

# *MASTER RULES AND POLICIES*

## *THE SUMMIT AT PONDEROSA TRAILS HOMEOWNERS ASSOCIATION*

*AS ADOPTED BY THE BOARD OF DIRECTORS WITH RESOLUTION 2013-01 ON APRIL 1, 2013*

*Revision #1 - 01.14.15*

*Revision #2 – 11.25.15 – Policy #3*

*Revision #3- 02.02.17- Policy #3*

## *Rule 1*

### The Summit at Ponderosa Trails Rules and Regulations

Adopted 4-1-13 Based on the CC&Rs and By-laws of the Association  
Revised 01.14.15

- 1) Garbage Cans and Recycle Cans are to be properly stored away, not visible from street and pedestrian view, and put away after pick-up on that same day. (Sec. 4.5/CC&Rs)
- 2) Buses, commercial trucks, boats, recreational vehicles, travel trailers, tent trailers, camper shell, boat trailer, snow mobile, or any other trailer may not be kept or stored within visibility from street and pedestrian view on any Lot without written approval of the architectural committee. Any of the listed items may be immobile or parked visible from street and pedestrian view for no more than 48 hours.
- 3) Advertising signs (excluding "Garage Sale" signs that have been placed the day of), billboards or other unsightly objects shall not be erected, placed or permitted to remain on any Lot except for one residence "For Sale/Lease" sign sized not to exceed twenty-four (24) inches by thirty-six (36) inches (Sec. 4.10/CC&Rs).
- 4) Vehicles shall not be fully or partially parked on landscaping, sidewalks, city curbs or parkways.
- 5) Vehicles shall not be parked within public view on car jacks, car ramps or any similar devices.
- 6) Residents and guests may not go onto common areas with vehicles of any kind at any time.
- 7) Each property may fly no more than two flags at one time.
- 8) Yard equipment, wood piles or storage areas are not to be maintained so as to be Visible from Neighboring Property or streets.
- 9) All dogs, cats or other pets permitted under Section 4.8 shall be confined to an Owner's lot, except that a dog may be permitted to leave an Owner's Lot if such dog is at all times kept on a leash and physically controlled by an owner not to exceed six feet (6') in length and is not permitted to enter upon any other Lot. All cats are not allowed to roam freely. (Sec. 4.8/CC&Rs and City of Flagstaff Ordinance).
- 10) Per City of Flagstaff ordinance all Lot owners are required to maintain their sidewalks. Sidewalks must be kept clean, weed free, and clear of snow, cinders and rocks. Snow removal from sidewalks should be in accordance with City of Flagstaff ordinance 8-03-001-0004.

The above Rules and Regulations are intended to benefit the common good and as result maintain property values and encourage neighborly cooperation. Please make these Rules and Regulations available to your guests, invitees and tenants. All infractions of the Rules and Regulations and the CC&Rs will be addressed to the Lot Owner and any fines levied will be against the Lot Owner of record rather than the tenant or occupant, as prescribed in the CC&Rs of the Association and Arizona Revised Statute. Please refer to the Violation Fine Schedule.

Your Board of Directors and the Architectural Committee wish to thank you for your neighborly cooperation. Please call if you have any questions 928-773-0690.

Sincerely,

Board of Directors/Architectural Review Committee  
The Summit at Ponderosa Trails HOA

## *Policy 2*

### **The Summit at Ponderosa Trails Architectural Review Guidelines**

Adopted 4-1-13 Based on the CC&Rs and By-laws of the Association  
Revised 01.14.15

- 1) All landscaping plans, fences, exterior lighting, walls, storage sheds, driveway modifications, paint color changes, security and screen doors, additions or *any* alterations to your home exterior or Lot must be submitted in writing to the Property Manager's Office for architectural review.
- 2) No Ponderosa Pine trees located upon any Lot may be removed without the PRIOR WRITTEN APPROVAL OF THE ARCHITECTURAL COMMITTEE AND THE CITY. (Sec. 4.26/CC&Rs).
- 3) No fence shall be constructed on any Lot unless its style and design is APPROVED IN WRITING BY THE ARCHITECTURAL COMMITTEE. (Sec. 8.6/CC&Rs). Fencing is subject to City regulations and shall not exceed 6 feet in height. Maintenance of shared fencing is the responsibility of those lot owners sharing that fence. Approved fencing shall be installed as follows:
  - a) Wood fences must have the finished side facing out, with metal posts covered.
  - b) No metal wire or chain link fences will be permitted.
  - c) Wrought iron fences must be approved on a case-by-case basis. All fences must be in architectural coordination with the landscaping of the house..
  - d) Any new fences adjoining existing fences (including neighboring fences) much match the existing fence in height.
  - e) All fences must be properly maintained and cared for. Wood can remain natural or stained with stain approved by the Architectural Committee. Written approval is only needed for a stain color new to property.
  - f) The Board of Directors, the Architectural Committee and the Property Managers do not warrant the location of property boundaries or mediate property boundary disputes. The WRITTEN APPROVAL of a fence plan by the Architectural Committee or the Board of Directors does not imply verification of a Lot's property boundaries. The WRITTEN APPROVAL furthermore, does not relieve that Lot Owners responsibility to verify property boundaries. The Board of Directors and the Architectural Committee strongly advise and recommend that the homeowner locate the lot corners by physical inspection or survey.
- 4) All front yard landscaping and all landscaping upon those portions of any Lot which are visible from any other Lot or Common Area shall be installed by the Owner of the Lot in accordance with the landscaping plan which has been submitted to and duly APPROVED IN WRITING BY THE ARCHITECTURAL COMMITTEE. (Sec. 8.7/CC&Rs)
  - a) The landscaping plan may be submitted with the new construction plans for review, or no later than 30 days of the issuance of the Certificate of Occupancy.
  - b) All landscaping must be completed, pursuant to the approved plan, within 90 days following the final inspection of Residence and issuance of a Certificate of Occupancy, weather and seasonal conditions permitting.

- c) Front yard landscaping should consist of a minimum of two trees (which can include trees that previously existed on lot prior to home being built, newly planted trees must be a minimum of 15 gallon trees) and a minimum of four shrubs or plants (minimum 3 gallon shrubs).
  - d) No tree, shrub, or planting of any kind on any Lot shall be allowed to overhang or otherwise to encroach upon any sidewalk, street or pedestrian way (Sec. 4.7/CC&Rs).
  - e) ALL LOTS shall be maintained in a weed free and attractive manner. (Sec. 8.2/CC&Rs)
  - f) All grass, hedges, shrubs, vines and plants of any type should be maintained in a neat and attractive manner. (Sec. 8.2/CC&Rs)
- 5) All change to entry doors and additions of or changes to screen doors and security doors must receive prior approval by the ARCHITECTURAL COMMITTEE prior to the alteration taking place.
- a) Entry doors must be a craftsman style door and may only be stained. All new installations must be approved by the ARCHITECTURAL COMMITTEE. The stain shade must be a color on file with the Association (or approved by the ARCHITECTURAL COMMITTEE).
  - b) Screen and security doors must be craftsman style and be approved by the ARCHITECTURAL COMMITTEE. The color must match a color on file with the Association (or approved by the ARCHITECTURAL COMMITTEE). The finish of screen doors and security doors may not be shiny or reflective in nature.
  - c) The ARCHITECTURAL COMMITTEE has the sole discretion to determine what is considered "craftsman style" and if a proposed style, color or finish fits the theme of the community.
- 6) It is recommended by the ARC that sheds shall not exceed ten (10) feet in height, from the natural existing, undisturbed ground level. Proposed storage sheds, must be submitted for WRITTEN APPROVAL. .
- 7) Houses under construction must follow the City of Flagstaff Regulations for portable toilets and construction refuse containers. Lots must be kept reasonably clean and sidewalks kept passable. (Sec. 4.3/CC&Rs)
- 8) The color of exterior materials, including, but not limited to, house, deck, and fencing, must be APPROVED IN WRITING BY THE ARCHITECTURAL COMMITTEE. Written approval is only needed for a color new to property.
- 9) Specific variations of these Rules and Regulations may be approved by the ARC on a case by case basis.

The above ARC Guidelines are intended to benefit the common good and as result maintain property values and encourage neighborly cooperation. All infractions of the ARC Guidelines and the CC&Rs will be addressed to the Lot Owner and any fines levied will be against the Lot Owner of record rather than the tenant or occupant, as prescribed in the CC&Rs of the Association and Arizona Revised Statute. Please refer to the association's Violation Fine Schedule for more details.

Your Board of Directors and the Architectural Review Committee wish to thank you for your neighborly cooperation. Please call if you have any questions 928-773-0690.

Sincerely,

Board of Directors/Architectural Review Committee  
The Summit at Ponderosa Trails HOA

*Policy 3*

THE SUMMIT AT PONDEROSA TRAILS  
VIOLATION FINE SCHEDULE  
ADOPTED 4-1-13 BY THE BOARD OF DIRECTORS  
Revised 2-2-17

1. The first notice will be a *COURTESY NOTICE* sent to the lot owner via regular mail. The *COURTESY NOTICE* shall include the description of the alleged violation and the action required to abate the violation. If the violation is a continuing violation, the *COURTESY NOTICE* shall inform the lot owner that he or she has fourteen(14) days from the date of the *COURTESY NOTICE* to correct the violation or, in the case of a violation that is not a continuing one, the *COURTESY NOTICE* shall contain a statement that any further violation of the same rule will result in sanctions.
2. As to continuing violations, the notices shall be as follows:
  - A. The second notice shall be the *FIRST WARNING* sent via regular mail to the lot owner. The *FIRST WARNING* shall contain the same information as the prior notice except that the lot owner shall have ten (10) days from the date of the *FIRST WARNING* to correct the ongoing violation.
  - B. The third notice sent shall be the *SECOND WARNING* sent via certified mail and first class mail to the lot owner. The *SECOND WARNING* shall contain the same information as the prior notices except that the lot owner shall have an additional ten (10) days from the date of the *SECOND WARNING* to correct the violation. The *SECOND WARNING* will inform the lot owner that a \$(25) per day fine will be assessed commencing the date of the expiration of the ten (10) day notice period in the event the violation is not cured within such period. It shall also notify the lot owner that each day a continuing violation continues after the date of the *SECOND WARNING* constitutes a separate violation and of the lot owner's right to a hearing pursuant to A.R.S. 33-1803.
3. As to violations that are not continuing violations, no additional warning notices shall be sent regarding the violations by the lot owner of the same rule within the same calendar quarter. Upon the subsequent violation by the lot owner of the same rule within the same calendar quarter, the Board shall send the lot owner a *FINE LETTER* which shall include the description of the alleged violation and notify the lot owner that a fine of \$25 has been assessed by the Board for such violation. In the event such lot owner subsequently violates the same rule during the same calendar quarter, additional notices shall be sent with successive fines for violation of the same rule increasing as follows: \$50 (second violation). Each *FINE LETTER* shall notify the lot owner of his or her right to a hearing pursuant to A.R.S. 33-1803.
4. In the event that the violation is not corrected promptly or there is another violation of the same rule by the same lot owner, such violation may result in legal action being taken by the Association. All related attorneys' fees and other enforcement costs will be assessed to the lot owner.

5. Notwithstanding the above, the following fines will be levied for the violations detailed below:

A. Architectural Violations

1. The violation fine for commencing any new construction on a vacant lot without prior review and written authorization from either the Board of Directors or the Architectural Review Committee shall be \$500.

2. The violation fine for exterior improvements to a house commenced and/or complete without the prior review and written authorization shall be no less than \$150 and no greater than \$500. This includes fencing, landscaping, sheds, driveway extensions, and any other improvement deemed appropriate by the Architectural Review Committee.

3. The violation fine for new construction work not completed in a timely manner (one "1" year) shall be \$150 per month.

B. Unauthorized Leasing Violations

1. If a violation exists in the form of an unapproved or unauthorized lease (Section 4.17 of the HOA CC&R's), following written notice and an opportunity to be heard, a \$1,000 fine will be levied by the Association. The initial fine will be doubled for every violation thereafter, until the violation is resolved.

\*\*\*THE FACT THAT A FINE OR FINES HAVE BEEN ASSESSED (AND COLLECTED) DOES NOT RELIEVE THE LOT OWNER OF THE RESPONSIBILITY TO CEASE THE VIOLATION, CORRECT THE VIOLATION, IMPROVE THE VIOLATION AND/OR REMOVE THE VIOLATION AS THE BOARD OF DIRECTORS REQUIRES AND INSTRUCTS.\*\*\*

The Board of Directors reserves the right in its sole discretion to forgo any intermediate steps listed above and seek immediate legal action or adjudication as the Board deems necessary should the violation be repeated or the nature of the violation or emergency circumstances dictate so. The Board of Directors reserves the right to amend this Fine Schedule at any time and from time to time in its sole discretion. The Board may also at any time enforce any and all other remedies available to it under the governing documents of the Association and/or applicable law.

THANK YOU FOR YOUR COOPERATION!

The Summit at Ponderosa Trails HOA Board of Directors  
Sterling Real Estate Management