

EAGLE RIDGE HOMEOWNERS ASSOCIATION

RULES AND REGULATIONS

APPROVED BY THE BOARD OF DIRECTORS

NOVEMBER 2001

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INTRODUCTION

As an owner, tenant, or guest of a unit in the Eagle Ridge Homeowners Associations (ERHA), you are governed by several sets of regulations: (1) the California State Corporate Code of Laws, (2) the Articles of Incorporation of ERHA, (3) the Covenants, Conditions, and Restrictions (CC&R's) for ERHA, (4) the By-laws for ERHA and (5) the Rules and Regulations established by the Board of Directors/Rules Committee. Eagle Ridge Community homeowners are members of the Eagle Ridge Homeowners Association, the master association. It is essential that you read, understand, and abide by all these governing codes. All owners are responsible for advising tenants and guests of these codes, as well as the tenants' and guests' compliance with these codes.

The intent of these codes is to provide the maximum use of the facilities for the benefit of the residents. These rules are made for the benefit of the community as a whole and violations may result in a loss of privileges or other penalty as the Board of Directors/Rules Committee shall determine, pursuant to the By-laws and/or CC&R's.

The maintenance requirements by ERHA on common property will depend on the care and consideration exercised by each and every homeowner, tenant, and their guests. Additional maintenance and repair costs must be paid for by increased homeowner assessments.

IT IS ESSENTIAL THAT ALL RESIDENTS PARTICIPATE IN ENFORCEMENT EFFORTS BY REPORTING ALL VIOLATIONS AND IDENTIFYING VIOLATORS. YOUR COOPERATION IN THESE RULES AND REGULATIONS WILL MAKE THE EAGLE RIDGE COMMUNITY AN ENJOYABLE PLACE TO LIVE.

If you have any questions regarding the Rules & Regulations, please address them in writing to the Board of Directors in care of the management company.

The Governing Board of the Eagle Ridge Homeowners Association, hereafter referred to as "the Board," instituted a Rules Committee and delegated to it the following duties:

1. Serve as a hearing body for persons receiving citations for infractions of the rules and regulations. Recommend disposition of those citations and forward to the Management Company for further action.
2. Periodically review the rules and regulations and make recommendations to the Board in regard to deletions, modifications, additions, or institutions of new rules and/or regulations. The Board will make its best efforts to make no deletions, modifications, additions, or institutions of new rules and/or regulations falling under the purview of the Rules Committee without first seeking a recommendation from the Rules Committee.
3. Receive requests for parties of 10 or more to be held in the common area from the Management Company. Approve or disapprove such request and forward to the Management Company for action.

VIOLATION AND APPEALS PROCEDURES

Violations

1. Violator is issued or sent a notice of violation.
2. Management Company receives a copy of the citation from the Security Company.
3. Management Company sends the appropriate "Notice of Violation" letter via first class mail and certified mail to the homeowner and attaches copy of all appropriate supporting documents. Hearing dates cannot be set less than 30 days or more than 60 days from the date the homeowner receives this "Notice of Violation" letter. Hearings will be scheduled accordingly on the fourth Thursday of each month. If the fourth Thursday falls on a holiday, the Board will designate an alternative date of hearing.
4. Management Company documents the Notice of Violation in the homeowner's "Violation Summary" on the computer.
5. Management Company sends copies of all "Notice of Violation" letters with a copy of all supporting documents, "Violation Summary," and any appeal received to the Chairman of the Rules Committee and the Board of Directors two weeks prior to the hearing date.

6. Management Company maintains a file containing all correspondence sent on behalf of the Rules Committee and the Board of Directors with the Association documents.

VIOLATION AND APPEALS PROCEDURES

Appeals

1. Homeowners electing to appeal their citations attend the hearing meeting as indicated on their "Notice of Violation" letter.
2. Homeowners shall have the right to present oral or written evidence on their own behalf. Written appeals must be submitted to the management company by the second Thursday of the month prior to the hearing date. When giving your oral presentation of evidence, your time will be limited to ten (10) minutes.
3. Management Company receives from the Rules Committee their decisions granting or denying the appeals, then processes and sends the appropriate "Hearing Process Determination" letter and any related penalty to the homeowner. Pursuant to California Civil Code 1363(h), prior to imposing a fine against a member, the Board will notify the member at least ten (10) days prior to the meeting date to allow the member to address the Board. Once a decision by the board is rendered, the Board will notify the member within 15 days after the meeting of the Board's decision.
4. Management Company sends and processes the appropriate "Failure to Appear Notice" and penalty when the homeowner forfeits his or her right to appeal by: (1) failing to appear at his or her scheduled hearing, or (2) not filing a written appeal.
5. Management Company summarizes all correspondence and/or action in the homeowner's "Violation Summary."

Note: Penalties are not recorded in any homeowner's monthly dues until the Appeal Process is completed.

MONETARY PENALTY SCHEDULE

Violations For Which There is No Warning, but a hearing will be granted pursuant to Civil Code 1363(h)

1. **Moving Violations** such as reckless driving, i.e., high speed, weaving, tailgating, entering through the exit, and failure to stop at stop signs.

PENALTY: \$75.00 for 1st occurrence; \$100.00 for 2nd occurrence; \$125 for 3rd occurrence; and \$150.00 for each subsequent occurrence.

2. Parking on street during street cleaning operation.

PENALTY: \$25.00 PER OCCURRENCE

3. Vandalism & Graffiti

PENALTY: \$1,00.00 plus cost of removal and/or repair and 10%.

4. Shampoo, soap and/or lotion in Jacuzzi

PENALTY: \$500.00 per occurrence plus cost of cleaning Jacuzzi

5. Failing to carry and use a "Pooper Scooper" or clean up after pets

PENALTY: \$50.00 per occurrence

Other Violations

1. Examples: Some parking violations, excessive dog barking, riding a bicycle in the pool area, noisy mopeds, trash cans left out past 24 hour past scheduled pick up, garage doors left open for long period of time, excessive and/or abusive noise or behavior.

2. First violation is a warning.

3. Second parking violation is a towing, but may only be cited no sooner than 24 hours after the first violation. This violation and subsequent violations will be assessed at \$75.00 monetary penalty.

4. Minimum penalty is \$25.00 per occurrence.

COMPLAINT PROCEDURE

1. Homeowner phones the management company to report a complaint. Homeowner must follow phone complaint with a written complaint.
2. All complaints to be kept anonymous.
3. Management Company forwards a "Complaint Acknowledgment" letter to the homeowner.
4. Management Company files all correspondence.
5. Management Company shall follow up on all written complaints directly through the Rules and Regulations Committee and/or the Board of Directors to verify whether or not any action will be taken.

TOWING PROCEDURE

NO VEHICLE TO BE TOWED WITHOUT FIRST CONTACTING MANAGEMENT.

1. First violation is a warning.
2. All towing costs incurred will be at the vehicle owner's expense.
3. If the towing company has been called and the vehicle in violation has been moved prior to the towing, the vehicle owner will be charged all towing company's expenses plus a \$75.00 monetary penalty.
4. If unable to tow a vehicle in violation, a \$75.00 monetary penalty plus all towing company's expenses incurred will be assessed to the homeowner's monthly dues in lieu of the towing. Subsequent fines may be assessed every 24 hours.
5. Immediate towing will be implemented under emergency, hazardous, or other situation when deemed necessary by the Board.

1. GENERAL RULES

- A. Any damage to buildings, recreational facilities or equipment, or other common area property caused by a ERHA member, his or her family, tenants, guests, or contractors shall be repaired at the applicable homeowner's expense based on the cost of repairing the damage and \$100.00 monetary penalty.
- B. No ERHA member shall make or allow any nuisance(s) to be made in or around his or her unit, or in the common areas by himself, herself, family members, tenants, or guests. Nuisance is defined as anything which is injurious to health or is indecent or offensive to the senses of homeowners, guests, or employees of ERHA. A Nuisance can also be defined as an obstruction to the free use of the property, or interfering with the comfortable enjoyment of life or property. This will include but not be limited to verbal, mental, or physical abuse as well as unsightly storage of items in view from common area.
- C. No conduct is permitted anywhere which will increase the rate of insurance, cause the policy to be canceled, or result in uninsurability of the entire community.
- D. All residents shall comply with all requirements of the local and State Board of Health and Ventura Municipal and County codes.
- E. All nonresidents must abide by all rules and regulations while in the community. Failure to comply may subject violators to ejection and future refusal of entry. Homeowners are responsible for the conduct of their guests and contractors. Current Construction Company shall be responsible for the actions of their guests and contractors. Violations committed by homeowners, guests, or contractors will be assessed against the respective homeowner.
- F. A homeowner or guest shall not be allowed to be a nuisance in relation to noise levels. A noise level nuisance is defined as anything which is annoying or offensive, interfering with the comfortable enjoyment of life or property. This rule will be strictly enforced.
- G. Any visitor or non-resident who is cited and fined will not be allowed back into the community until the fine is paid. Security will be given a list of those denied access.
- H. All garbage/trash should be placed or secured in such a way that it will not be scattered by the wind.
- I. Garbage/trash should be placed at curbside no sooner than 6:00 p.m. the day before trash pick-up.

- J. All garbage cans shall be taken in and placed behind residents' gates within 24 hours of pick-up.
- K. State and local ordinances must be observed if explosives, flammable fluids, or any hazardous substances are brought into or stored in a unit.
- L. Construction hours are as follows:
 - Monday-Friday: 7:00 a.m. to 7:00 p.m.
 - Saturday and Sunday: 8:00 a.m. to 6:00 p.m.
- M. The only soliciting allowed is by residents soliciting for nonprofit organizations, such as Girl Scouts and school fund-raisers.
- N. The distribution of flyers, bulletins, announcements, advertisements, etc. is prohibited unless approved by the Board. Vendors leaving brochures, cards, or other advertisements in mailboxes or on doors will be denied access to the community.
- O. All homeowners shall remove holiday lighting and/or decorations within one month of the holiday (i.e., Christmas/Hanukkah decorations should be removed no later than January 25).
- P. Basketball standards and any other sports equipment must be stored out of view from common area when not in use. When in use, at no time shall traffic be interfered with.

2. SIGNS

- A. Only the following signs are allowed:
 - 1. A "For Sale" or "For Lease" sign displayed in only the front yard of property being sold or leased.
 - 2. "Open House" signs can only be displayed on the day of the open house and must be removed within one hour of the closing of the open house.
 - 3. No signs will be allowed in common areas.
 - 4. Signs placed in common areas will be removed immediately.

3. PETS

- A. The County and City ordinances pertaining to pets apply to this community. They provide, in part, that pets (i.e., dogs and cats) must be confined to the homeowner's unit and kept on a leash while anywhere in the common area.
- B. All pets must be controlled so that they will not interfere with other residents' use and enjoyment of the common area. Please be considerate!
- C. Pets are not permitted in the swimming pool, Jacuzzi, or the swimming pool area. This rule will be strictly enforced. Violator will be subject to a monetary penalty as well as cleaning charges.
- D. All pets are the responsibility of the homeowner, tenant, or guest. Residents are required to carry "Pooper Scoopers" when walking dogs or adequate provisions to clean up after them. Owners are responsible for cleaning up their pet's waste/products immediately! Violators are subject to a \$50.00 fine.
- E. Owners are responsible for any costs or damages to the common area grounds or shrubbery, etc. (Cost of repairing the damage plus 10%).
- F. No pet noise which disturbs the community shall be permitted, for example, excessive of continuous dog barking.

4. COMMON AREAS

- A. Riding of bicycles, tricycles, roller skates, roller blades, or skateboards on common area sidewalks, walkways, or driveways is done at your own risk. Please be careful and considerate of others as you ride.
- B. No motorized vehicles are allowed on the sidewalks.
- C. Absolutely no bikes, skateboards, roller skates, roller blades, or other similar equipment are permitted in or on the pool area. Violators will be subject to a \$50.00 fine plus cost of repair.
- D. Homeowners, tenants, and/or guests shall not tamper with or change the common area facility, i.e., sprinkler system, hot water temperature gauge, lights, etc.
- E. Homeowners, tenants and/or guests are not permitted to remove or borrow any equipment or property (furniture and/or plant material) from the common areas. Violators will be subject to a \$150.00 fine plus the cost of any damage.
- F. Homeowners and/or guests shall not throw trash into the common areas or cause an obstruction therein.

- G. Absolutely no lethal weapons shall be permitted in the common areas at any time unless carried by authorized personnel (i.e., security or police).
- H. Except for landscaping, it is prohibited to attach or protrude any object on, over, or through the wrought iron fences.
- I. Vandalism and graffiti is strictly prohibited. Violators are subject to a \$1,000.00 fine plus the cost of removal and/or repair.
- J. Pet Rules for Common/Recreation Area:
 - 1. Dog owner must carry material to clean up after dog.
 - 2. Dog must be on a leash held by owner. Dog is not allowed to roam free.
 - 3. Please have courtesy for non-dog owners.
 - 4. Failure to comply with these rules will result in fine of \$50.00 for first occurrence, \$75.00 for 2nd occurrence, \$150.00 for 3rd occurrence and subsequent occurrences.

5. PARKING, TRAFFIC, AND GARAGES

- A. Illegally parked vehicles will be towed away at the vehicle owner's expense. (Please see Towing Procedures)
- B. Per Section 8.2 of the CC&R's, the following are allowable, if and only if they are stored in such a manner as not to be visible from any neighboring property or street:
 - 1. Mobile Homes
 - 2. Trailers
 - 3. Motorcycles
 - 4. Boats
 - 5. Recreational Vehicles
 - 6. Commercial/business vehicles defined as those with commercial signs or lettering, or those that have equipment that is obviously used for business purposes such as: ladders, pool cleaning equipment, plumbing supplies, racks, paint, etc. This definition also applies to guests, except when the vehicle is making a delivery or providing a service to the homeowner.
 - 7. Unsightly vehicles that detract from the aesthetic value of the community are those which are determined or defined by the Board of Directors.
 - 8. All similar vehicles to those listed above as interpreted by the Board of Directors and the Rules Committee.

9. Residents may not park any inoperable vehicle, recreational vehicle (including but not limited to, campers, motorhomes, trailers, boat trailers, boats, aircraft, mobile homes or similar vehicles), commercial vehicles, buses or vans designed to accommodate more than 10 people, or vehicles with more than 2 axles in his garage, driveway, nor on any portion of the common area. All vehicles must have current tags and registered license plates from California or other states. All motorized vehicles in or on the common area and driveways must have current tags and registered license plates from California or any other state or country.
- C. Drivers of moped, motorcycle, or similar motorized devices must have a valid driver's license. Excessive noise from any of the above mentioned vehicles (i.e., from driving back and forth, up and down streets) is prohibited. Drivers must abide by all applicable vehicle codes of California.
- D. Motorized scooters are strictly prohibited.
- E. Cars on the street which have not been moved for over 72 hours are considered "abandoned" and are subject to being towed. Residents must inform the Management Company in writing of abandoned cars, anonymous complaints will not be excepted. Before action can be taken the violator will then be contacted by letter. The Board of Directors will be contacted by phone and a follow up letter, from the management company, to proceed with towing procedures after violator has been notified. Please see Towing Procedures.
- F. All cars parked on the street must be in the same direction as the flow of traffic.
- G. Vehicles parked on the street during street sweeping will be cited. There is no warning period - Fine is \$25.00 per occurrence.
- H. Homeowners and their guests will be allowed to park on the street in front of their own driveways not to exceed 72 hours.
- I. Parking in a manner which blocks the sidewalk is prohibited.
- J. No parking permitted in designated fire lanes, red zones, mailboxes, or any other areas designated as no parking.
- K. The speed limit is 15 miles per hour, WATCH FOR CHILDREN! This rule will be strictly enforced.
- L. Reckless driving is absolutely prohibited! Reckless driving is defined as swerving into the oncoming lane of traffic, failing to stop at stop signs, excessive speeding, passing improperly, and driving without regard for other motorists and/or pedestrians or driving in a manner that endangers the residents or property of

ERHA. In addition, this also includes any other reckless driving as defined in the California vehicle code.

- M. All homeowners shall comply with all requirements of the City of Thousand Oaks traffic and parking laws unless otherwise stated.
- N. Hockey playing is prohibited on the streets within the community.
- O. Skateboarding ramps are prohibited in the street and common areas.
- P. Any resident blocking the resident gate for any length of time (i.e., without a remote control or code) shall be subject to a fine.
- Q. The garage area and common areas of each unit shall not be used for any commercial venture, nor may garages be converted for habitation or cooking, etc.
- R. Each owner shall keep his garage area readily available for parking of his respective vehicle. Garage doors shall remain closed at all times when not in use.

6. RECREATIONAL AREA

NOTE: The Association provides no supervision of children at any of the recreational facilities. Parents should use their discretion when supervising their children.

- A. Hours are as follows:

Sunday through Thursday: 8:00 a.m. to 10:00 p.m.
Friday, Saturday, and Holidays: 8:00 a.m. to 11:00 p.m.

PLEASE REMEMBER TO BE CONSIDERATE OF NEARBY RESIDENTS!

- B. No minors (under 18) are permitted in the recreational area after 10:00 p.m. without their parent or legal guardian. I.D. will be required.
- C. Guests must be accompanied by residents when in recreation area.
- D. All homeowners, tenants, and/or guests use the pool, Jacuzzi, and all other recreational facilities at their own risk. There is no lifeguard on duty. All homeowners, tenants, and/or guests shall assume all risk of personal injury or property damage that may result from using the pool, Jacuzzi, or recreational facilities.

- E. The swimming pool, Jacuzzi, and surrounding areas are for the use of all homeowners/tenants (who reside on the premises) and their guests; however, no one group will be allowed to monopolize the pool or Jacuzzi in any manner that does not respect the rights of other homeowners/tenants. Homeowners are limited to two guests per residential unit.
- F. No children under the age of 14 will be allowed in the pool/Jacuzzi area unless supervised by a parent or legal guardian over the age of 18. This is a State law.
- G. Incontinent persons must wear diaper/plastic pants at all times when in the pool area and in the pool or Jacuzzi.
- H. The Jacuzzi is not to be used for bathing purposes. No soaps, shampoo, lotions, etc. are permitted. Fine is \$500.00 plus the cost of clean up, no warning.
- I. No nudity is permitted regardless of age. Bathing suits must be worn in the pool/Jacuzzi area at all times!
- J. All individuals must cooperate in maintaining maximum cleanliness in the swimming pool/Jacuzzi area. All trash must be placed in the trash containers. Please don't be a litterbug.
- K. Radios and stereos are permitted in the pool/Jacuzzi area provided other occupants are not disturbed by excessive volume.
- L. All glass containers are prohibited in the pool/Jacuzzi areas. This includes bottles, cups, and dishes.
- M. Rafts, tubes, or pool toys are permitted as long as they do not disturb others. If the pool is crowded, please remove them from the pool.
- N. The furniture in the pool/Jacuzzi area must not be abused or damaged. Please put the chairs and/or lounges back in order when you are no longer using them. The penalty assessed to the responsible homeowner for repairing the damage is cost plus 10%. In addition, any intentional damage or destruction to equipment by a homeowner or their guest will result in a monetary penalty of \$150.00 plus the cost of repairs and/or replacement plus 10%.
- O. No alcoholic beverages are permitted in the recreational areas at any time!
- P. Persons noticeably intoxicated from liquor and/or drugs are not permitted in the pool/Jacuzzi area at any time!
- Q. No running, diving, rough play, or acrobatics are permitted in the pool, Jacuzzi, or surrounding areas at any time.

- R. To keep our monthly assessments down, please turn the Jacuzzi off if you are the last one to use it.
- S. No individual is permitted to conduct business ventures of any kind in the common areas (i.e., swimming lessons).
- T. Fires and all types of heating elements are prohibited. No cooking, heating, or warming of food is allowed except in designated barbecue areas.
- U. Only two (2) guests per residence will be allowed to use the recreational facilities (i.e., pool).
- V. All users of the recreational facilities must have appropriate identification.
- W. No parties are permitted in any of the common areas without prior written permission from the Board of Directors.

7. FRONT & BACKYARD PLAYGROUND EQUIPMENT

- A. Playground equipment will be considered on an individual basis and permitted if located unobtrusively, as determined by the Architectural and Landscape Committee, as well as the Board of Directors.
- B. If permitted, all playground equipment must have no less than a six to eight foot setback from the property line, assuming the individual lot can accommodate such a setback.
- C. All homeowners must submit a request to the Board of Directors, through this office, prior to any installation of playground equipment on any portion of their individual lot. The Board of Directors will then respond to the original request within thirty days.
- D. All homeowners who violate these approved guidelines will be subject to a financial penalty.
- E. All portable basketball standards must be pulled in and stored entirely out of view from the street either inside the garage or behind the side gate of your home by 9:00 p.m. daily. In addition, all portable basketball standards when not in use must be stored entirely out of view from the street either inside the garage or behind the side gate of your home.