



## **RULES AND REGULATIONS**

**APPROVED BY THE BOARD OF DIRECTORS: MARCH 14, 2000  
EFFECTIVE: APRIL 1, 2000 • LAST REVISED: APRIL 9, 2013**

### **1.0 Introduction**

As a homeowner in Pecan Grove Village III (PGV III), you are part of a planned community and a member of the PGV III Homeowners Association. Your Homeowners Association was established to keep the neighborhood a pleasant place to live and to preserve your property values.

To ensure this, the Declaration of Covenants, Conditions and Restrictions (CC&Rs) for Pecan Grove Village III (PGV III) have been recorded (93-0704336) with the Maricopa County Recorder which are applicable to all homeowners. In consonance with the CC&Rs, the following Rules and Regulations, Architectural Control Committee Guidelines, Violations/Fines/Penalties, Delinquency policies have been provided by the Board Of Directors (BOD) of the Homeowners Association. These will be added to and/or modified as circumstances dictate over time. Please familiarize yourself with these policies.

The BOD has retained L & B Association Consultants, LLC to oversee the day-to-day management needs of PGV III. If you have any questions or concerns, you can call them at 480/987-0197, or you can write to them at:

Pecan Grove Village III Homeowners Association  
c/o L & B Association Consultants, LLC  
PO Box 1847  
Queen Creek, AZ 85142

### **2.0 Rules and Regulations**

Article 2.3 of the Covenants, Conditions & Restrictions (CC&Rs) gives the Board of Directors the authority to adopt rules and regulations for the Association.

### **3.0 Architectural Control Committee Guidelines**

In accordance with the CC&Rs for PGV III, the BOD has established an Architectural Control Committee (ACC) and approved the following guidelines for all properties in PGV III.

The ACC shall consist of three or more PGV III property owners, including a member of the BOD, who serves as Chair. The ACC shall establish procedures and guidelines to interpret, clarify and implement the standards and control for architectural review of structural design, placement of structures, landscaping, building materials, color schemes, exterior finishes, maintenance and repair of properties and maintain the aesthetic harmony of the neighborhood and preserve property values.

#### **3.1 Architectural Changes or Additions**

Any architectural change, addition and/or alteration **must have written approval of the Architectural Control Committee (ACC) prior to the start of construction or installation.** Architectural changes and additions include such items as structural design, front landscaping, external color schemes, exterior finishes and, in general, anything that can be viewed from the street or by neighbors (e.g., security doors, fountains, awnings, children's play

structures, reflective screens or mirrors, storage sheds, addition or replacement of existing lighting, etc.). Failure to get written approval prior to construction or installation could result in a \$100.00 fine being assessed to your account and an additional \$100.00 per month until the application is submitted.

### **3.2 Application Procedure**

These Guidelines are established to assist residents in preparing an acceptable application to the ACC. Following the Guidelines does not eliminate the need for submission of plans for approval by the Committees. Even if an addition or alteration is identical to another, which has been approved, it must be submitted for approval. Because each situation may have different conditions, e.g., different location, physical conditions, or design considerations, etc.... each application will be reviewed on a case-by-case basis. All architectural approvals will be conditioned upon compliance with applicable city codes. Additionally, the Homeowners Association must have all architectural modifications on file for resale purposes.

#### **3.2.1 Submittal**

The following information must be provided for review:

1. Application Form - A completed application form, copies of which may be obtained from the management office.
2. Plot Plan - A site plan showing dimensions, relationship to existing dwellings and property lines (setbacks). Measurements must be written on the plans.
3. Elevation Plans - Plans showing finished appearance of addition in relation to existing dwelling. An accompanying photograph of the proposed location would be helpful.
4. Specifications - Detailed description of materials and color to be used.

Applications and plans, which will be kept on file with the Association, should be mailed to the address noted in section **1.0 Introduction**.

#### **3.2.2 Review - Approval and/or Disapproval**

The ACC shall have 30 days after submittal of acceptable plans to approve or disapprove the plans. Any approval of plans, specifications or proposed construction shall not constitute approval of the structural soundness of the addition, nor its effects upon drainage. Neither the ACC, nor its members, nor the BOD, nor the officers of the Association shall have liability in connection with or related to approved or disapproved plans, specifications or improvements. The project must be completed within 90 days of the date of approval. An extension may be requested.

#### **3.2.3 Appeal**

Any appeal of the ACC's decision must be submitted in writing to the BOD at the address noted in section **1.0 Introduction**, within 30 days from the mailing of the ACC's decision. Any appeal may also be presented to the BOD at its next scheduled meeting, if such a request is made within the 30 days after refusal, giving the Board 30 days to decide after the appeal.

### **3.3 Guidelines**

All buildings and structures erected within PGV III, and the use and appearance of all land within PGV III, shall comply with all applicable City of Tempe zoning and code requirements, the CC&Rs for PGV III and these Guidelines. The homeowner is responsible for securing all building permits as required by the City of Tempe. The homeowner shall supply to the Association a copy of building permits. Please be advised, homeowners making improvements/alterations prior to receiving official approval may incur additional costs for modifying or removing of sub-standard improvements.

### **3.3.1 Architectural Limitations**

All permanent buildings constructed on the properties and any additions thereto or remodeling thereof shall be finished with stuccoed exterior walls and shall have tile roofs. The exterior walls or the permanent buildings on the properties, all outside walls and fences, and the trim on the permanent buildings constructed on the properties shall be with the original developers color schemes used in the development of PGV III Subdivision and no owner shall be entitled to repaint with colors or shades significantly distinct from those colors used by the original developers. The tile roofs shall be restricted in color to the present shades of red and orange. This is to maintain a harmonious and compatible color scheme in the Subdivision. This applies to room additions, gazebos, storage sheds, etc.

### **4.1 Parking**

1. All vehicles should be kept in garages, preferably, or residential driveways.
2. Street parking is restricted to approved deliveries, pickup, or short- term guests or invitees.
3. Under no circumstances should vehicles encroach upon sidewalks or be on the curb.
4. Inoperable or unregistered vehicles cannot be parked in the street or driveway.
5. No truck, mobile home, travel trailer, tent trailer, camper shell, detached camper, recreational vehicle, boat, boat trailer, or other similar equipment or vehicle may be parked on any lot or any street so as to be visible from neighboring property or any street. There is an exception for pickup trucks exceeding seven feet which are used on a regular and recurring basis for basic transportation and which are parked as provided for above.
6. Commercial vehicles may not be parked on any lot or street so as to be visible from neighboring property for a period longer than necessary to provide service to the property in question, not to exceed 12 hours at any time unless prior Board authorization has been granted. For purposes of this rule, this includes but is not limited to, any vehicle that has business identification, or painted or temporarily attached signage of a Company or business nature, is deemed to be a commercial vehicle. Window lettering or bumper stickers which do not exceed 36 square inches in total area are excluded from this Rule.

### **4.2 Pet Responsibility**

1. In accordance with the Maricopa County and the City of Tempe ordinances, all pets are to be on a leash when not on the owner's property.
2. Pet owners are expected to clean up pet waste immediately.
3. No animal shall be allowed to make an unreasonable amount of noise, or to become a nuisance.
4. If a pet problem should arise, please notify the Homeowners Association Management Company in writing and provide the name and/or address of the pet owner.
5. A pet disturbing the peace is a violation of the law and the police should be notified.

### **4.3 Trash Containers and Collection**

Trash and recyclable cans must be kept out of sight except for days of collection. Trash/recyclable cans can be placed in the street (not on the sidewalk) from 5 PM the day before collection until noon the day following collection.

Items may not be placed at the curb more than 10 days prior to the City of Tempe Bulk & Brush Collection week.

### **4.4 Businesses**

No gainful occupation, profession, trade or other nonresidential use shall be conducted on any lot, except that an indoor home occupation may be conducted so long as the dwelling continues to be occupied as the principal residence of the person conducting the home occupation and it:

1. Is conducted entirely indoors.
2. Is not discernible from outside the dwelling.

3. Complies with all laws and ordinances.
4. Does not generate additional traffic within the community or cause obstruction of sidewalks or neighboring driveways.

#### **4.5 Leases**

Leases must be for a minimum of 30 days and no owner may permit his home to be used for transient hotel purposes or lease less than the entire home. The homeowner is responsible for the tenant's actions. All leases shall comply with the City of Tempe ordinances. The owner shall provide a copy of the lease to the Association's property manager along with the phone number of the lessee. In addition, if the owner hires a professional property manager, the owner will provide a copy of the management agreement to the Association's property manager.

#### **4.6 Nuisances**

No nuisance, either public or private, shall be permitted to exist on any lot so as to be offensive or detrimental to any other property in the vicinity, or its occupants, or to property values (e.g., loud parties, external speakers, other sound devices, or draining pool/spa into street).

#### **4.7 Satellite Dish**

Installation of satellite dishes under 1 meter is regulated by FCC rules. However, these rules allow the Association to set certain restrictions. See **APPENDIX A** for complete rules and guidelines.

#### **4.8 Basketball Hoops**

Pole mounted nets may be installed on the interior side of the driveways. If installation is desired on the exterior side (usually the side closest to the neighbor's yard), an agreement in writing from your neighbor is required. In either event, an application should be submitted to the ACC. Portable basketball hoops are allowed, but must be kept out of sight when not in use. Homeowners may bury the base of portable hoops so that they appear permanent, but ACC approval is required. All basketball hoops must be properly maintained (peeling paint, unkempt nets, etc.).

#### **4.9 Children's Play Structures**

Plans for these must be submitted for approval **prior to installation** since, in most instances, they protrude over the fence. This is not intended to eliminate play structures, but to assure that nothing unsightly is erected.

When selecting the location upon which the structure is to be placed, the distance from the ground elevation to the top of the perimeter fence must be measured and submitted with the plan for the structure. When considering plan approval, the ACC will take into consideration the appearance, color, height and proximity to neighboring property.

#### **4.10 Clothes Drying Facilities**

Outside clothes lines or other facilities for laundering, drying or airing clothes shall not be erected, placed or maintained on any lot unless they are placed so as not to be visible from neighboring property.

#### **4.11 Decorative Items**

Decorative items, including fountains, flags, light poles, exterior wall ornamentation and ornamental statuary, must be approved for location and/or aesthetics, unless located in the rear yard and screened from view of neighbors, streets and common areas.

#### **4.12 Encroachments**

No tree, shrub, or planting of any kind on any lot shall be allowed to overhang or otherwise to encroach upon any sidewalk, street or pedestrian way from ground level to a height of 12 feet. No vehicle shall be parked or partially parked on the sidewalk.

#### **4.13 Fences and Walls**

Plans for new fences or walls, including decorative walls, or additions to existing structures must be submitted for approval. Stucco and paint must match the existing dwelling in texture and color. When submitting approval for fence additions or modifications, you must include written approval from: owners on each side; owner directly behind your property; and owners on each side of the property directly behind your property.

#### **4.14 Gazebos and Covered Spas**

Gazebos must match the trim or exterior color of the dwelling. Drawings and/or photographs with dimensions must be submitted to the ACC prior to construction. When it is determined that an existing gazebo or covered spa needs refinishing, it must be painted to match the trim or exterior color of the dwelling.

#### **4.15 Gutters and Down Spouts**

These must match the dwelling in color. The owner is responsible for the effect of drainage.

#### **4.16 HVAC and Solar Panels**

No heating, air conditioning, or evaporative cooling devices shall be placed, constructed or maintained upon any roof of any structure constructed on the properties. All such machinery, equipment and units shall be mounted at ground level and screened so as not to be visible from neighboring property. State law regulates installation of solar devices. However, certain restrictions can apply. Approval must be obtained prior to installation. Submittals for approval will be dealt with on a case-by-case basis.

#### **4.17 Landscaping**

Please refer to the CC&Rs for PGV III, Article 4.34, "Landscaping of Lots" and Article 7.2, "Maintenance of Lots by Owners". Any significant change in front and side yard landscaping, e.g., from grass to desert, installing brickwork, walkways, etc. requires ACC approval. The total front and side yard landscaping should not be comprised of over 50% cement and/or brickwork. Landscaping shall be maintained in a neat and attractive manner, free of debris and weeds. Newspapers, advertisements and trash should be removed promptly and not allowed to accumulate in front/side yards. In no case will bare dirt be permitted.

#### **4.18 Maintenance and Repair**

No improvement shall be permitted to fall into disrepair, and each such improvement shall at all times be kept in good condition inside and out. Owners shall maintain in good repair all exterior surfaces, including but not limited to walls, porches, patios and appurtenances. Garages shall be kept at all times in a neat and tidy manner and doors shut whenever not in use for access or egress. Shrubs, trees, grass and plantings on any lot shall be kept by the owner at all times neatly trimmed, properly-cultivated and free from trash, weeds and other unsightly materials.

Each owner shall be solely responsible for the maintenance, repair and replacement of his lot and his residence and all improvements located thereon (including but not limited to, the roofs of the residence and other structures situated on the lot). Each owner shall maintain his residence and lot in good repair and attractive condition. The yards and landscaping on all improved lots shall be neatly and attractively maintained, and shall be cultivated and planted to maintain an appearance of harmony with other improved lots. During the prolonged absence, an owner shall arrange for the continued care and upkeep of his lot. An owner shall do no work that will impair any easement or which will adversely affect any other lots and residences or other owners.

#### **4.19 Outside Lighting**

No outside lighting, other than indirect lighting, shall be placed, allowed or maintained on any lot, unless it is shielded from other lots. Addition or replacement of existing lighting requires approval from the ACC prior to installation.

#### **4.20 Patio Covers**

Detailed plans must be submitted prior to starting construction. When considering plan approval, the ACC will take into consideration the appearance and proximity to neighboring property. Applicants must have approval from the City of Tempe in the form of a building permit if required.

#### **4.21 Inground Pools and Uncovered Spas**

These need not be submitted for ACC approval provided they are not visible from neighboring properties and walls torn down for construction access do not border on Association landscaped areas.

#### **4.22 Screen Doors, Security Doors and Sun Control Devices**

No reflective materials, including, but without limitation, aluminum foil, reflective screens or glass mirrors or similar type items, shall be installed or placed upon the outside or inside of any windows (or screen doors) of any residence or other structure.

Clear aluminum (silver colored) screen material is prohibited, as are silver aluminum screen/security doors. Bronze or Charcoal sunscreen material is preferred. Frames are to be black, white, bronze or painted to match the house. However, other colors will be considered on a case-by-case basis. Silver reflected window films are expressly prohibited. Window tinting will be considered for approval. Coverings over garage door windows must be submitted for approval.

#### **4.23 Signs**

No exterior signs or advertisements of any kind may be placed, allowed or maintained on any lot (or any wall), except that traditional mailboxes, residential nameplates, home security, and not more than one "For Sale" or "For Rent" sign, not larger than 3 square feet may be placed and maintained on any lot.

#### **4.24 Storage**

Any exterior storage shall be in areas attractively screened or not visible from neighboring property. This provision shall apply, without limitation, to trash and garbage, woodpiles, camping trailers, boat trailers, travel trailers, boats, motor homes and pickup camper units, and no automobile, truck or other vehicle, regardless of ownership, age, condition or appearance, shall remain on any lot in a manner, which could be construed as being stored, neglected, abandoned or otherwise not in frequent use.

#### **5.0 Violations/Fines/Penalties**

The legal documents of the PGV III Homeowners Association (e.g., CC&Rs, Articles of Incorporation, etc.), are specific in defining the rights, powers, duties and obligations of the Association and its individual members. The Association is empowered to take such steps as may be necessary to effectuate the objectives and purposes of the Association as set forth in those documents. To that end, the BOD has adopted this policy with respect to violations/fines/penalties.

## **5.1 Violations**

### **5.1.1 Non-performance by Owner**

If any owner fails to maintain any portion of his/her lot, the Association may perform the necessary maintenance and repair, have the owner billed for the expense, and enforce collection.

### **5.1.2 Enforcement**

The Association, or any owner, shall have the right to enforce by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges imposed by the CC&Rs and this document.

### **5.1.3 Violations and nuisance**

Every act or omission whereby any provision of the CC&Rs and this document is violated is declared a “nuisance” and may be enjoined or abated.

### **5.1.4 Enforcement**

Any violation of State, municipal, local law, ordinance or regulation pertaining to the ownership, occupation or use of any property is declared to be a violation of the CC&Rs and subject to enforcement procedures.

### **5.1.5 Attorney Fees**

In the event the Association employs an attorney to enforce compliance or recover damages for any violation or non-compliance, the prevailing party is entitled to recover the attorney fees incurred.

## **5.2 Fines/Penalties**

**The BOD authorizes a fine not to exceed \$100.00 per violation.** Unpaid fines become delinquent amounts against the owner's account and could lead to suspension of voting privileges and lien against the property.

### **5.2.1 Quickly Corrected Violations**

In the first instance/occurrence of quickly corrected violations, which could include but is not limited to: trash/recyclable containers not out of sight; pet/parking violations; landscape in disrepair, etc., a Warning Notice will be sent to the offending owner requesting that the violation be corrected immediately. On the second occurrence of the violation, a fine will be assessed to your account. Any similar subsequent violations will likewise result in additional fines until the violation is corrected. The BOD has approved a schedule of fines that will be mailed to all homeowners and is available through property management. The homeowner will be notified by certified and first-class mail of any assessment of fine(s). The homeowner's account will be assessed a \$15.00 certified mail fee.

### **5.2.2 Other Violations**

In the case of other violations, such as maintenance and repair, or unauthorized architectural changes, the amount of time granted in the Warning Notice for correction will be appropriate to the task, but generally not less than 14 days nor longer than 30 days. If action is not taken to effect the correction within the specified time, or any approved extension, fines of \$100.00 will be levied for each month or part of a month that the violation continues. Additionally, the second instance of an architectural change without prior ACC approval could result in the immediate imposition of a \$100.00 fine.

## 6.0 Delinquent Accounts

Dues are paid monthly and are due on the first of the month. A \$5.00 late fee will be assessed if payment is received after the 15<sup>th</sup> of the month. The following is the Association delinquency policy:

1. Late notices will be sent after the 15<sup>th</sup> of the month for all unpaid charges.
2. 90 days delinquent – A certified letter of intent to lien will be sent (10 days to comply). Homeowner will be assessed \$15.00 certified letter fee. If payment is not received within the 10-day period, a lien will be placed on the property. Homeowner's account will be assessed \$75.00 lien fee.
3. 180 days delinquent – Demand letter to be sent by the Association's attorney. All costs to collect delinquency to be paid by the homeowner.
4. If homeowner does not comply with attorney's demand letter, the Association reserves the right to seek a judgement or foreclose on property. All costs of this action to be paid by homeowner. **This action requires a majority vote of the Board of Directors.**



## APPENDIX A

### RULES FOR INSTALLATION OF ANTENNAS

#### 1. BACKGROUND

- (i) The FCC adopted a Rule, effective October 14, 1996, preempting certain restrictions in the CC&Rs and City Code concerning the installation, maintenance and use of Direct Broadcast Satellite (DBS), television broadcast, and Multipoint Distribution Service (MDS) antennas.
- (ii) Under the FCC Rule, however, the Association is allowed to enforce rules relating to the means, method and location of installation, so long as these rules do not prevent, unreasonably delay, or unreasonably increase the cost of antenna installation, maintenance, or use, or preclude the reception of an acceptable quality signal.
- (iii) These rules apply to satellite dish antennas that are one meter or less in diameter.
- (iv) The goal of the Association's rules, consistent with the FCC Rule, is to have as many television reception devices as possible ground mounted and/or out of view from neighboring properties or the street.
- (v) In general, and subject to the provisions that follow, TV reception devices shall be placed on lots in accordance with the following descending order of locations, with homeowners using the first available location that does not violate the FCC requirement in (ii) above:
  - A location in the back yard of the lot where the device will be screened from view by landscaping or other improvements;
  - An unscreened location in the back yard of the lot;
  - On the roof but below the roof line;
  - A location in the side yard of the lot where the device and any pole or mast will be screened from view by landscaping or other improvements;
  - An unscreened location in the side yard.

(Notwithstanding the foregoing order of locations, if a location stated in the above list allows a device to be placed so as not to be visible from neighboring properties or the street, such location shall be used rather than any higher-listed location at which the device will be visible from neighboring properties or the street.)

#### 2. DEFINITIONS

- A. Antenna – any device used for the receipt of video programming services, including Direct Broadcast Satellite (DBS), television broadcast, and Multipoint Distribution Service (MDS). A reception antenna that has limited transmission capability designed for the viewer to select or use video programming is a reception antenna provided that it meets the FCC standards for radio frequency emission. A mast, cabling, support guy wires, conduits, wiring, fasteners, or other accessories necessary for the proper installation, maintenance, and use of a reception antenna shall be considered part of the antenna.
- B. Mast – Structure to which an antenna is attached that raises the antenna height.
- C. Transmission-only antenna – any antenna used solely to transmit radio, television, cellular, other signals.
- D. Owner – any homeowner of the Association. For the purpose of this rule only, “owner” includes a tenant who has the written permission of the homeowner/landlord.
- E. Telecommunications signal- signals received by DBS, television broadcast, and MDS antennas.

### **3. INSTALLATION RULES**

#### **A. ANTENNA SIZE AND TYPE**

- (1) DBS antennas that are one meter or less in diameter may be installed. Antennas larger than one meter are prohibited if visible from neighboring properties or the street.
- (2) MDS antennas one meter or less in diameter may be installed. MDS antennas larger than one meter are prohibited if visible from neighboring properties or the street.
- (3) Antennas designed to receive television broadcast signals, regardless of size, may be installed.
- (4) Installation of transmission-only antennas is prohibited.
- (5) All antennas not covered by the FCC Rule are prohibited, unless approved by the Board of Directors.

#### **B. LOCATION**

- (1) Antennas shall be installed solely on individually-owned property.
- (2) If acceptable quality signals may be received by placing antennas inside a dwelling, without unreasonable delay or unreasonable cost increase, then outdoor installation may be prohibited.
- (3) Antennas shall not encroach upon common areas or any other owner's property.
- (4) Antennas shall be located in a place shielded from view from the street or any other lots to the maximum extent possible; provided, however, that nothing in this rule would require installation in a location from which an acceptable quality signal may not be received.

#### **C. INSTALLATION**

- (1) Antennas shall be no larger nor installed higher than is absolutely necessary for reception of an acceptable-quality signal.
- (2) All installations shall be completed so that they do not damage the common areas of the Association or the lot of any other resident.
- (3) Owners are responsible for all costs associated with the antenna.
- (4) Materials not manufactured for the exclusive use to mount antennas are strictly prohibited.

#### **D. MAINTENANCE**

- (1) Owners shall not permit their antennas to fall into disrepair or to become safety hazards.
- (2) Owners shall be responsible for antenna maintenance and repair.
- (3) Owners shall be responsible for repainting or replacement if the exterior surface of antennas deteriorate.

#### **E. SAFETY**

- (1) Antennas shall be installed and secured in a manner that complies with all applicable city and state laws and regulations, and manufacturer's instructions.
- (2) In order to prevent electrical and fire damage, antennas shall be permanently and effectively grounded.

### **4. ANTENNA CAMOUFLAGING**

- A. Antennas or masts may not extend beyond a railing or fence unless no acceptable quality signal may be received at this location.
- B. Antennas situated on the ground and visible from the street or from other lots must be camouflaged by existing landscaping or fencing, if an acceptable quality signal may be received from such placement. If no such existing landscaping or screening exists, the Association may require antennas to be screened by new landscaping or screening of reasonable cost.
- C. Any portion of the mast, mounting brackets, and wire of an antenna, which is attached to a house and extends below the peak of the roof, must be painted to match the color of the structure to which it is installed. It may be similarly painted above the roof line or left unpainted. (Some manufacturers assert that painting may prevent the receipt of an acceptable quality signal. Owners are advised to make sure that paint will not degrade the signal.)

### **5. NUMBER OF ANTENNAS**

No more than one antenna of each provider may be installed by an owner.

## **6. MAST INSTALLATION**

1. Mast height may be no higher than absolutely necessary to receive an acceptable quality signal.
2. Masts that extend 12 feet or less beyond the roof line may be installed subject to the regular notification process. Masts that extend more than 12 feet above the roofline must be approved before installation due to safety concerns posed by wind loads and the risk of falling antennas and masts. If this installation will pose a safety hazard to Association residents and personnel, then the Association may prohibit such installation.
3. Masts must be installed by a licensed and insured contractor.
4. Masts must be painted the appropriate color to match their surroundings.
5. Masts installed on a roof shall not be installed nearer to the lot line than the total height of the mast and antenna structure above the roof. The purpose of this regulation is to protect persons and property that would be damaged if the mast were to fall during a storm or for other causes.
6. Masts shall not encroach upon another owner's lot or common property.

## **7. NOTIFICATION PROCESS**

- A. Any homeowner desiring to install an antenna must complete a notification form, attached, and submit it to the Association's Management Company. If the installation is routine (conforms to all of the above rules and regulations), the installation may begin immediately.
- B. If the installation is other than routine for any reason, the homeowner should contact the Management Company to arrange a mutually convenient time to discuss installation methods with the Board and/or its representatives. (Note: The Board may engage the services of a professional installer to evaluate the proposal.)

## **8. INSTALLATION BY TENANTS**

Tenants may install antennas in accordance with these rules with written permission of the homeowner/landlord. A copy of this permission must be furnished with the notification form.

## **9. ENFORCEMENT**

- A. If these rules are violated, the Association may bring action for declaratory relief with the FCC or any court of competent jurisdiction after notice and an opportunity to be heard. If the court or the FCC determines that the Association's rule is enforceable, a fine of \$50.00 shall be imposed by the Association for each violation. If the violation is not corrected within a reasonable length of time, additional fines of \$10.00 per day will be imposed for each day that the violation continues. To the extent permitted by law, the Association may be entitled to reasonable attorney fees, costs, and expenses incurred in the enforcement of this policy.
- B. If antenna installation poses a serious, immediate safety hazard, the Association may seek injunctive relief to prohibit or seek removal of the installation.
- C. The Association reserves the right, at its expense, to test the location of any antenna that is mounted in such a way that it is visible from neighboring property or the street. If it is found that an acceptable signal could be obtained without the device being visible from neighboring property or the street, the homeowner will move the antenna within ten (10) days of notification from the Association. If the antenna is not moved within ten (10) days, the homeowner will be subject to 9A, above.

## **10. SEVERABILITY**

If any provision is ruled invalid, the remainder of these rules shall remain in full force and effect.

**APPROVED SCHEDULE OF FINES**

	<b>1ST</b>	<b>2ND</b>	<b>3RD</b>
<b>TRASH CONTAINERS AND COLLECTION:</b>			
CONTAINERS VISIBLE BEFORE/AFTER COLLECTION DAY	LETTER	\$50.00	\$50.00
ITEM(S) PLACED AT THE CURB MORE THAN 10 DAYS PRIOR TO BULK & BRUSH COLLECTION WEEK (within a 90 day period)	LETTER	50.00	\$50.00
<b>SIGNS:**</b>			
FOR SALE/RENT SIGN IN COMMON AREA	LETTER	\$50.00	\$100.00
FLYERS/GARAGE SALE SIGNS-EXTENDED PERIODS (must be removed within 7 days from date of letter)	LETTER	\$50.00	\$100.00
<b>ARCHITECTURAL CONTROL:**</b>			
UNAPPROVED ALTERATIONS/IMPROVEMENTS	LETTER*	\$100.00	\$100.00
PORTABLE BB HOOP NOT OUT OF SIGHT WHEN NOT IN USE	LETTER*	\$50.00	\$100.00
BASKETBALL HOOP NOT MAINTAINED	LETTER*	\$50.00	\$100.00
NUISANCE	LETTER*	\$50.00	\$100.00
UNAPPROVED MATERIAL ON WINDOW	LETTER*	\$50.00	\$100.00
MISCELLANEOUS VIOLATIONS	LETTER*	\$50.00	\$100.00
<b>LANDSCAPING:**</b>			
LANDSCAPING - ENCROACHMENT (10 days from date of letter to correct violation)	LETTER	\$50.00	\$100.00
EXCESSIVE WEEDS/LANDSCAPE MAINTENANCE	LETTER*	\$50.00	\$100.00
NOT PROPERLY MAINTAINED	LETTER*	\$50.00	\$100.00
TRASH/DEBRIS	LETTER*	\$50.00	\$100.00
MISCELLANEOUS VIOLATIONS	LETTER*	\$50.00	\$100.00
<b>PETS:**</b>			
NOT ON LEASH	LETTER	\$50.00	\$100.00
ANIMAL DEFECATION IN COMMON AREA	LETTER	\$50.00	\$100.00
BARKING DOGS	LETTER	\$50.00	\$100.00
USE OF COMMON AREA TO TIE PET (Pet violations must be corrected immediately)	LETTER	\$50.00	\$100.00
<b>VEHICLE VIOLATIONS:**</b>			
BOATS, TRAILERS, RV's	LETTER	\$50.00	\$100.00
ENCROACHMENT-PARKING ON SIDEWALK	LETTER	\$50.00	\$100.00
DISABLED/INOPERABLE/NOT-REGISTERED PARKING IN STREET	LETTER	\$50.00	\$100.00
INOPERABLE/NOT-REGISTERED PARKING IN DRIVEWAY (Vehicle violations must be moved immediately)	LETTER	\$50.00	\$100.00

**A WARNING IN THE FORM OF A WINDOW STICKER MAY BE PLACED ON THE VEHICLE.  
VEHICLES MAY BE TOWED AT OWNER'S EXPENSE.**

**\*1st letter – 14 days from date of letter to correct violation**

**\*\*No reoccurrence of the same violation within 180 days will result in reverting back to step 1**

**NOTE: All letters informing the homeowner of a fine will be sent certified mail and the homeowner will be assessed a certified letter fee.**