



Colonias La Canada (Las Colonias)
Homeowners Association
P.O. Box 478, Sahuarita, Arizona 85629-0478

Rule 1

Metal or Wooden Gates

The following is a list of considerations used by the Architectural Committee when reviewing a request to install a wooden or metal gate on any lot. It should be noted that gates already installed as of July 4, 2005 were considered to be approved and in compliance with this rule.

Required Permission: All homeowners are allowed to have metal or wooden gates, if so desired, as long as approval is received from the Architectural Committee prior to any new installation. If a gate of a different design is replacing the existing gate, then prior approval is also required. Requests should be sent, using email or the USPS, to the Committee. Requests should include an accurate drawing to reflect size, color, description, material to be used, position on the lot and distances from walls and structures already present

Appearance: All gates, whether extra wide or sidewalk gates, should be aesthetically pleasing to the home.

Construction: All gates shall be constructed in such a manner that items in the back yard cannot be seen.

Wooden: No restriction on types of wooden slats that can be used. Gates should have no see through portions between the slats.

Metal: The material used to block seeing through the gate can be made of various materials that include heavy-duty plastic mesh, chain mail or sheet metal, etc. Most hardware stores, Home Depot and Lowe's carry a variety of these materials. Various fencing companies and gate and screen door makers, such as Big Red Iron, also carry these items.

Miscellaneous: Whether or not a gate has been approved, if unsightly articles can be seen through the gate, the owner will be subject to a citation for that violation of the CC&R. The Board of Directors shall have sole discretion in determining a violation of this rule

This rule was revised, approved and adopted by the Associations Board of Directors on 20 September, 2005. Non compliance with this rule may result in fines and or penalties until compliance has been determined.



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RULE 2

Procedures for Addressing the Board of Directors of the HOA

In the spirit of state law HB2177, the Board of Director meetings for this HOA are open to all members of the Association, unless a special closed executive session has been called by the Board of Directors to discuss such issues as follows:

1. Pending or anticipated litigation
2. Discussion of financial or health information about an association member, board member or employee of the Association
3. Discussions related to the job performance or compensation of an Association employee
4. Advice of council

It is the right of an Association member, to attend and, if desired, address the board on a wide range of topics. The Board of Directors, in consultation with the associations' attorney, has established the following procedures for addressing the Board:

1. Anyone may address the Board of Directors at any open meeting.
2. Time limit to address the Board is 5 minutes per lot.
3. Appropriate topics of discussion may be anything with the exception of a disputed CCR1 or CCR2 letter unless already scheduled for a hearing at the attended meeting.
4. If a property owner has requested a hearing before the Board of Directors to dispute a CCR1 or CCR2 letter, that request must have been made via email or the USPS. The property owner will be advised, by return email, letter or telephone of the date and place that the hearing will be conducted. The Board of Directors will not hear disputes of this nature at any meeting unless it has been scheduled in advance and placed on the agenda of the attended meeting.

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RULE 3

Parking of Privately Owned Vehicles

Under the authority of CC&R Section 2.05, a majority vote taken of the homeowners present at the spring 2002 annual Homeowners meeting and the June 20, 2002 meeting of the Board of Directors, the following policies for parking are promulgated:

1. Parking a vehicle on any portion of a lot that is not concrete is considered a violation. However, the Board of Directors realizes that due to the nature of some driveways a row of brick pavers would provide easier accessibility. Therefore a row of brick pavers along the side(s) of the driveway, not to exceed 12 inches, is authorized without prior Board approval.
2. Parking any portion of a vehicle on the gravel strip between the street and sidewalk is considered a violation.
3. Parking a vehicle where it blocks passage on a sidewalk is considered a violation of, not only the CC&Rs, but state vehicle codes also.
4. Per state law HB2492, a resident employed by a public safety agency may park a public safety vehicle on the street or driveway if the vehicle visibly displays the agency emblem or designation.

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RULE 4

Parking RV's, Boats, Trailers or Campers

As established at a meeting of the Board of Directors and using the authority of CC&R Section 2.10, the following procedures for parking RV's, boats, trailers or campers are promulgated:

1. With prior written notification provided to the Board of Directors, parking of a RV is allowed but is limited to a 5 consecutive day time frame to allow for pre/post usage cleaning, preparations, etc. The RV must be parked in accordance with vehicle parking restrictions established under Rule 3. Prior notification can be accomplished by using the HOA's email address or by forwarding via the USPS.
2. With notification, as described in paragraph 1 above, storage of a boat, trailer or camper on the lot, although discouraged, is allowed as long as the storage is in the backyard and they are covered and screened from the public view. If this requirement cannot be met, approval for storage on the lot must be received prior to placement on the lot. A hearing with the Board of Directors must be requested either by email or using the USPS.
3. At no time is the parking of a RV on the lot allowed. Parking must be on the street.
4. If the camper, boat or trailer needs to be brought from the storage location, whether the backyard or an off site storage facility, parking is allowed on the street under the same restrictions as described for a RV. At no time is parking on the lot, other than the backyard, allowed.
5. Consideration must be given when parking on the street to allow access to mailboxes, driveways and neighbor's access to their own property. Safety consideration should also be given to the traffic flow along the street and the use of neighboring driveways.
6. Blocking passage on a sidewalk is considered a violation of, not only the CC&Rs, but also state codes.
7. If need be, the abuse of the 5 consecutive day timeframe will be addressed on a case-by-case basis.

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RULE 5

Installation of Sheds or Accessory Buildings

The following is a list of considerations used by the Architectural Committee when reviewing requests to build or place a shed on a lot. Requests should be sent to the Architectural Committee by either email or the USPS. In either case a drawing as to the location on the lot is required.

Location/Placement: Must be placed in the back yard behind the sidewall. Placement in front of any sidewall is prohibited. Preferable placement is at the back of the lot.

For CR3 Zones:

1. At closest point must be a minimum of seven feet from the house.
2. Must be a minimum of 50 feet from front lot line.
3. Must be a minimum of four feet from any side lot line. If desired to be closer, must be fire proofed.

For CR4 Zones:

1. At closest point must be a minimum of seven feet from the house.
2. From Property lines: In accordance with applicable Pima County building codes (Title 15). (Ord. 1988-151§ 1(part), 1988; Ord. 1985-82 (part), 1985.

Color: Must match residence color scheme

Size: For **CR3** and **CR4** zones: Ground coverage cannot exceed 5% of the lot area. Maximum height is 12 feet. Additionally, the size is not to be obtrusive to surrounding lots or change general architectural standards of the community.

Construction: Must be secured to prevent tipping over or blowing over in high winds, etc.

Materials: Case by case basis; preferred materials are wood frame with stucco to match residence.

Design: Roof must be gabled and have enclosed eaves. Other factors will be determined on a case-by-case basis. The roof should match architectural standards of the community. No corrugated metal or corrugated roofs.

Visibility: If easily visible from passers by or other residences, each standard above will be given an even higher level of scrutiny.

Neighbors: Comments and concerns from neighbors will be considered but will not be a ruling factor. Comments from neighbors should be attached to the request forwarded to the Architectural Committee.

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RULE 6

Storage of Trash Containers and Recycle Bins

Under the authority of CC&R Section 2.04 (Trash Containers) and Section 2.10 (Unsightly Articles), the following policies for the use and storage of trash containers are promulgated:

1. No garbage, trash or recycled material shall be placed or kept on any property within the Subdivision, except in covered containers. It is the responsibility of the owner to pick up any of these materials that have been spread about due to the improper covering of containers.
2. Trash containers and recycle bins shall be stored within an enclosed structure, (normally this would be behind the common walls unless a specific area to contain and hide the containers has been constructed), or appropriately screened from view of adjoining property or from the street or public way except when necessary to make available for collection and then, only the shortest time reasonably necessary to effect such collection.
3. All rubbish, trash or garbage shall be removed from the lot on a regular basis (at least once a week) and shall not be allowed to accumulate thereon.
4. No incineration shall be allowed

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RULE 7

Maintenance of Landscaping

Under the authority of CC&R Section 5.04 (Maintenance Repair and Upkeep) and Section 2.10 (Unsightly Articles), the following policies for the maintenance of landscaping are promulgated:

1. Trees and bushes shall be kept trimmed back from sidewalks and streets so that a person would not have to dodge the plant to prevent contact with that plant while walking along the sidewalk or street.
2. Grass trimmings, shrub or tree clippings and wood piles shall be kept within an enclosed structure or appropriately screened from view of adjoining property or from the street or public way except when necessary to make available for collection and then, only the shortest time reasonably necessary to effect such collection.
3. To the extent possible, weeds shall not be allowed to grow on a lot. This takes into consideration the monsoon season and rainy periods of weather. At the discretion of the owner, pre-emergent sprays should be used as much as possible to prevent rampant growth during these particular times along with the use of weed sprays after growth has occurred. The determination of what constitutes excess weeds is a subjective decision, made at the sole discretion of the Board of Directors through the CC&R Committees.
4. If sprays are used to kill weed growth, the weeds should still be removed as dead weeds are just as unsightly as live ones
5. The CC&R Committee shall have sole discretion in determining if any lack of activity by an owner is in violation of this rule.

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RULE 8

Placement of Back Yard Items

Under the authority of CC&R Section 2.10 (Unsignificantly Articles), the following policies for the placement of back yard items, including but not limited to, playground equipment, permanent BBQ equipment, fireplaces, etc are promulgated:

1. Installation or building of items or structures in the back yard of a lot requires prior written approval of the Architectural Committee if the item being installed or built exceeds the height of any of the walls surrounding the lot.
2. The installation or building of any such item must meet all state, county and town zoning and fire codes.
3. The Board of Directors, through the Architectural Committee, shall have sole discretion in the approval of any request made under this rule.
4. Requests should be sent to the Architectural Committee either by email at the HOA email address or by the USPS. In either case, requests should include an accurate drawing to reflect size, color, description, material to be used, position on the lot and distances from walls and structures already present.

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RULE 9

Painting of Dwellings and Roof Replacement

Under the authority of CC&R Section 3.05 (Architectural Control), the following policies for lot owners who wish to paint the exterior of their dwelling are promulgated:

1. Prior approval from the Architectural Committee must be received before painting a dwelling a color different than the color already on the dwelling.
2. Only the below listed colors are allowed in the Colonias La Canada HOA. All colors are Dunn Edwards paint colors.
 - Blushing
 - Stonish Beige
 - Oyster
 - Adobe South
 - Beige Pebble
 - Mocha Taffy
 - Grey Pearl w/ Village Blue trim (Phase one lots only)

If a lot owner has a color other than these listed above entered into their building/purchase contract, a copy of that contract showing the color scheme should be provided to the Board of Directors. This will be placed in the lot owners file to protect the home owner from future actions that might be considered by a Board of Directors of a different composition.

3. When selecting a new color from the list above, it is not necessary that the chosen color be the original color applied by the developer or a previous owner. Care should be taken to ensure that the chosen color is not the same color as other dwellings in close proximity.
4. In the event of a replacement of roof tiles, the color of the existing tiles will be used as the replacement color.
5. In the event of a replacement of roof asphalt shingles, the approximate color of the existing shingles will be used as the replacement color.
6. Requests may be sent to the Architectural Committee using the HOA email address or the USPS, before any paint is purchased.
7. The Board of Directors, through the Architectural Committee, retains the sole responsibility for approval or disapproval of a request under this rule.

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Rule 10

Animals

In accordance with Section 2.03 of the Covenants, Conditions, and Restrictions (CCRs) for Colonias La Canada Homeowners Association, the following provisions for the keeping of animals in this subdivision have been established:

Maximum Number Permitted: The maximum number of small animals permitted in any one household in this subdivision is three (3). Small animals for the purpose of this rule are considered to be cats and dogs. Other animals will be considered on a case-by-case basis.

Control of Animals: All animals maintained must be controlled at all times. No animals shall be allowed to run free in the subdivision. Specific attention shall be given to the fact that animals will not be allowed to invade the property of neighbors.

Animal Waste Matter: All animal owners are responsible to insure that waste matter from the animals is picked up and disposed of properly. Repositories for the waste matter are provided in both parks. Animals shall not be allowed to defecate in the parks as children could be exposed to the waste matter.

Health Hazards: In situations where neighbors or other persons are adversely affected by the presence of small animals, due to allergies or other potential harm to their person, the animals will be confined so as not to contribute to the health hazard.

Miscellaneous: Homeowners are expected to maintain small animals properly, insuring that they are properly fed and housed, provided with immunizations, and kept clean. Small animals shall not be allowed to be a nuisance to others due to incessant barking.

This rule approved and adopted by the Associations Board of Directors on March 1, 2008.
Non compliance with this rule may result in fines and or penalties until compliance has been determined.