**OCEANSIDE MANOR HOMEOWNERS ASSOCIATION**

**“PACIFICA’**

**RESTATED RULES & REGULATIONS**

**Effective February 2020**

**I. PREFACE**

A. Living in a common interest development can be a happy and rewarding experience, especially in a beautiful community such as Oceanside Manor. The term “**PACIFICA”** was used by the developer for sales purposes only and to our knowledge has no legal precedent. “Pacifica” is the word displayed on the placards affixed to the stucco columns at the various entrances to our community, and as such, it is certainly an easy landmark for guests and the occasional visitor. However, for your official correspondence, it is requested that residents use the term “Oceanside Manor.”

B. These Rules & Regulations (Rules) were compiled by your Homeowners Association’s Board in an effort to help protect the property and to make this a more pleasant place to live. Over the years, changes have been made as necessary, to reflect the changing times and laws. To that extent, certain language and articles have been removed or wording altered from earlier editions of the rules. It behooves all of us to continue to help protect our properties and way of life in a manner consistent with community living. This effort on everyone’s part will continue to help enhance our property values and lifestyles as we now know and enjoy them.

C. Resident and non-resident owners, tenants, and guests are subject to the Rules. Owners are ultimately responsible for all of the actions or inactions of their residents, occupants, tenants, guests, family members and pets, and the guests of tenants and occupants.

D. Homeowners must read these Rules carefully and ensure that they, their guests, and tenants abide by them. Homeowners are responsible for providing copies of the following Governing Documents to their tenants: **Copies are also available on the community website:** [**www.pacificaoceansidemanor.com**](http://www.pacificaoceansidemanor.com)

 Restated Declaration of Restrictions (Declaration or CC&Rs)

 20Rules and Regulations

 20Architectural Rules and guidelines

 Enforcement Procedures

And any and all amendments thereto that may be adopted.

E. This publication of the Rules supersedes all previously published Rules & Regulations of the Oceanside Manor Homeowners Association.

**II. General**

A. Authority and Enforcement

1. The Association’s Articles of Incorporation, Bylaws, Declaration of Restrictions, and all forms of rules, and any amendments to these documents are collectively the “Governing Documents.” In accordance with the Association’s Bylaws, Article VIII, Section 2, and CC&Rs, Section 6.5, the Board of Directors is given the authority to make such rules and regulations consistent with the laws of the State of California and the Governing Documents, as they deem in the best interest of the corporation, and to enforce such rules and regulations.

2. All owners, tenants, and guests should read and become familiar with these Rules. Persons using any common area or facility are required to abide by the detailed rules posted at that facility. The resident host will be responsible at all times to ensure that guests adhere to the Governing Documents. Good judgment must be used to limit the number of guests using the facilities.

3. Persons failing to conform to the Governing Documents may face enforcement action by the Board of Directors as outlined in the Restated Declaration, Article 8 and in the Bylaws, Article V, “Membership Rights and Privileges.”

4. Infractions of these Rules witnessed by owners or tenants must be reported in writing to the Board of Directors in care of the Association’s property management company. Owners, residents, Board members and management personnel may identify, or report alleged violations.

5. Any variances from these Rules can only be made after written application to the Board of Directors for consideration and their subsequent approval or denial, and any approved variances may be subject to conditions required by the Board at its sole discretion (**CC&Rs, Section 6.4.6**)

B. Member Responsibilities

1. The common area recreational facilities consist of, but are not limited to, the swimming pool, spa, sauna, clubhouse, billiard room/library, game room, tennis courts, shuffleboard courts, picnic areas and park. The common area is owned by the corporation; all owners have easements of ingress and egress, and enjoyment over the common area, but they do not own the property per se. It is incumbent upon all owners and tenants to ensure that all residents, family members and guests use these facilities with care and consideration. Any damage to common area facilities caused by misuse or negligence by members, tenants, pets, or guests or any other person deriving any interest through an owner, shall be considered to be the responsibility and liability of the owner, including resident and non-resident owners of record. (**CC&Rs Section 4.11**)

2. Non-resident owners who rent their property give up the right to use the common facilities of Oceanside Manor except as an invited guest with the resident host. (**CC&Rs Article 3.2**). All leases and rental agreements must be in writing and for a period of not less than thirty (30) days (**CC&Rs, Section 3.9.1**)

3. Guests under 18 years of age must be accompanied by a resident of the community when using any of the common area facilities. Persons on common area and using common area facilities must act in a responsible and safe manner.

**III. VEHICLES**

**1. PARKING: All vehicles, whether belonging to a homeowner, resident, or guest**

**are the responsibility of the vehicle’s registered owner. The association is not responsible, or implies any safeguard, for vehicles parked anywhere within the community at any time. Residents who park their vehicles on Sky Haven Lane do so at their own risk. Parked vehicles must not impede the flow of traffic, restrict ingress or egress to a neighbor’s garage, or obstruct access to mailboxes or driveways. Owners are responsible for parking and vehicle violations by any vehicle associated with their lot, including but not limited to, that of their occupants, guests, family members, vendors and guests of occupants.**

**A. RESIDENT PARKING**

Homes in Oceanside Manor were designed to provide garage space for two (2) vehicles per lot. For reasons of safety, crime deterrent and aesthetics, residents shall not park their vehicles in common areas or driveways between the hours of 11:00 p.m. to 6:00 a.m. Modifications to the interior of the garage or other usage of the garage space may not be used as justification for parking vehicles outside the garage for extended periods of time. (**CC&Rs, Section 3.16**.)

**B. GUEST PARKING:**

Initially, the OMHOA will provide two “Guest Parking Permits” to the owners of each residential lot. Additional permits may be requested from the Chair of Parking by using the parking permit form found in the clubhouse, on the website or via email. **Residents shall not use guest permits on their vehicles.** Guest vehicles shall be parked in the host’s driveway, on the street adjacent to the host’s driveway, or in a designated guest parking space and cannot be used for longer than 60 days per calendar year. Residents shall provide a “Guest Parking Permit” to their guests for any vehicle remaining overnight in a common area. The permit shall be clearly and visibly displayed in the rear window or on the dashboard of the vehicle, so your neighbors and patrol personnel will know that the vehicle belongs to the guest of a resident.

**C. TEMPORARY PERMITS**

Temporary permits will be provided based on your specific need. Permits include short term for remodeling or construction and for moving in or out. If there is a need for a dumpster, pod, or U-Haul, owners must notify the parking chair and request a temporary permit in advance of the parking start date. Permits will have an expiration date of thirty (30) days from issuance. Temporary permits with the address visible must be displayed on the item for which the permit is requested. Permitted items may be parked in resident driveways or guest parking space. If an extension is needed, residents will need to communicate with the parking chair in writing, at least 7 days in advance of the expiration of the permit, to apply for the requested extension.

**D. CAREGIVER PERMITS**

In order to receive a caregiver permit (aka Permitted Health Care Resident), the resident must provide medical verification from their physician indicating the reason for the need for a caregiver. If you have a 24/7 caregiver who is under the age of 55, the caregiver will be required to complete an age verification form. Caregivers are allowed to park in resident driveway or guest parking with permit displayed and address visible. Caregiver permits will expire annually on the anniversary of the date issued. There are no “permanent” caregiver permits.

**2. GENERAL PARKING RULES:**

A. The following rules are intended to help with the protection of Oceanside Manor homeowners, residents, guests and their property, and to help maintain the aesthetic appearance and value of this community. All owners/residents shall comply with these Rules and enforce compliance by their guests, vendors and relatives.

B. Noncompliance may result in the issuance of a warning notice. Repeated or continued noncompliance may result in a “Notice of Violation” (ticket) and a fine, after noticed hearing. The Notice process and fines shall be in accordance with established OMHOA enforcement procedures and the fines in the fine schedule.

C. No parking of any recreational vehicle, including, but not limited to, motor home, camper, camper van, boat, jet ski, ATV, or similar vehicle may be parked outside of a garage within the common area of the community. However, up to twenty-four (24) consecutive hours of parking is authorized for trip preparation, and upon returning, another twenty-four (24) consecutive hours for unloading, cleaning and storage preparation.

D. Commercial vehicles owned or operated by residents shall not be parked overnight anywhere in the common area. Commercial vehicles may only be parked temporarily in the daytime hours when servicing the area. For the intent of this rule, a commercial vehicle is defined as any type of vehicle used for any commercial or enterprise purpose and/or buses or vans designed to accommodate more than 10 people, vehicles with more than two axles, limousines and taxis. **(CC&Rs Section 3.5.3)**

E. Vehicle repairs, except for minor emergencies such as changing a flat tire or battery repairs, must not be conducted on the street or in the driveways. Homeowners are responsible for removing rust, grease, oil and all other auto stains from their driveway. Vehicles which are inoperable or cannot move under their own power must be removed from the community. Maintenance of any recreational vehicle within the common area is not permitted.

F. Other vehicles that are not allowed to be parked on common area include but are not limited to, inoperable vehicles, unregistered vehicles, noisy or smoky vehicles, any other vehicle or vehicular equipment deemed a nuisance by the Board.

G. If soap or detergents are used to wash a vehicle, adequate clear water shall be used to flush the residue from the driveway or street to prevent permanent staining. Residents must also comply with all federal, state and local environmental regulations regarding car washing.

H. All streets within the Oceanside Manor Community are private except Sky Haven which is a public street. Designated parking spaces within the community are only for the guests of residents. All other cars may be towed away at the vehicle owner’s expense, pursuant to **California Vehicle Code 22658.**

I. Any vehicle(s) parked in the common area in violation of these Rules or any other Governing Documents are subject to towing, at the vehicle owner’s expense, without further notice to the lot owner or vehicle owner. Fines and other discipline may be imposed after notice hearing in addition to towing.

J. Any resident who chooses to park their car on Sky Haven does so at their own risk. The association is not responsible, or implies any safeguard, for vehicles parked on Sky Haven Lane.

**IV. PETS**

A. Dogs must be leashed and held by a person capable of controlling the leashed dog at all times when they are not on the owner’s property. Any litter deposited by pets in the common area or within the owner’s property must be removed immediately in order to maintain normal health and sanitation requirements. There are pet potty stations throughout the community. Pet owners must dispose of pet waste immediately and properly (In closed/tied bags deposited into trash bins). **(CC&Rs Section 3.15.3)**

B. In order to prevent damage to landscape features, dogs are not permitted to be tied to trees, stakes, or other exterior building structures in the common area.

C. Pet and animal owners must ensure their pets do not create excessive noise, disturb other residents, or otherwise create a nuisance. **(CC&Rs Section 3.15.1)**

D. The number of pets per residence shall not exceed two (2).

E. No pets of any kind are allowed in the clubhouse, sauna, spa, swimming pool area, tennis courts, shuffleboard courts, and picnic areas except as required by law.

F. Residents and guests are prohibited from feeding any wild animal or scattering seed in any common area and should feed animals only within the resident’s property, in an area not accessible by wild animals. The indiscriminate feeding of “strays” is the prime reason they remain in the area. Additionally, coyotes may be attempting to establish new territory in the rough areas(s) immediately adjacent to Sundown Park and are using the Association’s streets and the park as an access to this area. It is strongly suggested that bird feeders are not used by residents as they also attract rodents. Residents who do not comply with this regulation will be subject to enforcement action by the Board of Directors.

G. Owners are responsible for all injury or damage caused by or arising from animals associated with their Lot.

**V. GUESTS**

A. Residents are directly responsible for the conduct of their guest(s) at all times. Guests under the age of 18 must be accompanied by a resident when using any recreational or common area facility, especially, but not limited to:

 1. Swimming pool, spa and/or sauna

 2. Clubhouse and adjacent picnic area

 3. Library/Billiard Room

 4. Game room

 5. Tennis courts

 6. Shuffleboard courts

 7. Sundown park

**B.** Guests under the age of 18 may not use or operate the audio and/or visual systems.

**VI. SWIMMING POOL, SPA, AND SAUNA**

**THERE IS NO LIFEGUARD ON DUTY OR LIFEGUARD SERVICE PROVIDED AT THESE FACILITIES. ALL PERSONS USING THESE FACILITIES DO SO AT THEIR OWN RISK. THE ASSOCIATION ASSUMES NO RESPONSIBILITY FOR ANY HOMEOWNER, GUEST, TENANT, OR OTHER PERSONS USING THESE FACILITIES AND/OR THE ASSOCIATED EQUIPMENT.**

A. The following Rules were developed in part with the guidelines of the California State Department of Health Services. These Rules are conspicuously posted at the applicable facility.

B.Hours: 7:30 a.m. to 11:00 p.m. The swimming pool, spa and sauna are for the use of residents and their guests. Posted hours must be observed. Since this is a senior citizens residential development guests under the age of 18 must be accompanied by a resident and may use the pool only between the hours of 9:00 a.m. and 1:00 p.m. Since there is no lifeguard on duty, persons under the age of fourteen (14) should not use the pool without an adult in attendance. **California Code of Regulations, Title 22, 65539(c).**

C. Proper swim attire is required in the pool and spa. No persons wearing cut-off clothing, or t-shirts are allowed. Rinse off in the shower before entering the pool, spa, or sauna. **The use of soap and/or shampoo in the shower is prohibited**. All bobby pins, hair pins, and other such material must be removed before entering the swimming pool or spa. No metal objects coins, or other objects that may rust, are allowed in the pool or spa.

D. Persons having any type of skin disease, open sores or wounds (whether bandaged or not), inflamed eyes, nasal or ear discharges, bandaged cuts or wounds of any type, or a communicable disease or infection or diarrhea are prohibited from using the swimming pool, spa and sauna.

E. Scheduled swimming activities for residents and guests such as organized exercise classes, take precedence over any other use of the pool and pool area. If the group activity is small during the time allotted for non-seniors in the pool, the pool committee suggests that the ropes are used to allow for both activities to take place. Your cooperation during these brief weekly periods is requested.

F. Persons using the pool area are asked to be considerate of others. Rough housing, running, diving or jumping and any dangerous, destructive, or unusually noisy activities or any activity that may endanger the health and safety of others or has the tendency to disrupt the quiet enjoyment of others. Headphones or earbuds must be used with audio devices if others are present in the pool or spa area.

G. **All persons who are incontinent or not fully toilet trained are required to wear water-proof pants or diapers approved for pool/water use.** If any damage is done due to this problem, any costs to resolve the problem will be passed on to the homeowner after noticed hearing.

H. The spa and sauna are designed primarily for therapeutic purposes, and the use by anyone can be extremely dangerous. **No person under the age of eighteen is permitted within the fenced area of the spa or inside the sauna.**

I. No objects of any kind are allowed in the pool, except for floaties or items required for exercise or safety. Do not throw or take into the pool or spa non-floating items or pool toys.

J. Smoking of any product or item, vaping or e-cigs are not permitted in the swimming pool, spa, or sauna areas or any common activity areas.

K. Breakable containers are not permitted in the vicinity or surrounding areas of the swimming pool, spa, or sauna.

L. Gates must be closed and locked at all times. Restroom doors should remain closed during the day and area locked from 11:00 p.m. to 7:30 a.m.

M. In the event of an emergency there is a fire alarm box located on the wall to the left of the sauna door. Follow the directions on the face of the box but you will need to know the address of the clubhouse which is 3578 Twilight Lane and listed inside of the box. There is also a telephone on the wall in the hallway to the women’s restroom that can be used to dial 911 but you will also need to know the address of the clubhouse. **The best response is to call 911 from your personal cell phone!**

N. Residents and guests and should not use the spa or sauna while they are alone. Long exposure to either the spa or sauna can result in nausea, dizziness or fainting.

O. To avoid fire, do not place combustible materials (e.g. towels or clothing) on the sauna heater at any time.

P. Instructions for the proper use and enjoyment of the sauna, and health warnings pertaining to the sauna, are posted on the door to the sauna.

Q. Animals are not permitted in the pool, spa or surrounding areas except as required by law.

**VII. CLUBHOUSE**

A. The Oceanside Manor Homeowners Association (OMHOA) Clubhouse in its entirety including the library/billiard room, and game room and associated recreational area which includes the barbeque/picnic area, swimming pool, sauna, spa and rest rooms are open on a daily basis beginning at 7:30 a.m. and are secured at 11:00 p.m.

B.Use of the clubhouse is primarily for association business meetings and HOA social groups, and uses required by law, but may be reserved by residents for personal events upon advance written request to the Association including a damage deposit.

C. A resident of the OMHA (hereafter referred to as the Resident Host) may reserve the clubhouse, barbeque/picnic area, or Sundown Park for private functions such as: professional groups, social groups, church groups, or service organizations. Use of any of these three areas for private functions does NOT include the game room, billiard room/library, swimming pool, spa, or sauna unless approved in advanced by the Board of Directors. All persons attending a private function are guests of the Resident Host (hereafter referred to as guests). Private functions must be concluded no later than 11:00 p.m. Following any regular, social or group activity it is the responsibility of the Resident Host to restore the use areas to a clean and orderly condition. The owner is ultimately responsible for any and all damages or associate costs arising from the reservation.

D. The last person to leave the clubhouse, day or night, **must** turn off the fans, lights, check kitchen appliances, and ensure all doors and windows are closed and locked.

E**.** Shoes or other foot coverings must be worn in the clubhouse. Wet swimming attire is not permitted in the clubhouse.

F. Animals (except as required by law) are not allowed in the clubhouse or recreational area.

G.Private use must be entirely nonprofit. Commercial presentations of any sort are prohibited. Residents reserving the clubhouse may not charge a fee nor allow guests to charge a fee during the reserved period. No merchandise, including alcoholic beverages, may be bought, sold, or traded. Gambling is not permitted. Any particular function may not be advertised to the general public.

H.To make a reservation:

1. Confirm the date for clubhouse use with the Secretary of the Board before proceeding with future plans.

2. Submit a completed reservation request form to the Board secretary including a deposit of $250 (Please make check payable to **Oceanside Manor Homeowners Association** and attach to the reservation request form.) This deposit is NOT for normal cleanup after a function. The resident is expected to clean up after use as stated above. Extreme care must be taken to ensure there is no damage to any part of the facility including the flooring, fixtures, furnishings, video, audio and all electronic components, cabinets, and appliances.

**NOTE:** The deposit is required to cover damage or incidental expenses resulting from use of the reserved area. If such occurrences exceed the amount of the deposit the resident shall be liable for the full amount of reparation and will be invoiced for the cost of the repairs. The determination to refund the deposit (in part or whole) shall be made after the post-inspection in the discretion of the Association.

3. A pre-inspection and post inspection of the clubhouse will take place within 24 hours before and after the event.

I. **The Resident Host is responsible for the conduct of guests and must be present at the function during the entire time of the event.**

J.Alcoholic beverages may **NOT** be served or made available to persons less than 21 years of age.

K. Parking in the vicinity of the clubhouse is very limited. It is the responsibility of the Resident Host to notify all guests of the rules and provide them with the information about available parking. A map indicating parking available is on the reverse side of the clubhouse reservation form. Violation of the parking rules will result in forfeiture of the deposit.

L.When the function is concluded, the Resident Host must ensure the facilities used are left in appropriate condition as previously specified.

**VIII. LIBRARY AND GAME ROOMS**

A. The Library Committee maintains order and files all books in the library. Residents returning books should place them in the return basket provided. The book check-out procedure is the “honor system.” There is no need to sign out a book. Just return it when you are finished reading it. Book donations, particularly recently published copies are always appreciated. Any duplicate books will be donated to a worthy cause. Magazine donations are not accepted.

B. The billiard table is in the library. If other areas of the clubhouse are in use, players should keep the connecting doors closed to reduce the noise level. If others are waiting to play, table use is limited to one hour. Only responsible players are permitted to use the billiard table. Owners will be responsible for all damage to the table caused by players. All guests must be accompanied by a resident.Beverages are not permitted on the billiard table. The game room includes the ping pong and poker tables. To prevent damage to the tables or injury to individuals, members are not permitted to move the ping pong table.

**IX. TENNIS COURTS**

 A. General

1. Courts are open daily from 7:30 a.m. to local sunset.

2. Courts are available on a first come first served basis, other than Monday, Wednesday, and Friday, from 8:00 a.m. to 9:30 a.m., which are standard playing days and times for organized play. At all other times any resident may use a court for practice but must defer to a group of two or four players who arrive to play.

3. Courts are to be used by residents and their guests only for playing tennis. No other activity is permitted. Guests under 18 must be accompanied by a resident while the guest is present.

4. All players must clean up immediately after play. No tennis balls, cans, tops, or other debris may be left in the area. Residents are responsible to ensure that their guests comply with all of the tennis rules. Owners are ultimately responsible for damage caused.

5. In case of an emergency, there is an alarm box on the south fence of the south court. When activated it will automatically call 911. You are suggested to use cell phones when possible.

B. Court Attire

1. Appropriate tennis attire should be worn by all players.

2. Players must use court shoes while playing. Any shoe with a dark sole or hard sole is not permitted. Any shoe that can mark or mar the court surface is not permitted.

C. Registration to Play

1. Players may reserve a court for single or doubles play by using the court reservation book at Court #1.

2.Players may register no sooner than 7:30 a.m. two days prior to the day on which they wish to play.

3. A player whose name appears on the register for a registered time must be one of the players using the court at that time period. No player may sign another’s name without the consent and knowledge of the player whose name is signed.

4. A playing time of up to one and a half hours is allowed for either singles or doubles play.

5. Any player wishing to use a court for practice can register for one half hour. Please so indicate in the signature space.

6. Registration of the courts from 8:00 a.m. to 11:59 a.m. is reserved for doubles play only. This is to permit resident’s use of the court during the hours most in demand.

7. A player may not register for a court time again until play has been completed for any previous time reserved.

8. A player must claim the court which he or she has reserved no later than five (5) minutes after the time for which the court has been reserved. If not, that player forfeits his or her time and another player may use the court by signing up in that time slot in the registration book.

9. If a player decides not to use a reserved court, that player should draw a line through his or her name. Also, please call the person who has the next time reserved and inform him or her of the cancellation. At that time, the canceling player may reserve another time.

10. These rules are meant to be fair for everyone, so please adhere to them.

**X. PICKLEBALL**

A. General

 1. Due to the increased noise created by the game of pickleball, the court will be

 open as follows:

 Daily with seasonal timelines:

 October 1 through March 31 from 10:30 to 5:00 p.m.

 April 1 through September 30 from 10:00 to 7:00 p.m.

 **The Association will monitor hours of play for non-compliance and will strictly enforce any violations of this requirement.**

 2. The court is to be used for pickleball play only. Any other activity is

 prohibited.

 3. The court is to be used only be residents and their guests. Guests

 under the age of 18 must be accompanied by a resident at all times.

 4. The court is open on a first-come/first served basis. Residents are to

 reserve the pickleball court in the same manner used to reserve a tennis

 court. (Refer to Tennis Courts Rule IX,C.)

 5. Animals are not allowed in the court area.

 6. Beverages in plastic bottles may be consumed courtside. Food is not

 allowed in the court area.

 B. Proper Equipment

 1. Players are required to use "Green Zone" equipment for play. Green

 Zone paddles are the only paddles approved for use on Oceanside Manor

 courts.

 2. Appropriate attire must be worn by all players.

 3. Players must wear rubber soled shotes that will not mar the court.

 C. Enforcement

 1. The Association will monitor neighborhood complaints for non-compliance.

 2. These rules are meant to be fair for everyone, so please adhere to them and

 and be sensitive to those who may be affected by the increase in noise from

 pickleball.

**X. SHUFFLEBOARD COURTS**

A. Four shuffleboard courts and equipment are available for the use of all residents and their guests. Instructions for court and equipment use and maintenance are posted.

B. Courts may only be used during the hours of 7:30 a.m. to local sunset. Courts are reserved for organized play each Tuesday morning.

C. Courts must not be used for other than the game of shuffleboard, as they are easily damaged. This means NO skateboarding, rollerblading, bicycles, roller skating, or similar activities.

**XI. SUNDOWN PARK AND CLUBHOUSE PICNIC AREA**

A. Sundown Park and the Clubhouse Picnic area and facilities are for the exclusive use of residents and their guests.

B. Any resident desiring to reserve the Sundown Park for a private function must first contact the Secretary of the Board to verify availability on the desired date. Permission will be required from the Secretary of the Board before proceeding with future plans. A deposit of $250 dollars is required for use of Sundown Park for private functions. This money shall be attached to the reservation request form upon submission.

C. **Parking in the lower portion of the park is not permitted.** Residents may drive into the park to drop off only. The person(s) requesting usage of Sundown Park and/or Clubhouse Picnic Area are requested to provide their guests with a map of the available parking areas.

D. The HOA assumes no liability for any injuries or loss sustained by residents, guests, or others during their use of the park or picnic areas.

E. In consideration of adjacent neighbors, **reserved events** in the park shall be held after 10:00 a.m. and finish by sunset.

F. Smoking or vaping of any substance is not permitted in Sundown Park, Picnic Area or surrounding the clubhouse.

**XII. FENCES/RETAINING WALLS**

 **HOA owned vinyl and chain link fences and block walls are the property of the HOA. Fence inspections will take place annually with the single purpose of verifying the condition and integrity of HOA owned structures. Owner/residents are responsible for preventing damage to their backyard fence enclosure by observing the following guidelines and will be assessed for any damage to fences caused by invasive growth from homeowner trees or plants within private patio areas as per current enforcement policy.**

A. In order to maintain the vinyl (PVC) fences **ALL** plantings must be kept trimmed and clear of the fence. Plants are not allowed to grow up or on the fences.

B. Vines and other intrusive plants must not be allowed to grow onto or through the fencing or retaining walls. If necessary, separate trellises (not to exceed 6’ in height) should be used for vines and plants to ensure that no growth of any kind protrudes through the fencing.

C. Holes are **NOT** permitted to be drilled in any part of the fencing and nothing is permitted to be hung onto the fencing.

D. It is the responsibility of the homeowners to prevent any tree limbs from causing damage to the fencing.

E. In order to prevent deterioration and to avoid unsanitary conditions, dirt or debris or personal property may not be piled or stored against the fences.

F. An HOA Fence committee will be responsible for inspection of the community fences once a year.

**XIII. LANDSCAPING**

A. Owners are allowed to care for plants in the landscape easement areas under the following conditions:

1. A reasonable number and size of plants in pots may be set along the entry ways without requesting permission and must be well maintained by resident. The Board will determine, at its sole discretion, what constitutes a reasonable number and size for the area. Owners will be responsible for any and all damage or injury caused by such pots/plants.

2. Hanging plants may be hung from the eaves without permission as long as they do not obstruct safe passage and are well maintained, and do not allow water to penetrate the walls or structure. The Board of Directors has discretionary approval on outside decorations.

3. Upon discovery by the Association, problems with lot drainage or private slope erosion will be called to the owner’s attention by the Board of Directors through the Landscape Chair. The owner shall correct the situation as spelled out in the **CC&Rs, Articles 4.9 and 13.1**.

4. Entry areas behind vinyl gates to owner’s backyards must be maintained by the owner. (The area between any added homeowner gate and vinyl gate is HOA responsibility.)

5. Owners may add a holder for hose storage or coil it in an unobtrusive area, as long as it is not hung on the fence.

6. Any plantings in the common areas are totally the responsibility of the Landscape Committee. Homeowners are not permitted to add, remove or replant any plantings in the common areas including the homeowner’s front of home.

7. It is the owner’s responsibility to see that resident owned trees on their Lot are trimmed so that limbs do not touch the roof of the house or cause damage to a neighbor’s property.

8. Vine growth must be on a trellis so that vines do not grow attached to the house surface or intrude on or through fences. Trellis should not exceed 6ft in height.

**XIV. MISCELLANEOUS**

A. Entry to the pool area and clubhouse is controlled by an electronic fob system. Each address is issued a maximum of two and the fob numbers are organized by property address. If a fob is misplaced, a replacement can be issued through the association management company at a cost of $25.00. The owner of each property is responsible for notifying the association management company when a property is changing hands or, if tenant occupied, when a new tenant occupies the property. If during a change in residency, notification is not made to the association management company, the fob related to that property will be deactivated and the new resident will be required to sign the appropriate paperwork for the fob.

B. Renovation or construction of homes is restricted to the hours of

 7:30 a.m. to 5:00 p.m. daily.

C. Use of any motor vehicle that produces excessive noise (motorcycles, dune buggies, off road vehicles, etc.) or smoke are prohibited within the development.

D. In the interest of safety for our residents, skateboards, roller blades, and skates may not be used anywhere in the common area. Bicycles, either human powered or electric are not to be ridden on common area walkways. Riders must dismount and walk bicycles on all walkways.

E. Garage doors must be closed to help crime deterrence and enhance appearances unless required open for ingress and egress or while working in the garage.

F. Trash containers, recycle bins, and green waste carts may not be stored in common areas and must not be visible from the streets **(City of Oceanside Civil Code)**. Containers must be stored in garages or backyards. Containers may be placed at curbside no earlier than 4:00 p.m. the night before scheduled pickup. Following pickup, all containers are to be returned to their storage area by 11:00 p.m. Residents who plan to be away prior to and after pickup must make the necessary arrangements with neighbors to return carts to storage. Homeowners must only use trash, recycle, and green waste carts provided by the waste management company.

G. Any property offered for sale or lease may post one sign of reasonable dimensions and design on the property. Open house signs may be placed at suitable locations for the duration of the open house period and must be removed promptly afterward.Once a property has been sold, all signs must be removed immediately.

H. Fires fueled by wood products, coal coke, or materials other than a gas-fired log shall not be permitted in any fireplace unit unless an approved spark arrester is installed and properly functioning on the fireplace chimney. Wood burning fire pits are not permitted.

I. Due to security and traffic restrictions, **garage sales are prohibited**.

J. Estate sales are permitted by appointment only and held within the home or garage. The owner is responsible to confirm parking is controlled. Estate sales cannot start before 7:30 a.m. and must be completed by 5:00 p.m. and cannot be held on Thursdays. Permission to hold an estate sale must first be requested from and approved by the Board.

**XV. AMENDMENTS**

**These Rules & Regulations may be amended or revised by the Board from time to time in accordance with the Governing Documents and the law.**