

# **Countryside Villas Homeowner's Association Community Rules & Regulations**

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It is the purpose of the Association to maintain a pleasant, comfortable and economically well-managed community. The Association believes that these rules will aid this purpose. The Board welcomes the cooperation of all the owners and residents in the enforcement of these rules and regulations and the CC&R's. Many times a simple and polite inquiry will resolve a violation problem. The Board will review them from time to time and make appropriate changes in accordance with this Association's experiences.

**These Rule & Regulations are in addition to the Declarations, Covenants & Conditions (CC&R's).**

## **1. MAINTENANCE AND PROPERTY UPKEEP:**

- A. Each of us, as homeowners, needs to be aware of the responsibility regarding the upkeep and maintenance of our property. We must maintain and repair it in a way that meets or exceeds community standards.
- B. The DCC&R Committee does periodic inspections of the homes and will notify an owner of needed upkeep or maintenance. Failure to maintain your unit can result in fines being assessed against the lot owner.
- C. Any changes or alterations to the exterior of your home requires that plans and a written request be submitted to the DCC&R Committee for consideration and/or approval. No work may begin until approval is received from the Board of Directors.
- D. Trash cans may be put out the night before pick up and **MUST** be brought in from the street and/or apron after pick up on the designated pick up day. Trash cans may not be left out for more than 36 hours.

## **2. NOISE:**

- A. All owners or tenants shall conduct themselves in such a manner as to not interfere with the privacy or enjoyment of any other owner or tenant. This shall include keeping noise levels emitted from his/her residence or on the common areas, at such a level so as not to disturb adjacent owners or tenants.
- B. Please show consideration in the use of musical instruments, radios, stereos and TV's, etc. at all times but especially between the hours of 10:00 p.m. and 10:00 a.m.

### **3. VEHICLES and PARKING:**

**Each lot owner may only park two (2) vehicles on the property/subdivision on a permanent basis. The two vehicles must be parked in your garage unless a special situation arises and a special temporary permit is issued by the DCC&R Committee/Board. If more than two spaces are needed on a temporary basis, you may request it from the DCC&R Committee or the Board.**

**Violation of any of the Vehicle and Parking Rules can and will result in your vehicle being towed away at the owners' expense and/or a Fine being assessed against the lot owner.**

**A. Speed Limit is 10 mph. Violators will be fined.**

**B. Park only in designated areas.**

C. Parking is not permitted in the street, on driveway aprons, in turnarounds or along curbs. The streets are narrow and must be accessible to emergency service vehicles.

D. Parking in open common area parking lots is on a temporary basis. The use of these areas for more than three (3) consecutive days and/or nights requires approval from the Board of Directors or the DCC&R Committee and the issuance of a permit. The permit must be displayed on the vehicles front dashboard.

E. Special Parking permits for common area parking are issued for a period not to exceed 30 days and may be renewed for additional periods of thirty (30) days but never for longer than 90 days.

**F. Vehicles parked in common areas must be parked front end in. No back-in parking is permitted.**

G. Vehicles parked in common areas may not display any type of signs such as but not limited to "For Sale," Advertising or business signs, etc.

H. All vehicles parked on common property must be properly registered. This means that the tags must be current.

I. All vehicles parked on the property must be in working order. Vehicles in states of repair may only be stored inside your garage.

J. Boats, trailers, campers or recreational vehicles are not permitted to park on the property.

K. Vehicle repairs, minor or major, are strictly prohibited in common area parking lots. Repairs may only be done inside your garage.

- L. If your vehicle leaks any type of fluid on the common area parking surfaces or roadways you are expected to clean it up immediately. These fluids damage the pavement and can be costly to repair. Vehicle owners will be held responsible for the cost of any repairs to the pavement that is caused by leaking fluids.
- M. Violators of any of the above Parking Rules are subject to their vehicle being towed away at the vehicle owner's expense.

#### 4. **PETS:**

- A. No more than two domestic pets per household may be kept without prior written approval of the Board of Directors.
- B. All pets must be on a leash when outside the unit. Pets are not allowed to roam the common areas or anywhere on the property. This includes but is not limited to dogs and cats.
- C. Excessive pet noise will not be tolerated. No animals will be allowed to become a nuisance.
- D. **Pet owners are expected to pick up pet waste after their pets.** Whether by using a pooper-scooper, newspaper or whatever, the task must be done. Pet waste must be disposed of properly.

#### 5. **CHILDREN:**

- A. It is important that children be supervised so that they will remain safe and unharmed. This supervision is the responsibility of the parents or the person who is caring for them. Children of working parents should be watched by someone designed by the parents and must be provided with a means of access to their homes.
- B. Children must be supervised so that they do not disturb others.

#### 6. **DESTRUCTION OR MISUSE OF PROPERTY:**

- A. Neither residents, owners, their families nor guests shall mark, damage, destroy or deface any part of the common property. Owners shall be held **Financially Responsible** for any damage and will be billed by the Board of Directors for the repair of any damages.
- B. No owner or resident is allowed to landscape or alter the existing landscape in any of the common areas without prior written approval of the Board of Directors.

**7. SOLICITATION:**

A. There shall be no soliciting of any kind permitted.

**8. SIGNS:**

A. No signs of any kind may be posted on the premises.

B. For Sale or For Rent signs are permitted. One such sign is permitted on the unit entry gate. The sign may be no bigger than three foot square.

**9. SELLING or LEASING YOUR UNIT:**

A. The unit owner is responsible to provide renters/occupants with a copy of the CC&R's and the Rules & Regularities.

B. The unit owner is responsible to notify the Property Manager of the names and phone number for any occupant of their unit.

C. No unit shall be leased/rented for a period of less than 30 days.

**10. GARAGE SALES:**

A. Private garage sales are not permitted.

B. Garage sales may be held as a coordinated yearly event for all residents, if approved by the Board.

**11. ASSOCIATION FEES:**

A. Association dues are \$45 per month and are due and payable on the 1<sup>st</sup> of each month. Check/Money Order are made payable to Countryside Villas.

B. A late fee of \$5 will be assessed on any unpaid balance if not received in the management office by the close of business on the 15<sup>th</sup> of the month. Unpaid balances can also accrue interest charges.

C. In accordance with the CC&R's, failure to pay assessments will result in collection action being taken against the unit owner. This collection process will result in additional fees and costs for which the unit owner is responsible.

D. The Board of Directors has adopted the following Collection Policy for delinquent accounts:

1. Three consecutive delinquent letters will be sent on or about the 16<sup>th</sup> of each month.
  2. After the third letter, and when the delinquent balance is over \$120, the account will be referred to the Association's attorney for collection. A lien will be placed on the unit. Additional collection actions can include filing of a personal judgment against the unit owner, wage garnishment and any other legal remedies available to the Association.
  3. If the unpaid balance reaches \$250, and after proper notification is sent to the Owner, Foreclosure proceedings will commence.
- E. Prior to the initial legal action (step 2) being taken by the Board of Directors, an Owner who is delinquent may appear before the Board to explain special circumstances and a payment arrangement can be made at the discretion of the Board.

## **12. ENFORCEMENT ASSOCIATION FEES:**

It is the hope of the Board of Directors that a warning letter will be sufficient to have a violation of the CC&R's or Rules and Regulations corrected but this is not always the case. Therefore the Board of Directors has adopted the following enforcement policy.

1. Violators will be sent a warning letter, notifying them of the alleged violation and giving them a minimum of 5 days to correct the problem.
2. Subsequent violations of a similar nature can result in a Fine being assessed against the unit owner.
3. The Fines for violation of these Rule & Regulations (Section 2.02) is \$50.00.
4. The Fines for violation of the CC&R's are:
 

First Violation	\$50.00 maximum
Second Violation	\$50.00
Third Violation	\$50.00 maximum
5. Prior to a fine being assessed, the Unit Owner will be notified by Certified Mail that a Fine Hearing will be held. The Unit Owner has the right and is encouraged to attend the Hearing. The Fine Hearing will be held in Executive Session of the Board of Directors. The Unit Owner/Offender will be given the opportunity to be heard prior to the Board rendering a decision. The Board of Directors will render their decision within 5 days of the Hearing and that decision will be mailed to the Owner by Certified Mail within 5 days of the Hearing.

Countryside Villas Homeowner's Association

SAFETY NOTICE & WARNING

The use of skateboards, roller blades, roller skates, bicycles, scooters and etc. can be dangerous. These activities are dangerous and extreme caution and the utmost care should be used when engaging in these activities. These activities are undertaken at the individual/participants own risk

Use of these items anywhere on the property, should be with parental consent and supervision. These activities are extremely dangerous because of cars, trucks, etc. driving throughout our property.

It is strongly recommended that any child and/or adult using a skateboard, roller blades, roller skates or scooters, etc. on the property at Countryside Villas should wear protective gear.

**Countryside Villas Homeowner's Association  
Board of Directors**

Pursuant to Article VII, Section 1.A. of the Bylaws of COUNTRYSIDE VILLAS HOMEOWNER'S ASSOCIATION, INC. dated December 6, 1984, these Rules and Regulations are hereby approved and adopted by a majority of the Board of Directors of the Association at the meeting held on March 19, 2001. These Rules & Regulations supercede any and all previously approved Rules and Regulations.

These Rules and Regulations shall take effect on May 1, 2001

Jane E. Fanning 3/28/01  
President Date

Sue Gae 3/28/01  
Vice-President Date

Julie P. Ogden 3/29/2001  
Secretary Date

Carol Page 3-28-01  
Treasurer Date

William A. Hartung 3-28-01  
Director Date

## **Countryside Villas**

### **AMENDMENTS AND RESOLUTIONS TO THE RULES & REGULATIONS (attached and made a part of the Rules & Regulations):**

1. Amendment 5-5-1996: **Towing**
2. Resolution 11-18-2002: **Flag Poles, American Flags**
3. Resolution 1-1-2004: **Late Fees, Delinquent Assessments**
4. Resolution 2-20-2006: **Proxies, Absentee Ballots, Board Nominations**
5. Amendment 2-20-2006: **Parking, Section 3, Item D**
6. Resolution 5-1-2006: **Commencement & Completion of Approved  
Architectural Modifications**
7. Resolution 4-16-07: **Board Meeting Protocol**
8. Resolution 11-16-2009: **Committee Designations, Definitions & Duties**

**COUNTRYSIDE VILLAS HOA  
AMENDMENT TO THE RULES AND REGULATIONS  
DATED 11 MAY 1994**

Effective 5 May, 1996

**TOWING:**

1. Anyone continuing to park in an unauthorized manner after a warning, or upon habitual violation of vehicle regulations, may be penalized monetarily and/or have their vehicle towed. A vehicle may be towed at any time that the Board of Directors or the Association manager reasonably believes that serious violation of the Rules and Regulations of the Association exists or if the Board of Directors or Association manager reasonably believes that the vehicle represents a safety risk. If a vehicle is towed to an impound lot (or is hooked to a tow truck or in the process of being removed), the Owner is responsible for all charges levied by the towing agent. Any fees associated with contacting a tow company, towing or storing a vehicle that are paid by the Association shall be deemed to be a "penalty" against the Owner of the vehicle or the Owner responsible for the vehicle because it belongs to a guest, invitee, family member, etc. Owners must pay such penalties not later than the due date of the monthly assessment next following notice of the amount of the penalty.
  
2. Upon not less than 7 days notice, all vehicles must be removed from specified areas for purposes of maintenance, resealing, and repair of streets and related areas. Failure to remove vehicles by the requested date and time will result in towing without further notice.

*Mary Cherba, Secretary*  
*Don Rauer, President*



## Countryside Shadows (aka Countryside Villas) Homeowner's Association

The following Resolution is adopted pursuant to Arizona Revised Statutes 33-1808 and Article VII, Section C of the Bylaws of the Countryside Shadows (Countryside Villas) Homeowner's Association. This Resolution pertains to displaying the American Flag.

The Association adopts the following guidelines regarding the display of American Flags:

12. No flagpoles may be erected on common area.
13. Flags may be flown from a bracket mounted on the front of the dwelling unit or garage.
14. Flagpoles and flags may be erected and flown inside the walls and gates of any lot provided they comply with the following guidelines:
  - a. All flagpoles must be constructed for that purpose and must be equipped with the standard halyard, ropes, pulleys, that are the norm for flagpoles. No pole which was not manufactured for the purpose of flying a flag may be used.
  - b. The flagpole may not exceed fifteen (15) feet in height. The height is measured from the ground to the top of the pole, including any decorative ornament at the top of the pole.
  - c. The flagpole must be placed inside the walled and gated area of the lot such that neither the pole nor the flag touches any wall or structure at any time.
  - d. The American Flag is the only flag or object that may be flown from the pole. The flag may not exceed three (3) feet by five (5) feet in size or dimensions.
15. Any American flag flown after dusk must be illuminated as required under the Federal Flag Code, Public Law 94-344.
16. All American Flags flown must be flown in compliance of the Federal Flag Code, Public Law 94-344.

This Resolution is adopted by a majority vote of the Board of directors of Countryside Shadows (aka Countryside Villas) Homeowner's Association by a majority of the Board of Directors of the Association present at the meeting held on November 18, 2002. This Resolution shall take effect immediately.

Dated: November 18, 2002

COUNTRYSIDE SHADOWS (COUNTRYSIDE VILLAS)  
HOMEOWNER'S ASSOCIATION, INC.

By: Gene Fanning (signature on file)

Its: President

Attest:

Elizabeth Shapiro, Secretary (signature on file)

*Countryside Villas Homeowner's Association, Inc.  
aka Countryside Shadows*

**RESOLUTION FOR LATE FEES TO BE CHARGED TO LOT OWNERS DELINQUENT  
IN THE PAYMENT OF ASSESSMENTS**

It is resolved by the Board of Directors of Countryside Villas Homeowners Association, that pursuant to the Declarations and The Planned Communities Act (A.R.S. § 33-1803), there shall be a late charge of \$ 10.00 per month on any outstanding balance not paid by the 15<sup>th</sup> day of any month. The term "paid" is defined as received in the office of the management company no later than the close of business on the 15<sup>th</sup> day of the month.

Any owner who has an unpaid balance after the 15<sup>th</sup> of any month will receive a letter requesting payment, which will include a copy of the lot ledger. A series of three Delinquent Notices will be sent to any lot owner with an unpaid balance. The third letter, a Demand Letter, containing a written demand for payment in full of all delinquent amounts owed to the Association shall be sent by certified mail, return receipt requested and via first class mail to the lot owners address of record. When an unpaid balance reaches \$120 and after a Final Demand letter has been sent, the lot account will be turned over the Associations attorney for collection. The collection procedure will commence with the placement of a lien on the lot and if the account remains unpaid all legal remedies available will be initiated to collect the debt. Any unpaid balance of more than \$250 may result in the Association commencing foreclosure proceedings against that lot.

The Board of Directors will not waive any late charges. Any late charge not paid when due shall be deemed to be a part of the assessment. All payments will be first applied to the oldest debts.

This Resolution is approved by a majority of the Board of Directors at a properly called meeting held on the 20<sup>th</sup> day of October, 2003.

This policy will become effective on January 1, 2004.

Countryside Villas Homeowners Association, Inc.

By: *Gene Fanning*  
President

Attest:

*W. T. Pratt*  
Secretary

# **Countryside Villas Homeowners' Association**

The following Resolution is adopted pursuant to the authority granted to the Board of Directors of the Countryside Villas Homeowners' Association to comply with newly adopted Arizona Statute A.R.S. §33-1812, "Proxies, Absentee Ballots".

## **Proxies, Absentee Ballots**

Proxies can no longer be used at any meeting of the members. Absentee ballots will replace proxies. Absentee ballots are defined and will be used as follows:

1. The absentee ballot will set forth each proposed action.
2. The absentee ballot will give the Member the opportunity to vote for or against each proposed action.
3. The absentee ballot is valid for only one specified election or meeting of the members and expires automatically after the completion of the election or meeting. If the meeting is adjourned because a quorum is not present, new absentee ballots will be sent to the Members with the notice of the adjourned meeting.
4. The absentee ballot must specify the time and date by which the ballot must be delivered to the board of directors in order to be counted.
5. The absentee ballot can not authorize another person to cast votes on behalf of the Member.
6. Votes cast by absentee ballot are valid for the purpose of establishing a quorum.
7. All absentee ballots must be received by mail to the address designated on the ballot or delivered to the President of the Board five days prior to the time set for the meeting for which the ballot has been provided.

## **Nominations for Election to the Board of Directors:**

Nominations will no longer be permitted to be made at the Annual Meeting of the Members. The procedures for nominations are:

1. The Board of Directors will send a letter inviting all members to run for election to the Board on or before March 15<sup>th</sup> of each year.
2. Any owner who desires to be a candidate for election to the Board must submit his/her name to the Board no later than 40 days prior to the Annual Meeting.
3. Each candidate must submit a written biography of no more than 100 words. The biography must be submitted no later than 40 days prior to the Annual Meeting.

This Resolution is approved and adopted by a unanimous vote of the Board of Directors of Countryside Villas Homeowners' Association. This Resolution becomes effective at the time of its adoption.

Dated: **February 20, 2006**

Countryside Villas Homeowners' Association, Inc.

By: Elizabeth Shapiro

Its': President

Attest

  
Its': Secretary

# **Countryside Villas Homeowner's Association**

## **Amendment to Community Rules & Regulations**

Article VII, Section 1.A of the Bylaws of Countryside Villas Homeowner's Association, Inc. dated December 6, 1984, empowers the Board of Directors to adopt Rules and Regulations.

Section 3-D of the Community Rules & Regulations adopted on March 19, 2001 shall be deleted in its entirety and shall be replaced with the following new Section 3-D:

### **Parking, Section 3, Item D:**

**Parking in the common area parking lots is on a temporary basis. It is a violation of this rule if a vehicle is parked in the common parking areas for more than three consecutive days and/or nights, irrespective of whether the vehicle is in the same place or a different space and irrespective of whether the vehicle is moved during the day and returns to the common parking areas at night, or vice versa. Any vehicle which will be parked in the common area for more than three consecutive days and/or nights must be approved by the Board of Directors and a permit must be issued. The permit must be displayed on the vehicle's front dashboard.**

This amendment of the Community Rules & Regulations is hereby approved and adopted by a majority of the Board of Directors of the Association at the meeting held on February 20, 2006.

This Amendment shall take effect immediately upon approval and signing.

DATED: February 20, 2006

COUNTRYSIDE VILLAS HOMEOWNERS' ASSOCIATION

By: Elizabeth Shapiro (signature on file)

Its' President

Attest: Monique Alponete (signature on file)

Its' Secretary

**Countryside Villas Homeowners' Association**

**RESOLUTION FOR THE COMMENCEMENT & COMPLETION  
OF APPROVED ARCHITECTURAL MODIFICATIONS**

It is hereby resolved by the Board of Directors of Countryside Villas Homeowners' Association, pursuant to the Declarations, Article III Section 3.06, that the following time line is adopted for all approved architectural modifications.

All approved construction must commence no later than sixty (60) days from the date that written approval was mailed to the lot owner. All construction must be completed no later than one hundred twenty (120) days from the date written approval was mailed to the lot owner.

If construction is not started and completed within the above stated time, the lot owner must resubmit the Architectural Modification request to the Board of Directors for new approval or an extension of the time to complete the project.

Pursuant to Article VII Section 1 of the Bylaws of Countryside Villas Homeowners' Association, Inc. dated December 6, 1984, this Resolution is adopted by a majority of the Board of Directors of the Association at the meeting held on the 17<sup>th</sup> day of April 2006.

This policy shall take effect on May 1, 2006.

Countryside Villas Homeowners' Association

By: Elizabeth Shapiro  
President.

Attest:

[Signature]  
Secretary

# **Countryside Villas Homeowners' Association**

## **Resolution of the Board of Directors**

### **BOARD MEETING PROTOCOL**

The Board of Directors of Countryside Villas Homeowner's Association has adopted the following protocol and procedures for Board meetings:

1. All meetings will be conducted using a basic form of Robert's Rules of Order. The Manager shall be the parliamentarian and will maintain order.
2. Board meetings will be chaired by the President of the Board. If the President is absent, then the meeting will be chaired by an officer in the following order: Vice-President, Treasurer, and Secretary. The Board may by majority vote have someone other than the President Chair any meeting.
3. An Open Forum will be held at the start of every meeting. The Board will set a time limit for this portion of the meeting that will allow each member present at least 2-3 minutes to speak.
4. The following basic Agenda will be used for all Board meetings:

Call to Order  
Open Forum  
Approval of Minutes  
Treasurers' Report  
Committee Reports  
Manager's Report  
Old Business  
New Business  
Pending- Tabled Business  
Adjournment

5. All matters requiring the Board to vote will be done using proper motion procedures as follows:
  - Formal Motion for Action made by Board member
  - Motion must be seconded (or the motion dies)
  - After motion and seconded each Board member will be recognized by the Chair to comment on the matter at hand. Further comments by Board members will be recognized by the Chair after each member's initial comments.
  - At any time during discussion, a member of the Board may Call the Question which requires that all discussion stop and a vote be taken.

## **Countryside Villas Homeowners' Association**

### **Resolution of the Board of Directors**

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- The Board member who made the motion may at any time during discussion withdraw that motion. He/She may amend the original motion which will need to be seconded.
- After the Board has completed discussion, the Chair will open the floor for owner comments on the motion that is on the floor. The Chair will set a time limit for this comment period. The Chair will formally close the discussion from the floor.
- The Chair will ask the Board if there is further discussion or call for a vote.

This Resolution is approved by a majority of the Board of Directors at a properly called meeting held on the 16th day of April 2007.

This Resolution will become effective immediately.

*Betty Shapiro, PRESIDENT*  
*MONIQUE ALPONTE, SECRETARY*

## **Countryside Villas Homeowners' Association**

### **Resolution of the Board of Directors**

#### **COMMITTEE DESIGNATIONS, DEFINITIONS AND DUTIES 11-16-09**

The Bylaws of Countryside Villas, dated December 6, 1984, Article X, provide for the Association through the Board of Directors to appoint an Architectural and Nominating Committee and any other committees deemed necessary.

All committees shall meet the following criteria:

- All committees shall have a minimum of two members one of which must be a member of the Board of Directors. The Architectural/CC&R Committee shall have a minimum three members as designated in the Declarations.
- Each committee shall have a Chairperson who shall be a member of the Board of Directors.
- Committees shall make recommendations and reports to the Board but shall not make any binding decisions upon the Association.
- All Committees shall submit written reports to the Board at least three days priority to any meeting.

The Board of Directors appoints and defines the duties of the following committees:

#### **Architectural/CC&R Committee:**

The committee is responsible to receive, review and recommend approval or disapproval to the Board of any plans submitted by an owner for modifications of their lot or unit as required in the Declarations Article III, Section 3.06. Only the Board shall grant final approval for any Architectural modification. The Committee will schedule and conduct an annual inspection of all the lots, once annually and submit their findings to the Board in writing. The committee shall be watchful and report any violations of the Declarations or Community Rules to the Board and recommend appropriate action.



**Landscape Committee:**

The committee shall make periodic inspections of the common area landscaping and report findings and recommendations to the Board. The committee shall monitor the work of the contract landscape company and report any deficiencies to the Board.

**Nominating Committee:**

The Nominating Committee shall be all members of the current Board of Directors.

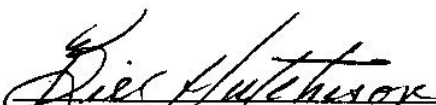
**Social & Welcome Committee:**

The committee shall recommend and help plan all social gatherings and community events. The Committee shall be provided Board approved Welcome Packets to be given to all new owners and residents.

This Resolution is approved by a majority of the Board of Directors at a properly called meeting held on the 16<sup>th</sup> day of November 2009.

This resolution will become effective on November 16, 2009.

Countryside Villas Homeowners' Association

By:   
President

Attest:  
  
Secretary, Monique Alponte