

**BRITTANY LANDING
THE HARBOR
HOMEOWNERS ASSOCIATION**

RULES & REGULATIONS

June 2008

**BRITTANY LANDING THE HARBOR HOMEOWNERS ASSOCIATION
RULES AND REGULATIONS**

Adopted by the Board of Directors January 14, 1997

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**BRITTANY LANDING THE HARBOR ASSOCIATION
RULES AND REGULATIONS
Adopted by the Board of Directors on January 14,1997
Revised June 2008**

These Rules and Regulations were developed to maintain our property values, to enhance our neighborhood, and to promote harmonious living in the **Brittany Landing the Harbor** Association. The definition of any terms or conditions herein, which are subject to interpretation, shall be determined by the **Brittany Landing the Harbor** Association Board of Directors.

ACCESS TO ASSOCIATION RECORDS: Owners have the right, during reasonable business hours, to inspect the accounting books and records of the Association, and Minutes of proceedings of the members and the Board and committees of the Board.

The following requirements are for the inspection of the records of the Association:

1. A notice of intent to inspect must be submitted in writing to the Board of Directors or its duly authorized managing agent at least five (5) days prior to the planned inspection.
2. The notice must specify with particularity, which records are to be inspected.
3. All records shall be inspected at the registered office of the Association located at 3195 Mecartney, Alameda, California 94502, between the hours of 9:00 a.m. and 4:30 p.m., Monday through Friday.
4. At the discretion of the Board of Directors, or its agent, certain records may only be inspected in the presence of a Board member or employee of the managing agent.
5. The person(s) requesting access shall not disrupt the ordinary business activities of the registered office or its employees during the course of inspection.
6. No records may be removed from the office without the express written consent of the Board of Directors.
7. When applicable, all costs of inspection shall be borne by the person requesting access. In the event the person reviewing the records is desirous of making photocopies, the person requesting same will incur all costs of copying.

BASKETBALL STANDARDS: Portable basketball standards are permitted provided they comply with *all* of the conditions specified in the Community's Architectural Rules and Standards. Refer also to Sports Apparatus in this document and to Basketball Standards and Sports Apparatus in the Architectural and Landscaping Rules and Standards for Brittany Landing Harbor.

BOATS: The Association's CC&Rs and Private Dock Agreements specify the restrictions for the storage and operation of boats within the jurisdiction of the Brittany Landing the Harbor Association.

BOAT STORAGE: Up to two small, portable boats may be stored on the homeowner's property in an area that is not visible to neighboring homes. The Board of Directors shall determine the definition of a "small, portable boat." Electric boat motors are encouraged.

Gasoline powered motors are prohibited. On days of Regattas, an unlimited but reasonable number of boats may be moored at an individual dock.

Boats must be maintained in a neat and attractive condition. Boat repairs may be performed on the owner's property, but the boat must be stored in an area not visible to neighboring homes between the hours of 5 P.M. and 8:00 A.M.

CLOTHES DRYING FACILITIES: Outside clotheslines or other drying structures are permitted only if they are adequately concealed from the neighboring properties, public streets, sidewalks, or pathways. Clotheslines shall not be attached to fences, common or commonly maintained area structures.

COMMON AREA USE

Common Area Use Petitions: Common Areas are not generally for the exclusive use of any resident or group of residents. Should a resident wish to use a Common Area for an exclusive use social or recreational function, the resident must petition the Board of Directors in writing a minimum of ten (10) days prior to the next regular Board meeting. The petition shall include the resident's name, address and telephone number; the date and purpose of the event and the number of people expected to be in attendance. The petitioner need not attend the Board meeting. The Board shall consider the petition at its next regular meeting, take all facts into consideration and shall render its written decision to the petitioner within three working days of the meeting.

Guidelines for Use of the Meadow

1. The Green Belt is for the exclusive use of Brittany Landing the Harbor homeowners and their invited, escorted guests.
2. Homeowners using the meadow are expected to share the facilities with other owners.
3. Any large function (involving more than the homeowners and their immediate families) should be reported beforehand to the Association Manager at 510-865-3363.
4. All small children must be accompanied by an adult. Please be advised that there is no fencing at the water's edge.
5. Trash must be put into the trashcan located in the meadow or removed by the homeowner using the facility. Tables and benches should be wiped clean.
6. If ground cover/landscaping becomes damaged, the homeowner should notify the Association Manager.
7. Fires from barbecues must be extinguished before leaving. Do not place any residue from the fire in the trash receptacles.
8. Always be considerate of your neighbors when using the meadow.

COMMITTEE GUIDELINES: Committees are made up of homeowner volunteers.

1. The Board determines the number of members on any committee.
2. Each of the committees shall include a member of the Board who shall act as a liaison without voting privileges.
3. The Board appoints committee members annually at the next regularly scheduled meeting following the Annual Meeting.
4. Unless directed otherwise by the Board, Committees select their own chair.

5. Committees submit all requests for expenditures to the Board. The Association Manager can authorize emergency requests.
6. Committees make recommendations to the Board and otherwise perform their duties in accordance with the charters adopted in 2006.
7. Committees are to submit written reports as necessary.

DOCK USE (PRIVATE)

Dock Use Restrictions: Dock use shall be limited to the launching and enjoyment of up to two (2) small portable boats. Storing barbecues, garbage containers, or sport/recreational apparatus is prohibited on private docks. The Private Dock Agreements between the City of Alameda and the Association were granted solely for the use of boats and boating, and prohibit the use of docks for storage of any kind, including outdoor furniture, or plant materials. Electric light installations, food or beverage preparation, and pets are not permitted on docks. Docks shall not be used as extensions of decks or patios.

To preserve the beauty and water quality of the lagoons and to protect the wild life, the Agreement also specifies that the dumping of trash or other materials such as paint or other petroleum products is strictly prohibited.

EARTHQUAKE INSURANCE CLAIM ADMINISTRATION Resolved: March 1998, Resolution #98-03

The Association maintains earthquake coverage for individual dwellings and Common Areas. The insurance policy is subject to a deductible amount of 20% per building.

As the Association is responsible for insuring that a dwelling is returned to its original condition after any catastrophe, the Board has adopted the following regarding the earthquake loss deductible:

In the event that dwellings are damaged due to an earthquake, all owners will participate equally in any assessment needed to cover the deductible portion of the loss. This will be true even if there is no damage to an individual's dwelling.

The Board suggests that all owners look into separate earthquake coverage to cover their portion of the deductible, which they will be assessed after the earthquake. This coverage is called "Loss Assessment" coverage.

Coverage can be purchased through your insurance carrier who writes your inside contents coverage. Most carriers are now only offering the CEA - California Earthquake Authority, for any earthquake coverage.

Please contact your insurance agent, or the Association's agent, Karen Smith, (925-932-4903) for additional details.

ENFORCEMENT ASSESSMENT: The Association's adopted Fine Schedule is attached and included in the Policies packet mailed with the budget.

FIREWOOD: Firewood storage is permitted in rear and side yards only and shall be stacked in an orderly manner. Firewood shall not come in contact with fences or house and shall be kept out of neighboring views as much as possible.

FLAGPOLES AND FLAGS: Flagpoles and flags are permitted if wall mounted. On appropriate national or state designated occasions, temporary flag pole installations are permitted.

FURNITURE (outdoor): Outdoor furniture used in conjunction with the landscape/hardscape of a residence shall be designed specifically for exterior gardens and patios. The color and style of these exterior furnishing shall harmonize or coordinate with the appearance and finish of the residence. Patio and yard furniture shall be maintained in a neat and attractive condition.

GARAGE USE

Storage Limitations: Garage use shall be limited to storage of vehicles and typical household items only. Garage attic storage areas may be constructed without prior approval, except for any necessary City of Alameda permits, if structural members are not altered. Installation of windows or vents in this area require application and plan approval by the Community Architectural Committee.

Garage Use Limitations: Garages shall not be remodeled or used for any purpose which would interfere with the accommodation of two full sized passenger vehicles, or one, if a one-vehicle household.

Garage Doors: To maintain the attractive appearance of the neighborhood and to reduce to possibility of unlawful entry and theft, residents shall keep their garage doors closed except when entering and leaving the garage, while washing vehicles or performing landscape maintenance.

GARBAGE AND RECYCLING CONTAINERS

Container Collection: Garbage or recycling containers may be left at the street curb for pickup on the evening before or on the night before or on the day scheduled in the area by the City. At all other times, containers must be stored inside a resident's garage or side yard. Containers may not be stored in the Association's landscaped Common Areas.

Garbage and Releveling Containers: Garbage containers must be covered at all times to avoid odor and loose trash. The container size, material and color shall be that specified by the collection agency.

INSECT TRAPS: Electronic insect traps shall not create a nuisance to neighboring properties.

LIGHTS (seasonal) are allowed only during the holiday season. They may be installed each year after November 20th and must be removed by January 31st. No colored light bulbs are allowed in light fixtures, including house and landscape lighting, with the exception of holiday season lights during the time specified for seasonal lights.

MAIL BOX AND POST are the responsibility of the Association. Mailbox selection is at the discretion of the Association. Newspaper tubes are not permitted.

NOISE

Noise Restrictions: Residents shall not create noise of any kind that is discernible on other properties which interferes with concentration or sleep. Exterior speakers, horns, whistles, bells or other sound devices, except security devices used exclusively for security purposes, are prohibited.

Landscape Installation and/or Construction Exceptions: Individual homeowners may install landscape or hardscape between 7:00 A.M. and 7:00 P.M. in accordance with the City of Alameda Noise Ordinance #2177. No machinery or equipment of any kind is permitted except as is customary and necessary in connection with approved construction.

PARKING RULES AND ENFORCEMENT: Pursuant to Article 3.5 of Covenants, Conditions and Restrictions (CC&R's) and California Vehicle Code:

Street Parking — There shall be no unattended or long term parking along any street in the Project except in those spaces designated as “Guest Parking.” The street areas are considered “Fire Lanes” and must be kept clear for emergency vehicle use. Using the street areas for temporary activities such as: loading, unloading, and washing is permitted as long as the vehicle is attended so that it can be moved immediately.

Guest Parking — “Guest Parking” spaces shall be for guests only and shall not be assigned to or used by residents. “Guest parking,” i.e. a vehicle parked in a space marked “GUEST,” is limited to a period of eight (8) hours, but not overnight. If guests require “extended use” of Guest Parking, i.e. parking overnight or for a period greater than eight (8) hours, a resident must notify the parking patrol service to obtain prior authorization. Vehicles parked in Guest Parking spaces overnight or for more than eight (8) hours without authorization will be subject to enforcement procedures.

The parking of a resident's vehicle in Guest Parking spaces is forbidden with the exceptions detailed below, and will be subject to enforcement procedures.

- Under special circumstances, e.g. during home renovations or medical requirements, residents can request permission to use Guest Parking spaces for their own vehicles on a short term basis. Resident must petition the Association Manager this exemption to the Parking Rules. Resident use of Guest Parking in excess of 14 days in a 90-day period requires approval from the Board of Directors.
- Residents may park in Guest Parking without requesting authorization on the night prior to street cleaning activities along Packet Landing, as long as the vehicle is removed from Guest Parking spaces by 9:00AM on the day that street cleaning occurs.

Guest Parking Authorization — Residents requesting authorization for extended use of Guest Parking must notify the parking patrol service and provide make, model, color, license number of the guest vehicle and the length of stay (inclusive dates). Each residence's use of Guest Parking for their guests is limited to a total of fourteen (14) days over any ninety (90) day period. Residents who wish a longer time for Guest Parking must petition the Association Board of Directors.

Garages — Owners and residents are to use their garage for parking. Garage doors shall remain closed except during ingress and egress or when the garage is attended.

Driveways — The driveway may be used for parking if it is large enough to accommodate the vehicle without the vehicle extending over sidewalks, the street, or landscape areas.

Common Areas — Vehicle parking is not permitted on or in Association Common Areas including near the Fire Gates and the lagoon park.

Other Vehicles — No boat, trailer, camper, golf cart, bus, mobile home, other recreational vehicle or any dilapidated vehicle shall be parked or stored in streets, Guest Parking, driveways, or Common Areas. Motorcycles or bicycles are to be stored in garages or backyards.

Repairs — No part of the streets, Guest Parking, driveways or Common Areas shall be used for repair, construction or reconstruction of any vehicle, boat, or any other item or thing except in an emergency.

Street Maintenance — The Association is responsible for the maintenance of the streets and parking areas. If a parked vehicle causes damage to the street, Guest Parking, driveways, or Common Areas, the unit owner may be responsible for the repair cost.

Association Authority — The Association has the authority to enforce its Parking Rules and to effect disciplinary actions including, but not limited to towing vehicles at owner's expense, and assessing unit owners for costs of any repairs or corrective actions. The Association may delegate its power of enforcement to a parking patrol service, i.e. individuals or business entities appointed by the Association Board of Directors.

Enforcement Procedures — Infractions of the Parking Rules will be subject to the following notification and disciplinary procedures:

- Any unattended vehicle parked in the Fire Lanes or vehicle parked in a Common Area is subject to immediate towing without prior warning. Towing will be at the vehicle owner's expense.
- Any vehicle in violation of the Parking Rules, other than Fire Lane or Common Area violations, will be issued a Courtesy Warning Notice for the first offense. A vehicle observed in violation of the same Parking Rule for a second time within a period of one (1) to ninety (90) days following the original Courtesy Warning Notice will be issued a second Warning. A vehicle observed in violation of the same Parking Rule for a third time within a period of two (2) to ninety (90) days following the original Courtesy Warning Notice is subject to immediate towing without further Warning. Towing will be at the vehicle owner's expense.
- If a residence has more than three (3) violations of the same Parking Rule in any thirty (30) day period attributed to their guests' or the resident's own vehicles, the Association Board of Directors may authorize disciplinary procedures including but not limited to the immediate towing without warning of any further vehicles in violation of the same Parking Rule. Towing will be at the vehicle owner's expense.
- Violations of Parking Rules may be reviewed by the Association Board of Directors for consideration of disciplinary action including, but not limited to, assessing unit owners for costs of any repairs or corrective actions necessitated by the violation(s).

PETS

Pet Limitations: A maximum of two (2) pets per unit is permitted. A resident may petition the Board of Directors in writing a minimum of ten (10) working days prior to the next regular Board meeting to request a Hearing before the Board to consider a petition for an exception to the two (2) pet limitation.

Pet Behavior: No unreasonably noisy, destructive and/or aggressive pets are permitted at Brittany Landing the Harbor. The Board of Directors has the final authority to determine if a pet is unreasonably noisy, destructive and/or aggressive.

Pet Control: The CC&Rs require that pets shall be kept under reasonable restraint when outside of a resident's property either by leash, cage or hand held. Owners must immediately clean up after their pets who have soiled the Common Areas, streets and sidewalks.

Domestic Birds: Birds may be kept inside or outside a house provided the birds do not disturb neighbors or damage Common Areas or commonly maintained areas.

Pet Complaint Procedures: When the Board of Directors or the Manager receives one verbal or written complaint regarding a pet, a First Notice will be sent to the pet owner. The Notice shall contain the specific nature of the complaint and the remedy sought. If two or more complaints are received regarding the same pet, or the Board determines the pet to be a nuisance, the pet owner will be called before the Board for a Hearing to address the complaints. The Board shall consider all facts and render its decision in writing to the owner within three working days following the Hearing. The Board may require the owner to remove the pet permanently from the Brittany Landing the Harbor Association property.

POOL

HOURS: **Sunday - Thursday 6:00 AM to 10:00 PM**
 Friday - Saturday 6:00 AM to 11:00 PM

California Law prohibits persons less than 14 years of age from the pool area without supervision. An adult, who must remain with the child at all times, must accompany them.

Persons under 18 years of age are prohibited from the pool area from 8:00 PM-10:00 PM unless accompanied by an adult who is responsible for that minor's conduct.

SECURITY: Gate is to be closed and locked upon each entry and departure. Every person in pool complex must be in possession of a Brittany Landing the Harbor identity tag. Board to distribute tags.

GUESTS: Limit of 4 guests per household. Residents are to accompany guests (other than house guests), and are responsible for their conduct and compliance with rules. No pool parties.

HEALTH & SAFETY: Prior to entering the pool or spa, each person must have showered at the pool complex. Suntan oils or lotions must be removed by showering before entering or re-entering the pool or spa.

Use trash receptacles for all refuse.

Prohibited: GLASS CONTAINERS, FOOD, PETS, DISTURBING OR HAZARDOUS BEHAVIOR, RUNNING, DIVING, EXCESSIVE NOISE, CUT-OFF CLOTHING, SPORTS EQUIPMENT, TOYS, SCUBA GEAR,

SKATES, SKATEBOARDS, ANY ITEMS INCONSISTENT WITH SAFE POOL USE, AND IN VIOLATION OF ANY LAWS PERTAINING TO PUBLIC SWIMMING IN CALIFORNIA, ALAMEDA COUNTY OR THE CITY OF ALAMEDA. The decision of the Pool Committee or a member of Harbor Bay Isle Security shall be final.

Float objects permitted only when pool is not crowded.

All radios, TVs, CD or tape players must be used with earphones.

FURNITURE: All pool furniture is to remain around pool area.

SPA: On/off timer switch located to rear of pool house.

Emergency switch located next to spa and is to be used in case of **EMERGENCY ONLY** as it shuts down entire system.

Spa cover is to be replaced after each use.

Elderly persons, pregnant women, infants and those with health conditions requiring medical care should consult with a physician before entering spa.

Unsupervised use by children under the age of 14 is prohibited.

Hot water immersion while under the influence of alcohol, narcotics, drugs or medicines may lead to serious consequences and is not recommended.

Do not use alone.

Long exposure may result in nausea, dizziness or fainting

VIOLATIONS: **FIRST OFFENSE:** Verbal notice with a written notice to both property owner and offender.

SECOND OFFENSE: Formal charges shall be brought before the Board, which could result in the loss of pool privileges and/or monetary assessments. (See section 10.2 of the CC&R's).

KEYS: The pool key, if lost, stolen, or otherwise misplaced, may be replaced for a fee of \$25.00, paid to the Association. Upon sale of a unit the owner will provide the buyer with the key(s) to the pool complex.

NOTE: THE POOL AREA IS OPEN AT THE USER'S RISK. THE ASSOCIATION ASSUMES NO LIABILITY. FOR VIOLATIONS, CALL SECURITY AT 865-0417.

SIGNS: No signs whatsoever, including but without limitation, commercial signs visible from neighboring property or public ways shall be erected or maintained on any lot within the Community and Project Association properties except:

- (a) Signs required by legal proceedings.
- (b) Residential identification signs, subject to the approval of the Community Architectural Committee as to suitability.

- (c) Signs required by the Developer for financing, construction and project marketing during the time of construction, improvement, or sale of any residence.

Real Estate Signs: Signs may be displayed only when there is an active and serious attempt to rent or sell the home.

A maximum of one (1) sign per home may be may be displayed in a window or in the ground. A second sign may be placed on property owned by another, such as on a street corner, with that owner's written consent.

On lagoon or bay front lots, an additional sign may be displayed in the ground facing the lagoon or bay.

For Rent/For Sale signs shall be a maximum of 18 by 24 inches displaying the words "for rent" or "for sale". A maximum of two additional hook-on signs of 6 by 24 inches each are permitted for the agent's name and telephone number and other information for a total sign area of 30 by 24 inches.

No for sale or for rent signs shall be located upon any of the Common Area properties, or properties within the areas and jurisdiction of the Planned Development Permit issued by the City of Alameda pertaining to the properties of the Community of Harbor Bay Isle.

Political Campaign Signs: Political campaign signs are permitted but must be removed within five (5) days following the election date. Posting political signs in Association Common Areas is prohibited.

Contractor's signs are not permitted on private property or Association Common Areas. Owners are responsible for contractor compliance.

In-house business signs are not permitted. In-home businesses require the prior written approval of the Brittany Landing the Harbor Board of Directors and a City business permit.

SPEAKER SYSTEMS:

Amplified exterior speaker systems are not permitted.

SPORTS APPARATUS & RECREATIONAL USES

Temporary Installations: Temporary sports and/or recreational equipment higher than the developer installed fence, as seen from ground level, may be used, but must be stored in an area not visible from the neighboring homes overnight or when not in use.

Exception Petitions: A resident may petition the Board of Directors for an exception to the permanent or temporary sports or recreational equipment structure, as described above, which exceeds the fence height. The petition must be submitted a minimum of ten (10) days prior to the next regular Board meeting. The Board shall hear the petition, consider all of the facts, and shall render its written decision to the petitioner within three (3) working days of the meeting. The Board has the option to prohibit a temporary or permanent sports/recreational structure or apparatus remaining in the Brittany Landing the Harbor Association project. Please also refer to Basketball Standards in this document and to Sports Apparatus and Basketball Standards in the Brittany Landing Harbor Architectural Rules.

STREETS: Private streets shall be used for driving and limited duration parking. Recreational activities are not permitted on private streets. The maximum speed limit within the Brittany Landing the Harbor Association is 10 miles per hour.

TENANTS

Registration of Tenants: Owners are required to register the names of all tenant occupants of their property with the Community Office.

Owners are accountable and responsible for the consequences of the activities and CC&R violations of their tenants and their tenant's guests. Lease or rental agreements shall contain notice that tenants must comply with all Community and Brittany Landing the Harbor Association governing documents. Owners shall provide copies of such documents to their tenants.

WINDCHIMES: Windchimes are discouraged, but are permitted only if the sound level does not unreasonably intrude into neighboring property.

WINDOW COVERINGS

Definition: Window coverings are defined as any covering of a window or glass door that may be seen from outside of the house. The exterior appearance of window coverings shall be white, off-white or natural wood in color. They may be draperies, shutters or Levolor-type mini blinds, Verosol-type shades or venetian blinds. Window coverings shall be installed within sixty (60) days following the close of escrow.

Window Covering Restrictions: Reflective material window covering is prohibited. Written approval of the Board of Directors may permit window tinting of nonreflective, dark charcoal color material.

CC&R ENFORCEMENT PROCEDURES:

Urgent Reports: To expedite the correction of urgent matters regarding unlawful conduct or health and safety issues, or an association, management, maintenance or subcontractor performance problem, residents should immediately call the Brittany Landing the Harbor Association Manager. After office hour calls will be received by the Security Officer on duty.

Resident CC&R Violation Reports: Residents may report noncompliance with the Association's CC&Rs by calling or writing to the Association Manager to report the address or location of an alleged violation.

Scope of Enforcement: Violations of the Association's governing documents and these Rules and Regulations, will subject the violator to the CC&R violation enforcement procedures contained in Article VIII, Section 8.2.

First Step: When the Manager or Board receives information concerning an alleged CC&R violation, a Courtesy Notice will be sent in an attempt to resolve the matter.

Second Step: If not corrected following the Courtesy Notice, a First Official Notice will be sent to the resident requesting correction of the alleged violation. If the resident is a tenant, the owner of the property will receive the letter.

Third Step: Failure to comply will result in a Final Notice that if the violation is not corrected, the violator will be requested to appear before the Board of Directors for a CC&R enforcement Hearing. The Notice will be personally delivered to the Owner or owner's agent or sent Return Receipt Requested U.S. Mail. The Notice shall include the date, time and location of the Hearing; the specifics of the violation or complaint; and the range of possible penalties if not corrected. Owners are responsible for their tenant's CC&R violations.

Hearing: The Board of Directors shall hear the charges according to the provisions of CC&R Article VIII, Section 8.2 - Enforcement Remedies. Following the Hearing, the Board shall convene an Executive Session, shall take all facts into consideration and determine whether the owner has violated the CC&Rs; the deadline for correcting the violation; and the penalty for failure to comply. The owner or owner's agent shall be notified in writing of the Board's decision following the Hearing.

Rescheduled Hearing: If the owner or owner's agent can show acceptable good cause as to why he/she cannot attend the Hearing, he/she must notify the Board at least 48 hours prior to the originally scheduled Hearing. If cause is accepted by the Board, it will reschedule the Hearing and deliver notice of the new date ten (10) days prior to the rescheduled Hearing.

Hearing Default: If an owner or owner's agent called for any Hearing fails to appear or to request a postponement of a Hearing as prescribed in "Rescheduled Hearing" above, the Board shall proceed with the Hearing in absentia.

Enforcement: CC&R enforcement may proceed according to Section 8.2 as determined by the Board of Directors.

REAR YARD MAINTENANCE STANDARDS: Owners shall not permit rear or side yard grass or weeds to grow beyond five (5) inches in height. Owners are responsible for maintaining their rear and side yard landscaping in a healthy and attractive condition by watering, fertilizing and trimming as necessary. Trees or shrubs visible to neighboring property, Common Areas or commonly maintained areas or public areas shall be maintained in an appropriate and healthy condition.

Tree Installation requires prior approval of the species and planting location. Additional Alder trees are not permitted. Fruit bearing trees are permitted only in back yards. Tree branches shall not touch or overhang roofs. Root guards must be installed for any tree planted within six feet of any structure, fence or walkway to minimize root invasion damage. Replacement of problem trees will be considered on a case-by-case basis provided a replacement tree or shrub is approved by the Community Architectural Committee. Tree and shrub installations shall not unduly interfere with neighboring property yards or views.

Trees shall be maintained in a healthy condition. If a tree's disease becomes untreatable, or it dies, the owner should promptly apply to the architectural committee for permission to remove the tree and an appropriate replacement tree if a replacement is contemplated.

Vegetable gardens are permitted only in rear yards and in reasonable proportion to other landscape.