

## **RULES AND REGULATIONS FOR MOON VALLEY GOLF LOTS TOWNHOUSE ASSOCIATION**

### **(COMMONLY KNOWN AS VALLE DE LUNA)**

#### **REGARDING COMPLIANCE AND ENFORCEMENT OF THE CC&R's – SEPTEMBER 2023 UPDATE**

With the goal of maintaining the desirability of our neighborhood and protecting property values, it is the responsibility of the Board of Directors to enforce the governing rules of the Association contained in the CC&R's approved by the members in August and recorded in Maricopa County. This information is not intended to change any of CC&Rs, but to address and clarify topics that are often questioned.

#### **GENERAL INFORMATION**

The 'Homeowners Handy Information' sheet is revised periodically and distributed by the Board of Directors to the membership. It provides information concerning the officers, directors and the various standing committees serving the Association. The membership consists of 90 single family residences, with each entitled to one (1) vote.

The Board of Directors is composed of at least five members, who are elected each year at the annual meeting for a one (1) year term. All are unpaid volunteers.

Board meetings are held every other month (generally on the second Thursday). Notices are posted on the bulletin board at the pool. Members are encouraged to attend these meetings and become involved with at least one of the committees established by the Board.

Please be aware that renting your home does not relieve you of the responsibility of complying with all provisions of the CC&R's, financial responsibility and of seeing that your tenant(s) are fully informed of all applicable rules.

In the event of a permanent vacancy on the Board, the alternate Board member-at-large will automatically become a full voting member of the Board. If the vacancy occurs with the President role, the Vice President will automatically assume the role of the President. If the vacancy occurs in another officer position, the Board will re-align the officer positions as needed. The Board may choose to select another alternate Board member-at-large from the pool of Association Owners. In all succession plan changes, no vote by the Association or the Board is required, however the change(s) should be noted in the next meeting's minutes.

#### **MISSION STATEMENT**

To maintain the integrity of the Association by assuring that all rules and regulations, whether contained in the CC&R's, By-Laws or other properly adopted instrument will be enforced on a fair and consistent basis; to provide common areas that provide enjoyment to all homeowners; and to ensure financial responsibility through the implementation of sound management and accounting controls.

#### **ARCHITECTURAL GUIDELINES**

See Article VII of CC&R's for complete information.

It is the purpose and responsibility of the Architectural Committee to assure that the appearance originally established for Valle de Luna from street and neighboring lots is maintained, though this may include the use of newer, modern materials so long as the Architectural look of the existing homes is

retained. Therefore, prior to making any exterior change or alteration, owners are required to file Application for change and obtain the committee's approval. (see Exhibit A) Failure to obtain approval, prior to commencing work, could result in the need for owner to remove and re-do unapproved work.

The scope of the work requiring advance approval extends from merely exterior painting and landscaping to major remodels and additions. This might include, but is not limited to; overhead screens, shade coverings, patio roofs, gazebo type roofs and awnings. No highly reflective finishes shall be allowed. If the committee deems it necessary, they may require the owner to furnish supporting documents with the application, such as: site (lot) development plans; location of all proposed improvements; easements; setbacks (meeting City requirements); full frontal and side yard elevations; construction blueprints; list of exterior building materials, colors; list of plant materials and placement thereof; and landscape and irrigation plans.

Construction containers must be located on the construction site and off the street. The construction site must be cordoned-off for safety purposes.

Temporary structures, shacks, or storage sheds are not allowed on any lot.

No property signs are allowed other than a permanent sign with owner's name and address. No lot will be used for business, professional, commercial or Institutional purposes.

At any time, the Board of Directors or Architectural committee, after providing written notice, may inspect any construction in progress. The owner will accommodate a convenient on-site inspection of the premises. A phone number must be provided. Owners whether absent or resident in the premises during construction shall remain solely responsible for the owner's contractor.

With respect to the repainting of the exterior, colors must be used from the Approved Color Palette (see Exhibit B) attached or as posted at the Pool, with one exception. Existing owners may repaint their home the same color as it is, so long as they own the property. Subsequent owner(s) must use the established color palette. The approved Color Palette can be obtained from the Architectural Committee.

The approval process may include informal meeting(s) between owner and committee as well as the hiring of consultants at the owner's expense if necessary.

A time schedule is required for all construction. Projects not completed within 180 days from date of approval will be required to request an extension from the Architectural Committee. In extreme cases of delay, the Board may contract for completion of the work, at the owner's expense.

Nothing contained herein or in the recorded CC&R's shall relieve owner(s) of complying with all State or Local laws or ordinances which may require permits and or inspections.

## **LANDSCAPING AND EXTERIOR MAINTENANCE**

Homeowners are responsible for keeping their property neat and litter free. Yards, including driveways, walkways and street gutters must be weed free and swept when necessary. Lawns must be mowed regularly and any overgrown plant materials must be trimmed and/or removed as needed. Any owner wishing to make major changes to the landscaping must submit an application to the Architectural Committee for advance approval.

## **USE RESTRICTIONS**

Please refer to Article XIII of the CC&R's for complete information.

Short term rentals less than 30 days is prohibited.

We allow all flags, for sale and for rent signs that comply with Arizona Law. We also permit solar equipment, provided it is shielded from view. Satellite dishes should be hidden as much as possible. We do not permit roof antennas, nuisance lighting, unsightly yard objects, open fires, clothes lines, or drainage obstructions.

A copy of the COMMON AREA ETIQUETTE, is attached hereto as Exhibit C and posted on the bulletin board at the pool. Bicycles, skateboards, scooters, etc. are prohibited on the bridge, sidewalks, greenbelt or pool areas. Please contact a Board Member a minimum of 2 weeks in advance for any use of Common Area for a private party.

Always be considerate of your neighborhood and report any nuisances or offensive activity.

## **VEHICLES AND PARKING**

No large truck, mobile home, travel trailer, tent trailer, trailer, camper, boat, detached camper, camper shell, recreational vehicle, boat trailer, or other similar equipment or other motor vehicle of any kind may be parked, kept or maintained on any Lot or Common Area.

Except for emergency vehicle repairs and occasional servicing of personal vehicles, no motor vehicle of any kind shall be constructed, reconstructed or repaired on any lot or common area. Oil pans, boards, carpets or other objects used to collect oil spills on driveways or property must be removed and stored out of sight.

Commercial vehicles, or any vehicle which bear the appearance of a commercial vehicle by reason of its appearance with signage; display of commercial license plate or tag; or by reason of its contents, such as ladders, trade tools, trade goods, trade equipment are prohibited, except for temporary use of service vehicles. They are expected to be considerate of neighboring properties and emergency vehicle access.

## **STREETS AND PARKING**

Parking on all private streets is restricted for safety and consideration of all residents in Valle de Luna. Overnight parking is prohibited from 12 Midnight to 6 A.M. anyone using the street for parking (during the time permitted) shall not block driveways or mailboxes. Failure to comply may result in the vehicle being towed at the owner's expense.

Garages are to be used to park vehicles and garage doors closed when not being used for ingress and egress. Driveways may also be used for parking, but parking on landscape grass, stones or bricks is not allowed.

For safety the speed limit throughout the community is 15 MPH.

## **ANIMAL CONTROL**

One person's dear pet can be another person's annoyance. Please be considerate of your neighbors. Barking dogs are a frequent concern in the neighborhood, and should not be left outside for long periods of time as it is their nature to bark at anything that might pass by.

Pet owners are required to leash their animals at all time when walking them in the community and must pick up and properly dispose of any animal waste. Cats are not allowed to roam outside their owner's yard.

All pet owners are cautioned to watch small animals because of our proximity to North Mountain Preserve, and thus exposed to visits by wild animals like coyotes and raccoons.

### **TRASH AND RECYCLE CONTAINERS**

All trash and recycle containers are required to be concealed from view. We follow the City of Phoenix's 24-hour Ordinance covering trash containers. The City provides for quarterly Bulk Trash collections, and all owners are required to follow the schedule they provide regarding placement and collection.

### **DUES AND ASSESSMENTS**

Homeowner's dues are due on the 1st of each month. They are considered overdue on the 21st and subject to a late fee, assessed monthly until paid. Make checks payable to MVGLTA and identify with your Lot number and/or property address. Mail or deliver all payments to:

MVGLTA- 232 W. Canterbury Lane- Phoenix, AZ 85023

In accordance with the CC&R's, owners may be subject to Special Assessments and costs for violations, which are to be paid within 30 days of notification.

### **VIOLATION NOTIFICATION AND FINE POLICY**

The Board of directors has approved the following procedures for violations of the CC&Rs. The policy references the notices which are sent and the associated fines, if applicable. In some instances, the homeowner may be requested to appear before the Board. The Board may choose to step through the fine process or file an injunction, or both. The Association is entitled to a reimbursement of all legal fees and costs associated with any legal action utilized by the Board to enforce the CC&R's.

#### **FIRST NOTICE**

An initial notice of a violation shall be mailed, via regular mail to the homeowner. The notice will request immediate compliance or an acceptable written plan of corrective action to the Board within 14 days. No fine will be assessed on the first notice. However, owners will be notified in the initial (first) notice that if the violation(s) are not rectified within 14 days of the date of the initial (first) notice, the Association will levy a fine or fines against the owner. The homeowner may appeal any fine(s) pursuant to the Appeal Process.

#### **SECOND NOTICE**

A second notice requesting compliance within 14 days will be mailed to the homeowner. A \$100.00 fine will be assessed and will be due and payable immediately.

#### **THIRD NOTICE**

If the violation continues a third notice, requesting compliance with 14 days, will be mailed to the homeowner. A \$500.00 fine will be assessed and will be due and payable immediately.

#### FOURTH NOTICE

If the violation continues a fourth notice will be sent, again requesting compliance within 14 days. The notice will be sent via certified mail and a \$1,000.00 fine will be assessed and will be due and payable immediately.

#### CONTINUING VIOLATIONS

If the violation continues without resolution after the fourth notice, a fine of \$1,000.00 will be assessed every 14 days until the violation is resolved. In addition, the Board shall have the right to remedy the violation and/or take legal action, at a cost which will be billed to the homeowner and collected in the same manner as the assessments.

#### FINES

No fine shall be imposed without first providing a written warning to the owner as described in the listed notices above. Any re-occurrence of a violation within 6 months of the original violations will make the homeowner subject to imposition of a fine of not less than the \$100.00 minimum and progressing according to the above notices.

#### APPEALS PROCESS

Owners have the right to appeal any violation notice they may receive by sending written request to the Board within 10 days of receipt of the notice. Request for appeal must include any documentation supporting the circumstances prompting the appeal. Homeowner will be notified in writing of date for appearance before the Board. Incomplete appeal requests will be denied, and all decisions of the Board are final.

If the appeal is denied, violation must be brought into compliance within 14 days, and is subject to a fine of \$1,000.00 each 14 days after that deadline, until it is corrected. The Association is entitled to a reimbursement of all legal fees and costs associated with any legal action utilized by the Board to enforce the CC&R's.

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(Updated and Approved by Board September 25, 2023)

## EXHIBIT A

### Moon Valley Golf Lots & Townhome Association (MVGLTA) Request for Architectural Approval

Name: \_\_\_\_\_ Lot: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

\_\_\_\_ Exterior structural change to home \_\_\_\_ Painting home or trim (attach paint color sample)

\_\_\_\_ Major landscaping \_\_\_\_ Awnings

\_\_\_\_ Walkways, patios, driveways \_\_\_\_ Fence, wall

\_\_\_\_ Lighting \_\_\_\_ Other: \_\_\_\_\_

Please provide a description in detail and use additional pages and drawings as necessary. Also include type of materials to be used, color(s), dimensions of structure, and location on lot in applicable.

*NOTE: allow sufficient time for Board approval (if necessary).*

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Will a dumpster be used? \_\_\_\_ Yes \_\_\_\_ No

Anticipated work dates: Begin: \_\_\_\_\_ Competition: \_\_\_\_\_

Work to be performed by: \_\_\_\_\_

Because of the narrow streets and emergency vehicle access it is the responsibility of the Homeowner to see that work vehicles park on one side of the street, not both sides.

Homeowner agrees to comply with all City of Phoenix building codes and to obtain any building permits necessary.

Submit this form to [OurMVGLTA@gmail.com](mailto:OurMVGLTA@gmail.com) and it will be routed to the Architectural Committee.

\_\_\_\_\_  
Signature of Homeowner

\_\_\_\_\_  
Date

The above described architectural change is \_\_\_\_ Approved, \_\_\_\_ Unapproved, \_\_\_\_ Approved subject to the following \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Association Representative

\_\_\_\_\_  
Date

## EXHIBIT B

### Body Colors:

<b>Color</b>	<b>Dunn Edwards Code</b>
Big Stone Beach	DE6132
Mesa Tan	DEC718
Slopes	DEC721
Practical Tan	DE6115
Sand Dune	DE6128
Salt Box	DE6141
Creamy Cameo	DE6176
Cross Roads	DE5359
Droplets	DEW381
Porous Stone	DE6220
Play on Gray	DE6228
Smoky Mountain	DE6388

### *Trim Color Options:*

<b>Color</b>	<b>Dunn Edwards Code</b>
Black	DEA187
Spiced Berry	DEA149
Northern Territory	DEA158
Carved Wood	DE6125
Dover Plains	DE6116
Gourmet Honey	DE6150
Salt Box	DE6141
Creamy Cameo	DE6176
Iron-ic	DET611
Bank Vault	DE6383
Celluloid	DET619
Roman Brick	DEC713

The Board recognizes that paint companies periodically change the color and/or names that they offer the residents and they may have preferred paint manufactures other than Dunn Edwards.

Therefore, residents can use the specific approved Dunn Edwards colors, or another manufacturer colors that match the approved colors, or new colors offered by Dunn Edwards that match the approved colors.

## EXHIBIT C

### COMMON AREA ETIQUETTE

In order to provide a safe, secure and pleasant recreational environment, we ask your cooperation in complying with the rules of etiquette to be followed by all residents, guests and tenants.

#### POOL ETIQUETTE (Hours: 7 a.m. to 11 p. m.)

1. If you have more than 4 guests, please request prior board approval.
2. Children under 14 must be accompanied by an adult.
3. There is no lifeguard, use pool at your own risk.
4. No glass or breakable containers
5. No diving, running or jumping into the pool. Avoid rough and boisterous behavior.
6. Equipment which would disturb others is prohibited. For example: loud radios or large pool toys.
7. Please leave area clean and tidy. Return chairs to proper position and shut off lights and ceiling fans if used.
8. No pets allowed. Fence climbing is prohibited.
9. Gates must be kept locked, please check upon leaving.
10. BBQ must be cleaned after use and the gas turned off.

#### SPORTS COURT ETIQUETTE (Hours: 7 a.m.- 10:30 p.m.)

1. Use of the sports courts is restricted to Tennis, Basketball and Pickle ball,
2. Proper attire is required: tennis shoes & shirts. No bathing suits.
3. No glass or breakable containers.
4. Gates and lights must be closed and turned off upon leaving.
5. No pets allowed. Fence climbing is prohibited.
6. To reserve a court, please place your reservation on the board•.
7. Singles play-should not exceed 1 hour if others are waiting. Doubles play should not exceed 1 ¼ hours if others are waiting.

Failure to comply with these rules of etiquette may result in exclusion to use these amenities.