

**D'ARCY RANCH OWNERS ASSOCIATION RULES AND REGULATIONS**

ADOPTED JANUARY 27, 1998

REVISED JULY 31, 2000

REVISED NOVEMBER 10, 2011 EFFECTIVE 1/1/2012

REVISED APRIL 14, 2019

[www.darcyranchhoa.com](http://www.darcyranchhoa.com)

The following Rules and Regulations clarify, and are in addition to the governing D'Arcy Ranch Covenants, Codes, and Restrictions "CC&R", Bylaws, Articles of Incorporation and other rules (collectively the "Rules"). They are intended to promote the quality of life in the neighborhood, maintain and increase property values, and provide homeowners guidance to minimize misunderstandings over the Rules. The reference to the CC&R's are provided so that homeowners can easily research which part of the documents the rules were written from. Only the main reference is listed. There may be other sections of the documents, which the rules pertain to. These are not the CC&R's

**I. LANDSCAPING & OTHER EXTERIOR CHANGES (Section 14, pages 28-30)**

In accordance with the governing Covenants, Codes and Restrictions, any improvements or modifications of any kind Visible from Neighboring Property Must (except as provided below) be pre-approved by the Architectural Review Committee (ARC) or the Board of Directors and may require approval of all adjacent neighboring owners where it is visible. Homeowners may submit proposed changes to the Committee using the form obtained from the web at [www.darcyranchhoa.com](http://www.darcyranchhoa.com) or the management company.

**A. FRONT YARD LANDSCAPING**

All new or modified front yard landscaping shall require approval of the Architectural Review Committee and must conform to the following general guidelines:

- 1) All required landscaped areas shall be occupied by plant material or groundcover. All bare earth surfaces must be covered.
- 2) Groundcover may be of two types:
  - a) Vegetative groundcover consisting of living plant materials characterized by horizontal, as well as vertical growth.
  - b) Inert groundcover consisting of 1 inch or less decomposed granite or other natural, earth tone rock, with accent of river run rock.
    - (1) No artificially colored rock shall be allowed (e.g., no blue, white, green, etc.)
    - (2) Artificial turf shall be allowed with prior approval. Samples with product name and manufacturer shall be submitted with the application prior to approval or installation. The turf shall be installed and maintained in a professional manner. If the turf is not maintained the board may require repair or removal.
    - (3) Berms are encouraged to add interest to the landscaping.
    - (4) Hardscape accents, such as Saltillo tile and brick pavers, will be permitted if colors are compatible with the community such as desert hues and other earth tones, including muted reds and oranges.

"Visible from Neighboring Property" is defined in the CC&R's and means generally visible by a normal person from any other point in the development or that person's home, front or back. Objects not Visible from Neighboring Property generally do not require the approval of the Architectural Review Committee. Section 1, definitions: 1.31 page 5.

**B. REAR YARD LANDSCAPING**

New or modified rear yard landscaping shall not, unless otherwise specified, require approval of the Architectural Review Committee if it conforms to the following general guidelines:

1. Irrigation systems must be directed away from walls to eliminate staining and draining onto other properties. Section 12, 12.1-12.3 pages 26 & 27.
2. Children's play area equipment must be located a minimum of six (6) feet from any rear or side yard wall. Any such equipment that is Visible from Neighboring Property may not exceed the wall height by more than two (2) feet. Any such equipment that is Visible from Neighboring Property shall require approval of the Architectural Review Committee and signed approval of all adjacent neighboring owners where it is visible..
3. Non-deciduous trees are encouraged for rear yards. Trees shall be placed in locations which will not encroach upon other lots.
4. Rear yard, front yard, side yard and security lighting (No spotlights, floodlights, or high intensity lighting) shall not cause excessive glare or excessive light spillage onto adjacent lots, streets or common areas. Lighting Visible from Neighboring Property (other than originally installed by the builder) shall require the approval of the Architectural Committee. Section 17.9 page 33.
5. Storage sheds Visible from Neighboring Property shall require approval from the Architectural Committee and signed approval of all adjacent neighboring owners where it is visible. Approval will be based on the type, style and size, and location of the shed. Sheds shall be constructed and maintained to blend into the surrounding area. Sheds will also be required to meet the City of Chandler code and compliance rules.

**C. POOLS AND SPAS**

Pools and spas placed in rear yards will not require approval if constructed within the following general guidelines:

1. Any walls removed during construction shall be walls contained on the Owner's lot. Removal of walls abutting a common area shall require prior Architectural Committee approval. Any wall removed shall be placed in its original state immediately after construction is completed.
2. Ancillary components of pools and spas (slides, gazebos etc.) shall not be Visible from Neighboring Property without prior written approval of the Architectural Review Committee and signed approval all adjacent neighboring owners where it is visible.
3. Backwashing and draining of pools must be conducted in accordance with Chandler City ordinance. Backwashing and draining of pools shall not be allowed into the street, common areas or adjacent lots.

**D. FRONT YARD GRASS**

Front yard grass Visible from Neighboring Property must be kept green year round unless it is determined by the city or the BOD that due to environmental conditions we not use water resources. This requires over seeding, which must be completed by November 15, if it goes dormant during winter months. Notice of whether over seeding is required or not, will be provided via newsletter and/or the community web site. Owners may also contact the management company to determine if over seeding is required.

**E. SECURITY DOORS**

Security doors constructed of wrought iron and painted either (1) the same color as the house or trim, or (2) the same color as the window frames shall be allowed. Screen doors constructed of any other material shall not be allowed without the prior written approval of the Architectural Review Committee. Other colors may be allowed if first approved by the Architectural Review Committee.

**F. WALLS**

No wall changes shall be allowed without the prior written approval of the Architectural Review Committee, in addition to City approval (If required). A fine may be assessed for any changes made to walls without prior approval of the Architectural Committee.

**G. REPAINTING OF HOMES AND WALLS**

Homes may be repainted in the same color and style as the original home without first obtaining approval from the Architectural Review Committee. Homeowners may propose changing the trim color, or changing the color of the home to an approved color (see web-site), but must obtain the prior written approval of the Architectural Review Committee before changing the home's colors. Color changes may not mirror a neighboring property. Homes painted with a non-approved color or no prior ARC approval may be required to repaint.

**H. GATES**

All gates shall remain the natural wood color originally installed unless a change is approved by the ARC.

**I. GUTTERS AND DOWNSPOUTS**

Gutters and downspouts shall be allowed if they are white or painted to match the color of the house or trim.

**II. SIGNS AND BASKETBALL STANDARDS**

**A. SIGNS ON LOTS**

1. One (1 each) "For Sale" or "For Rent" or "For Lease" or "Open House" sign may be erected on a Lot by a professional residential brokerage company without the approval of the Architectural Review Committee.
2. One (1 each) 18" x 24" maximum "For Sale" or "For Rent" or "For Lease" sign, which has been commercially produced, may be erected on a lot without the approval of the Architectural Review Committee; provided, however, that the Architectural Review Committee shall reserve the right to request reasonable modifications to such signs if deemed appropriate.
3. All other signs shall, except as provided by law, require the prior written approval of the Architectural Review Committee.
4. Garage sales will be limited to once a month and a sign may be posted only on the day of the sale and removed afterwards. Signs must have homeowners address or it may be removed. Signs shall not be put on city poles or it may be removed without notice (city ordinance).
5. Political signs are limited to a maximum aggregate total dimensions of all political signs on a member's property shall not exceed 9 square feet.(33-1808; Version 4) or city law and prohibit the display of political signs earlier than 45 days before the day of an election and later than 7 days after an election day. Eff. 1/1/12
6. Flagpoles (A.R.S. 33-1808C) shall be allowed with a maximum height of the rooftop of the member's home and placed on the property so that no part of a flag will overhang neighboring property or common areas. The flagpole may be in the front yard or back yard and fly no more than 2 flags at one time.

**B. SIGNS IN THE COMMON AREAS**

Owner may erect "Open House" signs in common areas in accordance with following rules:

1. "Open House" signs placed by a professional residential brokerage company shall not require Architectural Review Committee approval. "Open House" signs which have been purchased or homemade by an owner may be erected in common areas without the approval of the Architectural Review Committee; provided, however, that the Architectural Review Committee reserves the right to request reasonable modifications to such signs if deemed appropriate.
2. All signage erected must be placed no sooner than sunrise and be removed no later than sunset.
3. No political signs on common areas.

**C. BASKETBALL STANDARDS**

Portable and permanent basketball hoops are permitted in the subdivision. Portable basketball units must be kept off the street and may not encroach on common areas or may not overhang sidewalk or be placed in a way to cause a ball to hit a neighboring house. No basketball hoops may be installed on or over the garage or any other part of the house.

**III. MISCELLANEOUS**

**A. GARBAGE AND RECYCLE CONTAINERS**

**SEE PAGE 10 FOR CHANDLER CITY CODE.**

**\*\*Edited to show actual days for D'Arcy Ranch\*\***

**B. HOSES**

Hoses visible from Neighboring Property must be properly stored after use.

**C. DRIVEWAYS**

Driveways should be maintained to be free from excessive wear.

**D. LONG-TERM PARKING**

1. Long-term parking of immobile vehicles is prohibited.
2. Parking of Boats and RV's (section 17.8 page 33)  
Except as specifically permitted by the Board,(a) no boats, trailers; motor homes, campers, trucks classed by manufacturer capacity rating as exceeding 3/4 ton, or unlicensed or inoperative vehicles shall be parked or stored in or upon any Lot or Tract the Common Area. or the public streets of D'Arcy Ranch, other than temporary parking on a Lot, Tract or the adjacent street for purposes of loading or unloading; and (b) no vehicle shall be repaired or rebuilt in any Lot or upon the Common Areas or the public streets of D'Arcy Ranch.

**E. INTERPRETATION**

The Board reserves the right to interpret these Rules and Regulations, and such interpretation shall be final and binding on Homeowners or others subject to these Rules and Regulations. Pursuant to § 14.6 of the CC&R's, any interpretation of these Rules and Regulations, or approval by the Architectural Review Committee, shall not be deemed to constitute waiver or any right to withhold approval of any similar plan, drawing, specification, or matter of interpretation submitted to the Board or Architectural Review Committee.

**F. VANDALISM**

There will be a \$250.00 assessment plus all repair costs to the homeowner for any identified vandalism of any kind to common areas.

**G. Landscape along sidewalks**

All homeowners will be responsible for keeping all vegetation from encroaching over the sidewalk and reducing any pedestrian traffic space. Sidewalk must be maintained clear with no obstructions from homeowners. Chapter 30 of the Chandler Municipal Codes.

**H. Pet Waste**


All homeowners or guests must pick up all solid pet waste in HOA common areas or upon another homeowners property immediately and dispose of properly.

**I. Recording an Open Meeting (Video or Audio)**

Pursuant to Arizona law A.R.S. 33-1804 / Condo A.R.S. 33-1248 owners attending open board Meetings are allowed to tape and/or video record a meeting, subject to reasonable rules and regulations adopted by the board.

**D'Arcy Ranch Homeowners Association  
Holiday Lights Resolution**

The D'Arcy Ranch Board of Directors hereby resolves that holiday decorations may be put up 45 days before a holiday and must be removed within 30 days after the holiday. The Board approves this resolution on this date, Thursday, December 8, 2016.

Signed   
Position President

Date 12/8/16

## **SCHEDULE OF MONETARY PENALTIES**

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<b>Violation</b>	<b>Initial Monetary Penalty</b>
Trash Containers	\$25.00
Driveways	\$25.00
Vehicles	\$25.00
Architectural Control	\$25.00
Trimming	\$25.00
Maintenance/Appearance	\$25.00
Reflective Materials	\$25.00
Items in View	\$25.00
Basketball Standards	\$25.00
Nuisances	\$25.00
Falure To Submit Archatectural Application	\$25.00
Vandalism (to common areas)	\$250.00 + cost of repairs
Other Monetary Penalties	Amount set by the Board of Directors

# D'ARCY RANCH HOMEOWNERS ASSOCIATION

## RULES AND REGULATIONS CC&R VIOLATION AND ENFORCEMENT POLICY

D'Arcy Ranch Homeowners Association has established the following Enforcement Policy for Covenants, Conditions and Restrictions (CC&R's) violations enforcement, and any applicable monetary penalties for continuing violations. This Policy will be deemed part of the Association Rules and is subject to amendment or modification at any time by majority vote of the Board. This Enforcement Policy for non-monetary violations is adopted in accordance with Arizona Law and the provisions of the CC&R's and Project Documents, as currently in force and effect. The Board of Directors hereby approve the following policy at a duly called meeting of the Board on May 10, 2018.

### **First Notice**

A first notice will be sent to the owner of the property outlining the violation. In the event that the owner of the property is identified as an absentee owner, a copy of the notice may also be sent to the tenant at the property address. The owner will be given fourteen (14) calendar days to bring the violation into compliance. This letter shall also state that the owner may petition the Department of Real Estate pursuant to ARS 32-2199.01.

### **Second Notice**

A second notice will be sent to the owner of the property outlining the violation if the owner has not complied with the first notice. In the event that the owner of the property is identified as an absentee owner, a copy of the notice may also be sent to the tenant at the property address. The owner will be given fourteen (14) calendar days to bring the violation into compliance. The second notice shall include a warning that if the violation is not cured with fourteen (14) calendar days, an initial monetary penalty of twenty-five (25) dollars shall be assessed. This letter shall also state that the owner may petition the Department of Real Estate pursuant to ARS 32-2199.01.

### **Third Notice and Assessment of Initial Monetary Penalty**

A third notice will be sent if the owner has not complied with the first and second notice, or if the violation has returned or has been repeated. The third notice will inform the owner that an initial monetary penalty of twenty-five (25) dollars has been assessed. The third notice shall also include a warning that if the violation is not cured within twenty-one (21) calendar days, an additional monetary penalty of fifty (50) dollars shall be assessed.

### **Fourth Notice and Assessment of Additional Monetary Penalty**

A fourth notice will be sent if the owner has not complied with the first, second and third notices, or if the violation has returned or has been repeated. The fourth notice will inform the owner that an additional monetary penalty of fifty (50) dollars has been assessed. The fourth notice shall also include a warning that if the violation is not cured within twenty-one (21) calendar days, upon each subsequent inspection where it is found that the violation is still not cured, an additional monetary penalty of one hundred (100) dollars shall be assessed.

**Additional Monetary Penalty**

After the imposition of the initial monetary penalty and the additional monetary penalty, another monetary penalty, in the amount of one hundred (100) dollars, may be assessed upon subsequent inspections if the owner has not corrected or removed the violation, or if the violation is repeated or has returned. Inspections will be conducted to coincide with the terms of the notices.

**Should a period of time of at least ninety (90) calendar days lapse between violation letters of the same offense, the next letter will be a first notice again.**

**Lawn Needs to be Over-seeded Exception**

**Those homes with grass in the front yard must be over-seeded by October 15<sup>th</sup> or the following enforcement procedure will begin.**

**First Notice**

A first notice will be sent to the owner of the property outlining the violation. In the event that the owner of the property is identified as an absentee owner, a copy of the notice may also be sent to the tenant at the property address. The owner will be given fourteen (14) calendar days to bring the violation into compliance. This letter shall also state that the owner may petition the Department of Real Estate pursuant to ARS 32-2199.01.

**Second Notice**

A second notice will be sent to the owner of the property outlining the violation if the owner has not complied with the first notice. In the event that the owner of the property is identified as an absentee owner, a copy of the notice may also be sent to the tenant at the property address. The owner will be given fourteen (14) calendar days to bring the violation into compliance. The second notice shall include a warning that if the violation is not cured with fourteen (14) calendar days, an initial monetary penalty of two-hundred fifty (250) dollars shall be assessed. This letter shall also state that the owner may petition the Department of Real Estate pursuant to ARS 32-2199.01.

**Third Notice and Assessment of Monetary Penalty**

A third notice will be sent if the owner has not complied with the first and second notice, or if the violation has returned or has been repeated. The third notice will inform the owner that a one-time monetary penalty of two-hundred fifty (250) dollars has been assessed. This will be a one-time fine and no additional fines will be assessed for the year for this violation. This letter shall also state that the owner may petition the Department of Real Estate pursuant to ARS 32-2199.01.

**Exception to Notice Procedure**

Violations posing a threat to the health, safety, and welfare of the community as a whole or any one or more other owners may require immediate action and thus create exceptions to the foregoing notice provisions. Examples of health, safety, and welfare violations include, but are not limited to, the following: accumulation of trash and/or other materials that may attract pests; threat of flood or fire damage to neighboring properties; an escaped pet; or a collapsed structure or tree blocking the road or drivers' lines of vision.



**Right of Self-Help**

The Association has the right (but not the obligation) to enter the owner's property and to provide all maintenance and repairs that are necessary to remove the violation. Entry by the Association and any of its agents is not an actionable trespass. The Association may assess the Owner for the costs of all maintenance and repairs performed by the Association.

**Opportunity to be Heard**

The Association recognizes each owner's right to explain the reasons why there is a violation of the CC&R's or the other Project Documents, particularly if the violation results in an assessment. Before any fee is assessed, an owner has the opportunity to request a hearing before the Board of Directors. The owner must provide timely written request for a hearing. If the hearing is scheduled, and attended, the owner is bound by the decision of a majority of the Board.

  
\_\_\_\_\_  
For D'Arcy Ranch Homeowners Association

6-28-19  
\_\_\_\_\_  
Date

# D'Arcy Ranch

March 2019

## Waste/Recycle Container & Bulk Rules: Chandler city code chapter 44-5.4

### Waste

1. Place your **Black Waste** containers at the street, wheels against the curb, by **6 a.m. Monday**, and no earlier than **6 p.m. Sunday**, with the lid closed.
2. DO NOT block the sidewalks for pedestrian use.
3. DO NOT place your container near parked vehicles.
4. DO NOT place your container near permanent structures such as mailboxes or light poles.
5. REMOVE container from the curb by **9 a.m. Tuesday**.

### Recycles

1. Place your **Blue Recycle** containers at the street, wheels against the curb, by **6 a.m. Wednesday**, and no earlier than **6 p.m. Tuesday**, with the lid closed.
2. DO NOT block the sidewalks for pedestrian use.
3. DO NOT place your container near parked vehicles.
4. DO NOT place your container near permanent structures such as mailboxes or light poles.
5. REMOVE container from the curb by **9 a.m. Thursday**.

### Bulk Items

#### Chandler city code chapter 44-6.4

1. Items cannot exceed 4' high x 4' wide x 16' long or what fits into the bed of two pickup trucks.
2. Bulk items should be placed out for pick-up by **6 a.m. Monday**, and no earlier than **6 p.m. Sunday**.
3. Items should be placed on the owner's property no more than four (4) feet from the sidewalk (or curb if no sidewalk exists). **NOT in street. NOT on sidewalk.**
4. All items should be placed away from electrical boxes, cable boxes, mail boxes, light poles, water meters and existing landscape.

### Greenwaste:

#### Chandler city code chapter 44-6.1

1. Loose yard waste (leaves, grass, weeds, twigs, pine cones, palm husks) must be bagged and tied.
2. Palm fronds should be no longer than 5 feet in length and be stacked neatly in the same direction.
3. Tree & Brush trimmings cannot exceed 5 feet in length & 5 inches in diameter and should be bundled and tied.
4. Logs & Tree Trunks cannot exceed 3 feet in length & 5 inches in diameter.
5. Cacti must be placed in a box no larger than 3 feet x 3 feet.
6. Green waste only may be put out **7 Days MAX** before pickup on **YOUR property ONLY**, **NOT in street, NOT on sidewalk.** Pickup for D'Arcy Ranch is on **MONDAY'S**.