

# HOLLIDAY FARMS RULES AND REGULATIONS

## Introduction:

The following Rules and Regulations have been adopted by the Homeowner's Board of Directors in compliance with the Association's Bylaws and Covenants, Conditions, and Restrictions (CC&R's), for the purpose of protecting your property, its value, and making our neighborhood a better place to live. This guide is intended to provide a quick reference to homeowner's obligations as described in the CC&R's. All homeowners and tenants of Holliday Farms will be provided a copy of this guide, and we urge ALL residents to read it thoroughly so there is no question as to your rights, duties, and obligations.

If you do not have a copy of the CC&R's, please contact the Association's Management Company.

## Fining Policy:

As provided in the CC&R's of Holliday Farms Homeowner's Association, it is the duty and responsibility of the Board of Directors to maintain the safety, welfare, and aesthetic quality of the community .

The following policy shall be the official Violation Fine Policy of the Board with respect to our governing documents.

The **First Notice** shall be a violation letter with no fine imposed and shall give the owner 14 days to bring his/her property into compliance. The notice shall include:

1. The nature and date of the violation.
2. Notice that a monetary fine of \$50.00 **may** be levied to his/her account for failure to bring the owners property into compliance within the 14 days of the date of the notice. All corrections are subject to Board approval.

The **Second Notice & Hearing** shall be a violation letter sent regular mail and shall include:

1. The nature and date of the second occurrence of the same or similar violation within a consecutive 6 month period.
2. Notice that a monetary fine of **\$50.00** has been levied against the account of the owner.
3. Failure to bring the owner's property into compliance within 14 days of the date of notice will result in an additional monetary fine of \$100.00 to accumulate against the owners account. Each successive violation of the same rule will result in a fine of \$100.00, to accumulate on the owners account.
4. The owner will be provided with an opportunity to be heard with respect to the violation and/or the monetary fine.
5. All corrections are subject to Board approval.

The **Third Notice** shall be a violation letter sent regular mail and shall include:

1. The nature and date of the third occurrence of the same or similar violation within a consecutive six month period.
2. Notice that a monetary fine of **\$100.00** has been levied and will accumulate on the owners account.
3. Notice that unless the owner brings his/her property into compliance within 14 days of the date of notice the Board can forward the matter to the Association legal counsel. Each successive violation of the same rule will result in a fine of \$100.00 or an amount determined by the Board, accumulating on the owners account. Fines may be levied against the owners account with no further notification.
4. The owner will be provided with an opportunity to be heard with respect to the violation and/or the monetary fine, in writing to be forwarded to the Board or at the Board meeting.
5. Notice that all attorney fees, fines, and collection costs will be accumulated on the owners account.
6. All corrections are subject to Board approval.
7. If homeowner fails to comply, the fines will be levied bi-weekly at a rate of \$100 each, per violation and once the homeowners account reaches a \$500 total, the account shall be sent to the Associations legal council for collection.

The **Appeal Process** shall be as follows:

1. The owner may appeal the fine/violation either in person at a meeting or in writing to the Board of Directors within 14 days following the date of any notice. If you would like your appeal to be heard in person, please contact the Management Company to request to be placed on the agenda for the meeting.
2. The appeal shall be mailed to the Management Company.
3. The appeal shall demonstrate extenuating circumstances, which require deviation from the CC&R's and/or Guidelines.
4. The appeal shall include all pertinent backup information to support the existence of the extenuating circumstances.
5. All decisions of the Association, and its Board of Directors, are final and may not be further appealed. The Association, and its Board of Directors, reserves the right to turn over at any time an issue of violation or non-compliance to legal counsel for enforcement action.

### **Lease Notification**

Any homeowner who leases his/her unit must provide the Association with: (a) the name(s) of tenant(s), (b) home and work phone numbers of owner(s) and tenant(s), (c) tenant(s) signature(s) stating that he/she received a copy of the CC&R's and Rules and Regulations for the community. This information should be sent to the Association's Management Company.

This information is not to invade the privacy of the owner, but to aid the Association in protecting the property and safety of owners and tenants. Information is **not** shared with the general public.

## GENERAL RULES

1. All owners, renters and guests must abide by the Holliday Homeowner's Association CC&R's, Bylaws, and Rules and Regulations. Homeowners are responsible for the actions of renters and guests.

2. If a homeowner causes damage to the common elements (including landscaping, graffiti), another homeowner's unit, the offending homeowner is required to pay for all damages. In addition, if a renter or guest of said homeowner should cause any damage, the homeowner is responsible.

3. All pets are to be on a leash when not on the homeowners property. In addition, it is the pet owner's responsibility to immediately clean up after his/her pet's solid waste and to keep his/her pet from making any unreasonable amount of noise or becoming a nuisance.

4. All homeowners and residents are required to park their vehicles in their garages or driveways. Parking on the streets or sidewalks is not allowed. Due to the width of our streets and the number of children playing in the area, please keep your speed at or below 25 mph. No vehicle shall be left in an unrepaired state outside the owner's garage for more than 48 hours. All vehicles parked in public view must be in good operating condition and have current registration.

No non-motorized vehicle, trailer, recreational vehicle, machinery or equipment of any kind may be parked or stored on any part of any lot, easement, or right of way, unless concealed inside a garage or other approved enclosure. No recreational vehicle may remain parked in the resident's driveway or easement longer than 24 hours to load and 24 hours to unload

5. Trash/Recycle cans are to be stored out of public view. Cans may be placed on the street at the curb no earlier than **5:00pm** the night before pickup. They are to be **removed** from the curb by **8:00pm** on collection days. Trash, garbage, and waste materials may not be stored on any lot in any manner as to be visible to neighboring properties.

**Bulk trash pickup is not to be placed on the corner of your property before the weekend nor left out for longer than 3 days immediately preceding the pick up. Bulk trash pick up is scheduled for the THIRD MONDAY OF THE MONTH.**

6. All owners and occupants of all lots shall maintain the lot in neat and trimmed order. Dead branches or plants/trees should be removed. Landscape waste must be properly disposed of and not stored in the front of the house. The addition of wildflowers to the landscape of the front yard is subject to Architectural Committee approval and should be submitted for as such. Wildflowers **may** be considered so long as they are committee approved and maintained in a small contained area. Wildflowers **shall not** be left to intrude into neighboring properties

### 7. Draining Your Pool- Town of Gilbert Guidelines

**Do I need a permit to drain my Pool?** The Town of Gilbert does not have a permitting process for swimming pool discharge. However, you still need to inform the Town of Gilbert of your intent to drain your pool.

**For more information, please call 480-503-6400 (Monday through Thursday 8am to 6pm.)** and a customer service representative will be happy to assist you. You will be asked to provide the following information:

Your name, home address and an accurate daytime phone contact your utility account number, approximate gallons of water your pool holds and the date you plan to refill your pool.

**The Town of Gilbert currently offers residents three options for discharging water from a swimming pool.**

If possible, always drain all or a portion of your swimming pool water, including backwash, on your own personal property first. Please do not let your pool water overflow off of your own property. If only a portion of your pool water can be drained onto your property, then option #2 or #3 can be used for the remainder.

Your next option is to drain the water into the curb and gutter allowing the drainage to flow into your community storm water retention basin with the following conditions:

- Always make sure that the chemical level of your pool water is as low as possible.  
This method should only be practiced if your street does not generally have flooding problems.
- Make sure your discharge hose is long enough to reach the curb as to prevent erosion of the soil.
- Please do not disturb or flood your neighbors when practicing this method.  
Your last option is to drain the pool water into your sewer clean-out located in front of your home if the following applies:
  - You cannot drain all of the pool water onto your personal property
  - Your subdivision streets do not have a curb and gutter
  - Your street typically experiences flooding problems
  - You live in a lake community where the storm water drains into the lake
  - You have a salt water pool
  - You are only backwashing\*
  - You have a polluted stagnant green pool\*
  - You are discharging water after chlorine shocking or acid washing your pool

**Option #3 is considered a last option** because it does not make good economic sense to drain perfectly clean water into the sewer system and through the wastewater reclamation facility.

As a reminder, if you are draining into your sewer clean out during the months of January through March, you need to call 480-503-6400 to notify the Town of Gilbert otherwise, this one-time unusually large discharge may be incorporated as part of your average discharge monthly rate for the rest of the year.

\* Any discharge that would leave a residue in the gutter, such as backwash water, is prohibited by Gilbert's storm water pollution prevention ordinance.

## 8. Fireworks Use and Safety Ordinance

### **FIREWORKS ARE NOT ALLOWED TO BE USED IN THE HOLLIDAY FARMS COMMUNITY PARKS.**

Those wishing to use fireworks, please be considerate of your neighbors. We all like to celebrate the holidays, but let's do it in a safe way. Your cooperation is essential to keep our neighborhood a pleasant place to live.

Use of "Consumer Fireworks" is prohibited within the Town of Gilbert except on the following specific Holiday days:

DECEMBER 31, JANUARY 1, JULY 3, JULY 4 and JULY 5

During this period the **use is limited to private property with the owner's permission and prohibits use on all public property including all public parks and public right of way.** Consumer Fireworks are Approved for Sale only to Persons 16 years of age and over in Arizona.

It is **important to note that the law does not allow any fireworks that rise into the air and explode or detonate**, which are still prohibited for safety reasons. **Fireworks allowed under the new ordinance include ground and hand-held sparkling devices or sparklers, ground spinners, flitter sparklers, wheels and illuminating torches.** Users are responsible for ensuring safety during use of the fireworks.