

*Paradise
Mountain
Shadows
Homeowners
Association*

Rules & Regulations

Revised 6/1/2000

1. INTRODUCTION

1.1. **PARADISE MOUNTAIN SHADOWS HOA** is a community of 25 town homes with 34 vacant lots. It is important that we be responsible homeowners so that our community consistently maintains a high aesthetic value as well as a strong financial value. The purpose of these rules and regulations is to describe policy set for by the Board of Directors and to summarize the other "Governing Documents"; Covenants, Conditions and Restrictions, (the "CC&R's"), Articles of Incorporation, and Bylaws which by Arizona revised statutes have been accepted by each owner as a part of owning a town home within **PARADISE MOUNTAIN SHADOWS HOA**. All Rules and Regulations stated herein are in full compliance with City Ordinances, County and State Codes.

These Association Rule have been adopted by the Board of Directors of **PARADISE MOUNTAIN SHADOWS HOMEOWNERS ASSOCIATION**, (hereafter referred to as "the Association"), pursuant to Article V, Section 2, of the Bylaws which provides as follows:

2. BOARD OF DIRECTORS

The Board of Directors, (hereafter referred to as "the Board"), have three (3) members; President, Treasurer and Secretary, which were elected at the Annual Meeting of the Homeowners in October. Only an owner, current with their dues is eligible to become a Board member. The purpose of the Board is to set policy for the Association and to act in the best interest of the total membership. The Board meets once a month to resolve problems as they arise, and they receive no compensation for their services.

2.1. **Power and Duties.** The Board shall have the powers and duties necessary for the administration of the affairs of the Association, and may do all such acts and things as are not by law or by these Bylaws directed to be exercised and done by the members. The powers of the Board shall include, but not limited to, all of the rights and duties of the Board as set forth elsewhere in these Bylaws and the Articles of Incorporation, and in the Covenants, Conditions and Restrictions applicable to the property described in Article III, and shall also include the power to promulgate such rules and regulations pertaining to such rights and duties as may be deemed proper and which are consistent with the foregoing, and shall further include the right to suspend the voting rights and right to use the recreational facilities of a member for any period during which any assessment against the members lot remains unpaid; and for a period not to exceed 60 days for any infraction of its published rules and regulations. The Board may delegate such duties as appear in the best interest of the Association and to the extent permitted by law.

2.2. **Property Management.** The Board carries out the day-to-day business of the Association including, but not limited to, all accounting functions, homeowner inquiries, overseeing maintenance of all common area property and are charged with the enforcement of these Rules and Regulations and the other Governing Documents of the

Association. The telephone number to reach the Board is 602.485.1499. The Board may also be contacted through E-mail at paradisemountain@uswest.net.

3. ASSOCIATION FEES

3.1. Association fees are the means by which the Association meets the financial obligations for all the common area expenses and funding of an adequate reserve account. All reserve funds are held for the benefit of the Association as a whole, and are used exclusively to repair, replace or improve common area property.

3.2. Association fees in the amount of \$123.00 per month and any Assessments fees, if applicable are due on the first day of each month and are to be mailed to Paradise Mountain Shadows HOA, Post Office Box 31817, Phoenix, Arizona 85046-1817.

3.3. Late fees. Any homeowner who has an unpaid balance on their account on the last working day of the month will be charged a late fee of \$10.00 until all amounts owed are paid current.

3.4. Legal Action. The Association may take legal action to collect any unpaid balances. All legal and collection costs are the responsibility of the homeowner. It is therefore, very important that all homeowners work closely with the Board should there be a dispute with an account.

4. ARCHITECTURAL CONTROL

4.1. The community was planned by architects, and it seeks to carry out a uniform appearance. It is clearly stated that no alterations or additions are to be made without prior written approval from the Board. This included external design and location in relation to surrounding improvements and topography, all improvements, alterations such as painting, redecorating, excavations, landscaping, and all other work which in any way improves or alters the exterior appearance of any unit or improvements located on any portion of the property.

4.2. The Board must be contacted to obtain an architectural form. This form must be completed and returned to the Board for approval prior to any alterations of any kind being performed.

5. ASSESSMENT OF FINES AND/OR PENALTIES

5.1. In accordance with the Governing Documents, the Board has the authority to assess fines and/or penalties for any violations of the Rules and Regulations, CC&R's or Bylaws. Such fines and/or penalties will be imposed after written notice for a specific violation has been mailed to the homeowner. Such notice is considered having been received with mailed. This notice will contain the conditions necessary for abatement of the fines or penalties.

5.2. The minimum fine or penalty set by the Board is \$25.00 for each violation, if not corrected. Any reoccurrences will be assessed at a rate of \$50.00.

RULES & REGULATIONS

These Rules & Regulations are for all Association members, their guests, their renters, and their renter's guests. They are set up to benefit our residents by promoting harmony, safeguarding each member's investment, and increasing the aesthetics of the common areas.

1. ANIMALS

No animal is allowed to be kept tied to any tree or bush in the common area and must be kept within the confines of the yard. No free roaming or unattended animals are permitted on property. All dogs must be on a leash no longer than 6' in length and under the immediate control of their owners when in the common area. **THIS IS A STATE LAW, NO EXCEPTIONS.** Pet owners are responsible for cleaning up after their pets. The Board has the right to prohibit the maintenance of any animal or birds which constitute a nuisance to any resident. Only one type animal per household is allowed.

2. ASSESSMENTS

In the event any assessment is not paid when due (assessments due on the 1st of each month), or there is a balance owing, a late charge of \$10.00 shall be imposed on the 30th day of each month. A lien shall be filed, and court action will be initiated against the Unit after 30 days. In the event the Board retains an attorney to foreclose on the home, the Owner shall be responsible for all costs and attorneys fees in addition to accrued late charges.

3. BUSINESSES

Each dwelling shall be used as a residence for a single family. No industry, business, trade, occupation or profession of any kind, whatsoever, shall be conducted, maintained or permitted on any part of the property without the specific written authorization from the Board of Directors.

4. CHILDREN

Minor children are subject to the same Rules and Regulations as their parents or guardians, who will be held totally responsible for any damages, either directly or indirectly, caused by said children (and/or their friends/guests).

5. CLOTHES DRYING

No items of clothing or linens are allowed to be hung outside of any Unit so as to be seen from the common area.

6. DISEASES AND INSECTS

No owner shall permit anything or any condition to exist upon any property within Paradise Mountain Shadows HOA, which shall induce, breed, or harbor infections, plant disease or noxious insects.

7. HAZARDOUS MATERIAL

No resident or any of their visitors shall at any time, bring into or keep any flammable, combustible or explosive fluid, material or chemical substance in their Unit.

8. IMPROVEMENTS OR ALTERATIONS

Nothing shall be done to any Unit, on or to the common elements, which will impair the structural integrity of any building or which would structurally change or modify the external appearance of the buildings without approval from the Board.

9. ITEMS

No items including signs, shutters or antennas shall be hung out of a window or affixed to the exterior of the Unit or exposed so as to be seen from the common area.

10. LANDSCAPING

Do not drive any vehicle (including bicycles) on the grass areas to prevent damage to the sprinkler system or the landscaping. **Do not climb trees!** This is not only damaging to the trees but could result in an accident. Do not trim the bushes as this is the responsibility of the association.

11. NOISE AND NUISANCE

No noxious or offensive activity shall be carried on in any Unit or in the common elements, nor shall anything be done therein, either willfully or negligently which may be or become an annoyance or nuisance to other residents. No vocal practice shall be conducted or any musical instrument, recorder, TV set, radio or stereo phonograph played on the premises if the same shall disturb or annoy other residents.

12. PARKING

No motor vehicle may be operated on the property in an unsafe, loud or disturbing manor. Except for trucks, commercial vans or trailers belonging to persons doing work on the premises during daylight hours (or during emergencies), NO buses, trailers, motor homes, RV's, boats, campers, or similar type vehicles including commercial vehicles or equipment can be kept or parked in the streets, driveways, or parking space, or on the property. No vehicle may display a "For Sale" sign while parked on the property.

Repairs: Repairs to vehicles on the property may only be for emergency servicing purposes. No repairs of any overhaul nature may be performed on the property. Any leaks or spills of fuel or oil should be cleaned immediately.

Towing: Any vehicle parked in a restricted area is subject to towing. Restricted areas include: fire lanes (areas marked by red or yellow curbing), covered parking spaces assigned to other units, driveways (lanes throughout the complex normally used for through traffic). Such parking could obstruct emergency vehicles.

Abandoned: Any vehicle obviously inoperable, in a state of disrepair, not moved within a period of 48 hours, not licensed or properly registered, will be considered abandoned. These vehicles are subject to towing at the owner's expense.

13. POOL RULES - WARNING: NO LIFEGUARD ON DUTY.

- a) All persons visit the pool at their own risk - Association and management are not responsible for accidents or injuries.
- b) No children 14 and under, are allowed in pool area without a parent or guardian. Parents are responsible for the conduct of their teen children and will be held liable. Children wearing diapers or who are not toilet trained must wear form-fitting waterproof diaper covers.
- c) Pool key must be in possession at all times while in the pool area. **NO EXCEPTIONS!**
- d) No glass containers of any kind are permitted in the pool area.
- e) There shall be no running, undue splashing, horseplay, loudness, rudeness, spitting or obscene language allowed. Radios will be kept at reasonable sound levels.
- f) No bicycles, tricycles, skateboards, scooters, roller skates, etc. are permitted within the pool area.
- g) Only persons dressed in swimming attire will be permitted in the pool. NO cutoffs are allowed; they damage the filter system.
- h) **CAUTION - SHALLOW POOL - NO DIVING!** Standing on or diving or jumping from the handrails or wall is prohibited.
- i) There shall be no throwing of any foreign matter into the pool.
- j) Persons using the pool are expected to shower prior to entering the water so as to remove all tanning oil, lotions, etc. These substances cause filter clogging as well as forming an unsightly and unsanitary condition within the pool.
- k) No intoxicated person, or persons having an infectious disease shall use the pool.
- l) Hair curlers, bobby pins, hair pins and other foreign items which could damage the filter/pump system must be removed prior to entering the pool.
- m) No pets or any animals are allowed in the the pool or pool area.
- n) **GATES MUST BE CLOSED AND LOCKED** after entering or leaving the pool area. Failure to do so can result in a citation by the county and closure of the pool.
- o) The pool may not be used during times of repair and maintenance.
- p) **THE POOL CAN ONLY BE USED BY RESIDENTS IN GOOD STANDING.** No more than two (2) guests accompanied by a resident shall be allowed. All ineligible or non-conforming person(s) will be excluded from the use of the pool. All residents will accompany their guests. **TRESPASS ORDINANCES WILL BE ENFORCED BY PROSECUTION.**
- q) Absolute cleanup by all pool users is expected. Please dispose of trash and rubbish in the receptacles provided. Cigarette butts should not be thrown about the pool deck or into the planted area. All persons using the pool must clean up after themselves, otherwise they will be assessed a fine of \$50.00.
- r) Rescue equipment (Life Ring, Shepherds Crook, etc.) should **NEVER** be used for other than their intended purpose, i.e., rescue of a swimmer in trouble. **ANY INDIVIDUALS FOUND DAMAGING OR MISUSING ANY POOL EQUIPMENT OR FACILITIES WILL BE SEVERELY DEALT WITH!**
- s) Pool play equipment (floats, rafts, toys, etc.) shall be limited so as not to cause an inconvenience to others in their enjoyment of the pool facilities. Storage of such items in the pool area is prohibited.
- t) For parties, a refundable cleaning/damage deposit of \$50.00 as required along with thirty (30) day notice of the event and approval by the Board of Directors.

14. PATIOS & BACK YARDS

Patios and back yard areas must be kept in reasonable order. No storage or unsightly condition including clothes lines can be visible from neighboring property or the common area. No Roman or Sun shades are allowed on the front of the Units. No attachments, whatsoever, can be attached to the exterior structure.

15. SIGNS

No signs whatsoever are allowed on property, except for "For Sale" or "For Lease" signs and "Block Watch" signs.

16. SINGLE FAMILY OCCUPANCY

A Unit cannot be occupied by more than three (3) persons not related by blood, marriage, or legal adoption.

17. UNIT RENTALS

- a) All Owners that lease their Unit(s) must provide the Association with a completed and signed Landlord/Tenant Agreement within (10) days after tenant occupancy. Any Owner who has not complied with this Rule and presently has tenants in a Unit within the complex must provide the Association with a completed Landlord/Tenant Agreement immediately.
- b) Owners must furnish copies of all Association Rules and Regulations presently in-force prior to occupancy. Failure to comply with the Rules will result in a \$25.00 fine against the Unit for not providing the required documents to the tenant.
- c) There is no charge for the Landlord/Tenant Agreement. There is, however, a nominal charge for copies of the Association documents. All are available from ARIZONA HOA MANAGEMENT.

18. VANDALISM

Any person or persons observed damaging PARADISE MOUNTAIN SHADOWS property will be billed for restoration and repairs. Adults are responsible for damages caused directly or indirectly by their children and guests. Owners are responsible for all damages caused directly or indirectly by their tenants or tenant's guests.

19. VIOLATIONS OF THE LAW

Please report all suspicious or criminal activity that you directly observe to the Phoenix Police Department.

EMERGENCY NUMBERS

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| 9-1-1 | <i>Emergencies only!</i> Fire or Police |
| 262-6151 | Crime Stop-to report suspicious activity or report non-emergency information. |
| 261-8600 | Silent Witness - allows you to remain anonymous |

20. WINDOW COVERINGS

- a) Interior window covering, curtain draperies and shades that are visible to the exterior of the buildings will be maintained in good condition. Unsightly, ragged or torn curtains,

- draperies, shades, blinds or sheets are not permitted.
- b) No aluminum foil, cardboard, or other paper, cloth or elastic material is allowed to be applied directly to the interior or exterior glass surface, or placed in such a manner that is visible from the exterior.
 - c) Addition or modification of all exterior window screening or the addition of security bars and grates is subject to review and approval by the Board of Directors.

NOTICE: The Board of Directors may pass new Rules, and/or make changes to existing Rules from time to time. Homeowners will be notified of any new Rules or changes to Rules as they occur. Your adherence to the provisions of the Articles of Incorporation, Covenants, Conditions & Restrictions, By-Laws, and these Rules & Regulations of the Association is appreciated by all residents of Paradise Mountain Shadows Homeowners Association.

**THE BOARD OF DIRECTORS
PARADISE MOUNTAIN SHADOWS HOA**