Owner who has had a pool/tennis key deactivated by the NRCA for any reason including but not limited to non-payment of assessments, rules violations, safety/liability, and damages to the recreational facilities or common areas.

Penalties shall be: (A) charged from the date of the First Notice, (B) due and payable immediately, and (C) shall continue to accumulate for each day cited.