

FOXMOOR PROPERTY OWNERS ASSOCIATION

RULES AND REGULATIONS – Amendment # 4

Introduction: These Rules and Regulations were adopted and approved by the Board October 1989 by Board Resolution to help maintain Foxmoor as an attractive residential community. The Rules and Regulations shall apply to all owners, residents, tenants, guests and visitors. Owners are encouraged to review Article III of the Restated Declaration of Covenants, Conditions and Restrictions for Foxmoor (recorded November 23, 1990) for detailed restrictions.

The Rules are designed to be consistent with the restrictions in the CC&Rs. The CC&Rs and California Civil Code shall take precedence, if in conflict with the Rules.

1.0 Restrictions

- 1.1 All Owners shall review the restrictions in Article III of the CC&Rs
- 1.2 Buildings and structures shall be maintained and kept in good condition. Fading, chipping, peeling paint shall be repainted. Roofs shall be kept repaired, temporary tarps or fabric roof coverings shall not be permitted.
- 1.3 Trash containers shall be placed out at the curb the night before pick up and removed from the curb the evening of pick up. Trash containers shall not be stored to be visible from neighboring properties.
- 1.4 Owners shall keep shrubs, trees, grass and plants neatly trimmed, properly cultivated, and free from trash, weeds or other unsightly material to promote green, healthy, vigorous growth.

2.0 Vehicles/Commercial Vehicles

- 2.1 Except for parking in front of the owner's residence not to exceed twenty-four (24) hours, no motor home, recreational vehicle, trailer, camper or boat shall be parked, stored, kept, placed, constructed or repaired upon any lot or street within any Single Family Area in such a manner to be visible from neighboring property. No unlicensed vehicle shall be stored on any lot.
- 2.2 Drives shall be kept free of oil and stains.
- 2.3 Residents may not park commercial vehicles on any driveway except for temporary loading and unloading of said vehicles. These vehicles may not be parked in the driveway overnight.
- 2.4 A commercial vehicle is defined as any vehicle which has any one of the following three conditions:
 - (a). Displays the name of a business or other commercial enterprise or employer anywhere on the vehicle; OR
 - (b). has a chassis with a capacity of 1/2 ton or larger and carries equipment, tools, materials, etc.,

related to a business which are visible from outside the vehicle such as ladders, pool supplies, plumbing equipment or pipes, building materials, landscape equipment or materials, etc; OR

(c). has a chassis with a capacity greater than 3/4 ton (such as flatbed trucks, tow trucks, tractor-trailer rigs).

3.0 Animals

- 3.1 All City, County, and State ordinances for pets shall be enforced within Foxmoor.
- 3.2 Owners shall keep all dogs leashed and under control. Owners shall carry and use pet waste disposal bags when walking their dogs.
- 3.3 Pets are not permitted in the community Foxmoor Clubhouse, or on the pool deck area, or inside the fenced pool area. This is a violation of County Health codes.

4.0 Architectural

- 4.1 No improvements, excavation, exterior color changes or other work that in any way alters the exterior appearance of any lot or the improvements located thereof, shall be executed on any lot in Foxmoor without the prior approval of the Architectural Committee.
- 4.2 Requests for approval shall be submitted in writing and may consist of detailed structural and/or landscape drawings sufficient to permit review by the committee.
- 4.3 The committee shall have sole discretion to determine adequacy of plans submitted and determine architectural standards that may be changed from time to time.

5.0 Pool Rules

- 5.1 Lifeguard service is not provided at any time for the Foxmoor Pool. Pool monitors may be on duty to assist in enforcing Pool Rules. Pool hours will generally operate from 6:00AM until 10:00PM during pool season. The pool is heated seasonally by decision of the Board of Directors.
- 5.2 Children under the age of fourteen (14) years old should not use pool without an adult in attendance.
- 5.3 Safety equipment like throw rings and life hooks shall only be used in an emergency. Please do not play with safety equipment.
- 5.4 Exterior showers are provided. The handicap stall shower shall only be used by individuals with physical limitations. No play activities are allowed in the handicap shower.

- 5.5 Guest limits are periodically established by the Board of Directors. Owners will be notified of current guest limits in the Fox Tails Newsletter.
- 5.6 Alcoholic beverages, glass containers, wheeled vehicles or wheeled toys are not permitted in the pool deck area.
- 5.7 Pool gates are required to remain closed and locked during all hours of operation.
- 5.8 Please pick up your trash and litter and place in the trash receptacles located on deck.
- 5.9 Noise from radios, portable players, and boisterous activity is not permitted.
- 5.10 Diving shall not be permitted.

6.0 Home Based Businesses

- 6.1 Homes may not be used for any purpose except as a private single-family residence. Notwithstanding the foregoing, residents may use a portion of their homes for limited business activities as long as all of the following criteria are met:
 - (a) **Primarily Residential.** The home continues to be used primarily for residential purposes.
 - (b) **Advertisement Limitations.** The business activity does not involve any advertisement which includes the address of the home or the Association or the telephone number of the Association's business office.
 - (c) **No Employees, Vendors, Etc.** The business activity does not involve any employees, clients, customers, vendors, contractors, subcontractors, business associates, etc., visiting the resident or the Association.
 - (d) **No Excessive Deliveries.** The business activity does not involve deliveries or pick-ups of mail or packages which in the Board's determination are in excess of a level normal for residential occupancy.
 - (e) **No Manufacturing/Production.** No manufacturing/production of any kind takes place in the residence or on the common area.
 - (f) **Compliance with Laws.** The business activity is not illegal and does not violate any local ordinances.
 - (g) **Confined to Living Space.** The business activity must be entirely conducted inside the residence. No portion of the business may take place in the garage, yard or other areas outside the home.

7.0 Portable Basketball Hoops

- 7.1 Portable basketball hoops are permitted to be stored on the homeowner's property, providing they are not on the sidewalk, street or front lawn.

8.0 Violations

- 8.1 The Foxmoor Board of Directors has sole authority for enforcing and establishing enforcement procedures for any violation of the Regulations.
- 8.2 Generally, owners will be notified in writing of any violation and provided the opportunity to correct or cure the violation.
- 8.3 The Board may also set a violation hearing date to meet with owners to discuss and review violations. Owners are entitled to ten (10) days notice prior to the violation hearing and may provide written or oral statements to the Board during the hearing. Owners are also entitled to produce witnesses at the hearing. At the conclusion of the hearing the Board may determine disciplinary action including restriction of privileges and/or monetary penalty. Owners shall receive notice of the action taken within 15 days.
- 8.4 No monetary sanctions shall exceed the maximum of the following:
- (a) For the first separate violation of any provision of the governing documents - **\$250.00.**
 - (b) For the second separate violation of any provision of the governing documents - **\$500.00.**
 - (c) For the third and any subsequent separate violation of any provision of the governing documents - **\$1,000.00.**
 - (d) Total monetary sanctions which may be imposed for identical repeated separate violations of any provision of the governing documents shall not exceed \$5,000.00 during any twelve-month period.
 - (e) The suspensions and sanctions provided for herein are intended to be cumulative, and may be imposed singly and/or in such combination as the Board of Directors determine to be appropriate.
 - (f) All monetary sanctions imposed by the Board shall be due and payable on the day such discipline has become final. Any monetary sanction which remains unpaid thirty (30) days after it has become due shall bear interest at such rates as are provided from time to time by statute for unpaid assessments.

9.0 Dispute Resolution Procedure

- 9.1 In the event of a dispute between an Owner and the Board of Directors, either party may request the other party to meet and confer in an effort to resolve the

dispute. The request must be in writing.

- 9.2 The Owner may refuse a request to meet and confer. The Association may not refuse request to meet and confer.
- 9.3 The Board of Directors shall designate a member of the Board to meet and confer.
- 9.4 The parties shall meet promptly at a mutually convenient time and place, explain their positions to each other, and confer in good faith in an effort to resolve the dispute.
- 9.5 A resolution of the dispute agreed by the parties shall be memorialized in writing and signed by the parties, including the Board designee on behalf of the Association.
- 9.6 An agreement reached under this procedure binds the parties and is judicially enforceable if both of the following conditions are satisfied:
 - (a) The agreement is not in conflict with law or the governing documents of the Association; and
 - (b) The agreement is either consistent with the authority granted by the Board of Directors to its designee or the agreement is ratified by the Board of Directors.
- 9.7 An Owner may not be charged a fee to participate in the dispute resolution procedure.

This document entitled, "Rules & Regulations" has been renamed to "Rules & Regulations - Amendment #4". Furthermore, alternations include numbering each section, rule change additions as approved and adopted by the Board of Directors as follows: Section 6.0 is now entitled, Home Based Business, Section 7.0 is now entitled, Portable Basketball Hoops, Section 8.0 is now entitled, Violations, and Section 9.0 is now entitled Dispute Resolution Procedure.

Any or all previous amendments, documented as May 2007, November 2006, November 2004, and December 1994 have been superseded by this document and adopted by Board Resolution this 12th day of January, 2010.