

RIVER ISLAND EAST HOMEOWNERS ASSOCIATION RULES AND REGULATIONS

REVISED July 2016

“RULES AND REGULATIONS” OR “RULES” [CC&Rs Article 1.35 pg. 14] shall mean the rules and regulations adopted by the Board for the general health, welfare, comfort and safety of Members and to implement the Governing Documents. They are meant to be concise and easier to digest than the CC&Rs but do not replace the CC&Rs. If an item from the CC&Rs is not found in the Rules, it does not mean the Board will not enforce the item. The Board may adopt, amend, and repeal Rules and Regulations regarding any matter set forth in the Governing Documents.

DUTY TO REPAIR AND MAINTAIN [CC&Rs Article 3 pg. 16-18] Members shall, at their sole expense, repair and maintain their Lots and any improvements to their Lots. This includes without limitation:

- a. *SLOPES*. Their slopes, terraces, drainage contours, drainage devices and landscaping.
- b. *WEEDS & TRASH*. Members shall keep their Lots free and clear of all weeds, debris and rubbish (including rubbish dumped by others), and shall keep shrubs, trees, grass and plantings neatly maintained, watered, cultivated and free of weeds.
- c. *PAINT*. Members shall keep their Lots from becoming unsightly by reason of cobwebs, deterioration of paint or other materials and shall keep their property neat, clean, attractive and in good order.
- d. *INSECTS & PLANT DISEASES*. Conditions which induce, breed or harbor infectious plant disease or noxious insects or rodents may not be permitted.
- e. *TREE PRUNING, REMOVAL*. Members must keep the trees on their Lots properly pruned to keep them from becoming destabilized or diseased. Living trees having a height of ten feet or more shall not be destroyed or removed from any Lot without the express written consent of the Architectural Committee. The Board will require the owner to submit an architectural request form along with plans for replacement.

ARCHITECTURAL CONTROL [CC&Rs Article 5 pg. 23] Improvements or alterations shall not be made without approval. Improvement, excavation, landscaping, hardscaping, fence, wall, painting, solar panels, alteration or other work which alters the exterior appearance of any Lot or its Improvements shall not commence until plans and specifications have been submitted to and approved in writing by the Architectural Committee. Must fill out a Maintenance/Architectural Review Request form and submit to the architectural committee.

SOLAR PANELS Must be roof mounted and not facing the street. Owner must submit a Maintenance/Architectural Review Request. The application must contain the following:

- a. Accurate scale drawing of roof structure
- b. Indication for cardinal points (north, east, south, west)
- c. Special dimensions where new equipment is planned for installation.
- d. Number of items and dimensions of items to be installed on roof.

- e. Owner must submit approval from County of Tulare.
- f. Sign off by neighbors that will be immediately impacted by installation project.
- g. Once permits have been obtained work may commence.

BALCONIES AND PATIOS [CC&Rs Article 6 pg. 26] Member maintenance of balconies

- a. *BALCONY FURNITURE*. Members shall have the right to furnish their Balconies and Patios with outdoor furniture, as provided for in the Rules and Regulations.
- b. *CLEAN & SANITARY*. Members shall keep their Balconies and Patios in a clean and sanitary condition.
- c. *DANGEROUS ACTS*. Members shall not throw, or permit to be thrown any dirt, water, objects or other substance of any kind whatsoever from his/her Lot, its windows, doors or balconies. No firearms shall be discharged anywhere in the community.
- d. *UNSIGHTLY OBJECTS*. Unsightly objects (including but not limited to, laundry, mops appliances and bicycles) shall not be placed or stored on a Balcony or Patio where they may be seen by others. Children's toys, bicycles, sporting equipment must be stored after use.

GENERAL RESTRICTIONS [CC&Rs Article 7 pg. 27-28]

- a. *ANTENNAS*. Antennas for transmitting or receiving radio signals or any other form of electromagnetic radiation shall not be installed, except as provided in the Association's Rules and Regulations, its Architectural Standards, and applicable law.
- b. *BARBECUES*. Must be fueled by natural gas, propane or electric barbecues in UL-approved confined receptacles designed for such purposes.
- c. *LAUNDRY*. Clotheslines shall not be erected or maintained within sight of any Common Area or other Lot. Items shall not be draped over Balcony or Patio walls or railings.
- d. *NUISANCE*. Members shall not cause or permit to be caused anything which constitutes a nuisance.
- e. *SMOKE*. Burning of debris or other material is prohibited.
- f. *OCCUPANCY RESTRICTION*. The maximum number of persons who may reside in any Lot is two persons per bedroom plus one additional person for the Lot. [See CC&Rs 7.10 definition of "reside"]
- g. *QUIET ENJOYMENT*. Abusive or harassing behavior or any form of intimidation or aggression is not allowed.
- h. *WINDOW COVERINGS*. Appropriate window coverings must be installed on windows at all times.
- i. *MACHINERY AND EQUIPMENT*. Machinery or equipment of any kind shall not be placed, operated or maintained upon or adjacent to any Lot except such machinery or equipment as is usual and customary in connection with the use, maintenance or construction of a private residence.
- j. *STORAGE*. Lots shall not at any time be used for open air storage.

- k. *TRASH CONTAINERS*. All trash containers shall be hidden from sight either in a garage or behind an approved fence enclosure.
- l. *UNIMPROVED LOTS* cannot be used for parking of vehicles, trailers, motor homes or boats.

LEASING, SELLING OF A RESIDENCE [CC&Rs Article 8 pg. 31]

- a. *GOVERNING DOCUMENTS*. Members shall provide their Tenants with copies of all governing documents and must be responsible for Tenant's compliance with all provisions.
- b. *TRANSFER OF COMMON AREA PRIVILEGES*. Any Member residing off-site and whose Residence is occupied by others automatically relinquishes to their Tenants the Member's rights to use the Association's Common Area facilities until the Member re-takes possession of the Residence and the Lot.
- c. *OPEN HOUSES*. Brokers' caravans and other matters relating to the sale of a Lot/home shall be coordinated with adjacent neighbors. All open house events shall occur in daylight hours, and are to be undertaken with express pre-authorization from the RIE HOA board of directors.

PETS [CC&Rs Article 7 pg. 27-28]

- a. *PET LIMITATION*. Usual domestic dogs, cats, fish and birds may be kept as household pets. No more than two dogs or two cats or one of each shall be kept.
- b. *CONTROL*. Dogs taken outside private enclosed or fenced areas shall be kept on a leash held by a person capable of controlling the animal.
- c. *CLEAN UP*. Pet owners are responsible for cleaning up after their pets.
- d. *POOL AREA*. Dogs are not allowed in the pool area.

VEHICLES AND PARKING [CC&Rs Article 10 pg. 33-34]

- a. *POSTED SPEED LIMITS WITHIN RIE*. The posted speed limit is 10mph; maximum vehicular speed allowed in RIE is 15mph.
- b. *RESTRICTED PARKING*. The following types of vehicles may be parked in parking spaces: autos, trucks, motorcycles, and mopeds. No RV, camper, boat, or trailer is permitted.
- c. *TIME LIMIT*. Parking for purposes of loading and unloading recreational vehicles is limited to 30-hours.
- d. *COMMERCIAL VEHICLES*. Commercial vehicles, including pickup trucks 3/4 ton or larger, taxis, panel trucks, tow trucks, vehicles with commercial signage, and the like, are only allowed for purposes of assistance or service delivery.
- e. *WASHING OF VEHICLES*. Personal vehicles may be washed and/or detailed in the Development only on private property;
- f. *GUEST PARKING*. Guest parking is not to be used for routine or permanent parking by any homeowner/tenant. These parking areas are for non-routine short term occurrences and guests. Guests should not park on RIE streets except as provided for in the Rules and Regulations.
- g. *STREET PARKING*. Parking is allowed on RIE streets for brief visits by service providers and on occasion of parties or events held at a private residence; no routine street parking is allowed.

- h. *GARAGES*. Garages may not be converted to any use other than the storage of vehicles.

POOL RULES

- a. *MEMBERS ONLY*. The pool and other common areas are private property reserved for use by members, tenants. Guests are permitted only when accompanied by an owner or tenant. All unauthorized persons shall be asked to immediately vacate the premises.
- b. *RISK*. No lifeguard on duty. Pool closed for use while cleaning/service is underway.
- c. *AGE*. Persons under the age of 14 are not allowed in the gated pool area without adult supervision.
- d. *FOOD AND DRINK*. Glass is not allowed in the gated pool area. All liquids, materials and debris originating from member's use shall be disposed of properly.
- e. *BEHAVIOR*. No diving, running or boisterous activity
- f. *RESTROOMS*. Please keep restrooms and associated pool areas clean after use. Ensure restrooms are locked before leaving the pool area. Report malfunctions or discrepancies to any current member of the board of directors.
- g. *NO PETS ALLOWED IN POOL AREA*.
- h. Entrance gate must be closed and locked when leaving pool area.
- i. No excessive noise.
- j. Private pool parties must have prior authorization from the Board.
- k. Property owner will be responsible for cleanup and any damages incurred.

REMEDIES

ASSOCIATION ENFORCEMENT RIGHTS [CC&Rs Article 11 pg. 34 -35] In addition to any other rights described in the CC&Rs and without waiving the Association's right to institute other enforcement measures, and subject to the notice and hearing provisions in the Bylaws, the Governing Documents may be enforced by any or all of the following, as may be appropriate:

- a. *MONETARY PENALTIES*. The Board may assess reasonable monetary penalties for violations of the Association's Governing Documents by a Member, Member's Tenant or their respective family, Lot Residents, or guests. Such Member shall be liable for all costs of collection, including reasonable attorneys' fees, court costs, and related expenses.
- b. *SUSPEND COMMON AREA PRIVILEGES*. Subject to the notice and hearing provisions set forth in the Bylaws, the Board may suspend the Common Area privileges of Members, Member's Tenants and their respective family, invitees, and guests for their failure to comply with the Association's Governing Documents. Any such suspension shall be for a period of time not to exceed thirty (30) days for any non-continuing violation. For continuing violations, the suspension may be imposed for as long as the violation continues.
- c. *SUSPEND VOTING RIGHTS*. Subject to the notice and hearing provisions set forth in the Bylaws, the voting rights of a Member may be suspended for continuing violations of the Governing Documents. Once suspended, a Member's voting rights shall remain suspended until such continuing violation is cured.
- d. *JUDICIAL ENFORCEMENT*. A lawsuit for damages and/or injunctive relief may be filed, whether or not the relief sought is for negative or affirmative action.

FINES FOR NON-COMPLIANCE In addition to any other rights described in the CC&Rs and without waiving the Association's right to institute other enforcement measures, and subject to the notice and hearing provisions in the Bylaws, the Governing Documents may be enforced by any or all of the following, as may be appropriate:

- a. *TWO WRITTEN WARNINGS*. The Board shall deliver two (2) written notices of non-compliance with RIEHOA Rules & Regulations.
- b. *NON-COMPLIANCE FOLLOWING WRITTEN WARNINGS*. After two (2) written notices the Board shall schedule a hearing to provide the Member with an opportunity to defend their Non-compliance; the Board shall levy a monetary fine of \$100.00 following the second warning.
- c. *CONTINUED OR REPEATED VIOLATIONS*. The Board shall levy a monetary fine of \$200.00 if Non-compliance continues following levy of the initial fine.
- d. *UNPAID FINES*. The Board shall place a lien against the property of the Non-compliant owner following a period of 30 days' notice of fines being levied.

RULES ENFORCEMENT AND DISPUTE RESOLUTION [By Laws Article 14 pg. 24 -25] Privileges and voting rights may not be suspended or fines imposed without conducting a hearing.

NOTICE OF HEARING The Board shall set a hearing date and notify the Member in writing at least ten (10) days in advance.