



# *Rules & Regulations*

*November 2013*

## Table of Contents

Introduction.....	3
Violation Policy .....	4
Dumpster Regulations .....	5
Noise Control .....	6
Clubhouse Rules & Regulations.....	7
Tennis Court .....	13
Pool.....	14
Pet Policy .....	15
Vehicles & Parking .....	16
Carports/Garages.....	18
Architectural Control .....	19
Decks/Patios/Balconies.....	20
Smoking .....	21
Rental Requirements .....	22
Common Areas .....	23

## **Introduction**

The success of a condominium association depends in large part on the governing documents that outline how residents are expected to conduct themselves. These Rules and Regulations have been adopted by the Board of Directors to enhance the enjoyment and tranquility for all persons living in our community.

Owners shall be responsible for the actions of tenants, occupants and guests and should ensure full compliance with the Rules and Regulations of the Association. While the word "owner" is used throughout the Rules and Regulations, it is intended to include tenants, occupants and guests.

Each owner shall be responsible for providing tenants with a current copy of the Association's Rules and Regulations.

In addition to these Rules and Regulations, residents are expected to comply with all ordinances and codes for the City of Carlsbad.

## Violation Policy

- The Board of Directors may impose both monetary and non-monetary penalties for owners that are determined to be in violation of any provision of the CC&Rs, Bylaws or Rules and Regulations. No monetary penalty shall be effective unless the owner receives ten (10) days prior written notice of the proposed violation and penalty. No non-monetary penalty shall be effective unless the owner receives fifteen (15) days prior notice of the proposed violation and penalty.
- The hearing/violation notice may be given by any method reasonably calculated to provide actual notice. Owners that have signed the Electronic Notification Form will receive hearing/violation notices electronically.
- Fines may be imposed as follows:
  - 1<sup>st</sup> Violation - \$50.00 fine
  - 2<sup>nd</sup> Violation - \$100.00 fine
  - 3<sup>rd</sup> Violation - \$200.00 fine
  - Dumpster Violation - \$100.00 fine
- It is the right and duty of each resident to report violations in writing to the Board of Directors. Any owner who fails to correct the violation may be required to reimburse the Association for all costs to clear the violation including but not limited to court fees and attorney fees.
- Reporting party may remain anonymous if the violation can be independently verified by the Board of Directors. Anyone wishing to remain anonymous must indicate their desire to remain anonymous when notifying the Board of Directors about the alleged violation.

## **Dumpster Regulations**

- Owners are responsible for picking up their own trash and disposing of it in the proper containers or receptacles.
- Large cartons and boxes must be broken down before being placed in the dumpsters.
- No appliances, furniture, construction waste or oversized items are permitted in the dumpster. Owners will be responsible for any additional costs incurred by the Association to remove or dispose of oversized trash not covered by the Association's existing waste removal contract.
- Dumpsters are for the exclusive use of the residents.
- Pesticides, chemicals, oil, solvents, tires or paint are not permitted in the dumpster.
- Trash must be placed inside the dumpster. Items may not be placed in the area surrounding the dumpsters or dumpster enclosures.
- Dumpster violations are subject to a \$100.00 fine.
- Given the close proximity of the dumpster to the living areas, consideration of noise is appreciated.

## **Noise Control**

- Noise can be an issue in condominium communities. Please be considerate of those living close to you and keep noise volume as low as possible.
- It is the responsibility of members to see that their actions or those of their guests, tenants or pets do not unnecessarily disturb other residents or violate Association rules.
- Radios, television, musical instruments, party activities and other noise sources (including barking dogs, car horns and extended warming-up of vehicle engines) must be restricted at all times to a level that does not disturb other residents. The Board of Directors reserves the right to determine whether any noise constitutes a nuisance to other residents.
- Any owner may engage in a home improvement project/repair on any weekday between the hours of 7:00 am and sunset and on weekends between the hours of 8:00 am and sunset provided such project is for the benefit of said residential property and as permitted by the City of Carlsbad Noise Ordinance. No home improvements may be made on Sundays.
- Homeowners should seek to reduce noise in the community after 10:00 pm.

## Clubhouse Rules & Regulations

The following Rules and Procedures are to ensure the personal safety and enjoyment of the facilities and are not intended to limit or restrict use of the Clubhouse Facilities.

### General Clubhouse Rules

- A Homeowner may be denied use of the Clubhouse for the following reasons:
  - Delinquency in payment of Association Dues, Fines, etc.
  - History of negligence concerning property or Clubhouse rules, policies, or procedures
  - Anyone not in compliance with the CC&Rs
  - Other reasons deemed substantial by the Board of Directors
- **Doors** - The Clubhouse doors operate on a magnetic key fob system. Any owner falling into any of the classes stated above will have their key fob rendered temporarily inoperable and their access to the Clubhouse denied until the situation has been remedied. Any owner found to be in the Clubhouse once their key fob has been turned off will be charged with a trespassing fine to their Association account at the rate established in the CC&Rs.
- **Tenants** - Tenants may use the Clubhouse facilities. The Homeowner assumes all responsibility for their Tenant's actions while in the Clubhouse.
- **Monitoring** – For the safety and security of the Association and its members, the Clubhouse is monitored by a 24-hour video monitoring system. Anyone found to be in violation of these rules or engaging in illegal activities will be prosecuted to the fullest extent possible.
- **Pets** - Pets are not permitted in any part of the Clubhouse or pool area at any time.
- **Smoking** - Smoking is not permitted in any part of the Clubhouse.
- **Clubhouse Coordinator** - The Clubhouse Coordinator will report to the Board of Directors and may be a member of the Board. The Coordinator is responsible for

inspecting the Clubhouse for damage and insuring the checklist has been satisfactorily followed by the owner before the security deposit can be returned.

## Main Room

- The Main Room is available to owners of La Costa Hills for private social functions. To reserve the Main Room, please contact the Clubhouse Coordinator well in advance to ensure your reservation. A **\$250.00** refundable security deposit will be required. Owners will be responsible for any damage occurring to any furniture or fixtures during their use of the Main Room.
- Reservations may not be made more than twelve (12) months in advance or less than seven (7) days in advance. The owner reserving the Main Room is required to be current on all dues, assessments, and in compliance with the CC&Rs.
- A “Clubhouse Rental Agreement” must be completed, signed and returned to the Clubhouse Coordinator within seven (7) days of the scheduled event. All Clubhouse Rental documents and a calendar of available dates may be found on the Association’s website at [www.lacostahillshoa.com](http://www.lacostahillshoa.com).
- A check for the refundable security deposit in the amount of **\$250.00**, payable to “La Costa Hills HOA”, is to be remitted with the “Clubhouse Rental Agreement” to the Clubhouse Coordinator within seven (7) days of the scheduled event.
- The Clubhouse Coordinator is to meet with the owner at the Clubhouse to review all of the Rules and Regulations prior to the scheduled event.
- The owner reserving the Main Room must be in attendance at all times during the event. He/She is responsible for the conduct of all guests.
- The swimming pool and swimming pool deck area are for the La Costa Hills community and cannot be reserved.
- The owner is responsible for preventing the serving of alcohol to minors. The owner shall hold La Costa Hills HOA harmless from any and all liability of damage resulting from the actions of an intoxicated guest.
- Nothing is to be taped/affixed to the walls.



- Music, and/or any other noise, must be kept at a reasonable level that it does not disturb the surrounding homes in the area. The owner will be responsible for ensuring that the guests either coming to or leaving the function at the Clubhouse are respectful of neighbors.
- The owner is responsible for turning off all appliances, closing and locking windows, and turning out lights at the end of the event.
- All trash must be removed from the facility and placed in the dumpsters.
- Cleaning the Main Room is the responsibility of the owner. Not complying with all or any part of the “Clubhouse Checklist” will result in forfeiting all or part of the security deposit. Cleaning fees will be charged at a rate of **\$50.00** per hour and will be taken directly out of the security deposit.
- The owner is responsible for replacement cost for all items damaged or lost as a result of, or occasioned by the member’s use of the property. This may result in forfeiting all or some of the security deposit or if need be charging the member’s association account.
- The Clubhouse Coordinator will return the security deposit promptly upon compliance with the “Clubhouse Checklist”. In the event of non-compliance with the checklist the Board of Directors shall have jurisdiction in the matter. All appeals may be made with the Board of Directors. Appeals must be submitted in writing and will be discussed at the next monthly board meeting.

### **Gym Facilities**

- The gym is for the exclusive use of La Costa Hills owners and tenants.
- The gym hours are as follow:
  - **Sunday – Thursday**      **5:00 am – 10:00 pm**
  - **Friday – Saturday**      **5:00 am – 11:00 pm**

If these hours are abused, the Board of Directors reserves the right to change the gym hours at any time.

- No one under the age of 18 is permitted without an adult.
- Rowdy, rude, offensive or uncooperative behavior will not be tolerated.

- No pets or wheeled toys (i.e., rollerblades, skateboards, scooters, etc.) are allowed in the gym at any time.
- No smoking, food or beverages (except water/sports drinks in plastic containers) will be allowed in the gym at any time.
- In order to maintain access control:
  - Owners must bring and use their key fob to enter the gym.
  - No one without a key fob is permitted within the facility.
  - The gym doors are not to be propped open at any time.
  - The windows can be opened for air, but must be closed when leaving the facilities.
- It is suggested that each person wipe off the equipment they intend to use before each use.
  - Wipe down the equipment by spraying the cleaning solution provided on a paper towel.
  - Do not spray the solution directly on the equipment.
  - All equipment must be wiped down after use.
- Free weights and benches must be returned to their original place.
- All equipment should be used properly to avoid excessive wear and tear and damage to the room or equipment. Examples:
  - Put weights down gently on the benches and floor.
  - Avoid dropping and banging free weights as well as plates on the weight machines.
- Consult posted instructions on proper use of equipment.
- The televisions are to remain on mute at all times.
- Proper shoes and clothing must be worn at all times (shirt and shoes required). Bathing suits are not proper gym attire.

- Use of the stereo equipment shall be done in a courteous manner and should in no way interfere with the quiet enjoyment of the Homeowners in the adjacent buildings.
- Refrain from attempting to use any damaged equipment, and notify the Board of Directors of any damaged or missing equipment or safety hazards.

### **Sauna Rules**

- When using the sauna, allow enough time to relax completely and to fully hydrate before and after use.
- The hours for the sauna are as follows:
  - **Sunday – Thursday**      **5:00 am – 10:00 pm**
  - **Friday – Saturday**      **5:00 am – 11:00 pm**
- Please shower before entering, wear appropriate swim attire, remove all jewelry, and use a clean towel to sit on.
- No one under the age of 18 is permitted to use the sauna.
- Pregnant women, persons using prescription medications, and individuals suffering from high blood pressure must consult with a physician before using the sauna.
- While this is a wet-dry sauna, use only a small amount of water on the heating element and take care to keep clear of the steam as it rises off the rocks.
- Please keep all flammable materials away from sauna rocks.
- Food, drinks (except bottled water), and smoking are not allowed in the sauna room.
- The sauna room is not to be used for any other purpose other than its intended use.

- Maximum amount of time allowed in the sauna is 30 minutes per day.

## **Tennis Court**

- Appropriate tennis attire must be worn at all times.
- No glass containers are allowed in the tennis court area.
- The tennis court is for recreational use only. Paid instruction is not permitted.
- No animals are allowed in the tennis court area.
- Smoking is not permitted in the tennis court area.
- The hours for the tennis court are as follows:
  - **Sunday – Thursday**                      **5:00 am – 10:00 pm**
  - **Friday – Saturday**                      **5:00 am – 11:00 pm**

## Pool

- Appropriate pool attire must be worn at all times.
- No glass containers are allowed in the pool area.
- The pool area is for recreational use only. Paid instruction is not permitted.
- No animals are allowed in the pool area.
- The hours for the pool area are as follows:
  - **Sunday – Thursday**                      **5:00 am – 10:00 pm**
  - **Friday – Saturday**                      **5:00 am – 11:00 pm**
- Guests must be accompanied by a resident. To prevent the use of the recreation facilities by unauthorized individuals, residents and their guests are encouraged to identify themselves to other residents should they be requested to leave.
- In order to maintain access control:
  - Owners must bring and use their key fob to enter the pool.
  - No one without a key fob is permitted within the facility.
  - Pool gates must be closed at all times and may not be propped open at any time.
  - Owners using the pool area may not open the gate for others trying to access the pool area without a key fob.
  - Jumping over the pool area fence is not permitted.
- Pool furniture may not be placed in the pool or spa.
- Owners must comply with all of the rules posted on the pool area signs.
- Life ring and pool skimmers are not to be used by owners except for in emergency situations.
- Anyone using the recreational facilities shall do so at their own risk.

## Pet Policy

- No more than two (2) dogs or domestic cats are allowed within a unit. There is no weight limit or breed restriction.
- Owners are responsible for the conduct and behavior of their pets.
- Dogs must be leashed at all times while in the common areas.
- Owners are responsible for the immediate removal and cleanup of animal waste in the common areas. The Association has provided dog cleanup stations throughout the community to assist with pet waste disposal.
- Owners shall be responsible and liable for any personal injury or property damage caused by their pets.
- Pets are not allowed within the confines of any recreation area (i.e. pool, Clubhouse, tennis court, etc.)
- Legal action may be taken against owners of pets that make excessive noise. The Board of Directors reserves the right to determine what constitutes excessive noise.
- The Board of Directors reserves the right to expel any pet which, in its determination, is a nuisance as defined by the Association's governing documents.
- Residents who are disturbed by an animal are urged to first contact the pet's owner. Residents may also contact Animal Control or the Board of Directors.
- It is the responsibility of pet owners to ensure that their pet does not ingest snail bait, ant killer, insecticides, etc.

## Vehicles & Parking

- Each unit is assigned one Common Area parking space.
- Guest parking is available on a “first come, first serve” basis. Vehicles may not be parked in guest parking for more than 24 hours.
- Guest parking is for guests, not for residents.
- Permanent guests (individuals that are on the premises more than 24 hours in a seven day period of time) are not permitted in guest parking.
- Guest parking violators are subject to towing.
- If your vehicle has been cited for a guest parking violation, a second citation will not be given and your vehicle is subject to towing without additional notice.
- Campers, trailers, motor homes, boats, commercial vehicles or trucks larger than a pick-up, shall not be parked within the premises.
- Automobile repairs, oil changes and engine overhauls are not permitted on the premises.
- Parking is allowed in the designated areas only.
- Vehicles may not block the streets or lanes in a way that would obstruct the access of the fire department and emergency vehicles.
- No vehicles shall be left in a condition that would constitute a fire or any safety hazard.
- Inoperable vehicles may not be maintained or stored on the property. This includes vehicles without current registration and those lacking the power of independent motion. Owners with expired tags will be given two months from the date of expiration noted on the tags before their vehicle may be towed.
- Maximum speed limit on the property is 10 mph.
- No vehicles may be washed on the premises.
- Vehicles parked in fire lanes, in front of garage areas, or blocking ingress or egress may be subject to towing without notice.



- Storage units are not permitted on the premises or in any parking space.

## Carports/Garages

- Garages and carport spaces are assigned to each unit as set forth in the Condominium Plan. Owners shall use the assigned garage or carport space to its maximum capacity for parking as a condition of parking an additional vehicle in the Common Area parking spaces.
- Garages and carports shall not be used for storage purposes so as to prevent vehicles from being parked in such areas.
- Carports are for the exclusive use of transportation vehicles only. Recreational vehicles such as jet skis, ATVs and dirt bikes are not permitted to be stored in the carport areas. Carports are not to be used as workshops, for the storage of tools or for car repair.
- Electricity use from the garages and carports is paid for by the Association. As such, no additional outlets may be installed in the garage or carport areas without approval of the Board of Directors.
- Refrigerators and deep freezers may not be plugged into the garage power sources paid for by the Association.
- Garages may not be used as living spaces.

## Architectural Control

- No changes or additions to the exterior of the units (including but not limited to planting of trees, antennas, building or patio covers, exterior sunshades, awnings, walls, fences, etc.) may be made unless approved in writing by the Board of Directors. Plans, specifications, contractor information including license and insurance information, and an Architectural Request Form must be sent to the Architectural Committee for review and approval prior to installation.
- No window air conditioning units except those that remain flush with the exterior window may be permitted.
- No balcony enclosures are permitted.
- One “For Sale” or “For Rent” sign is permitted to be displayed for public view from inside the window of a unit. The sign may not be larger than 18” x 24”. No other signs are permitted within the project except one additional sign that may be placed on the Association’s bulletin board.
- No exterior clotheslines are permitted.

## Decks/Patios/Balconies

- Miscellaneous equipment or materials, such as bicycles, towels, shoe racks, wood piles, washers/dryers, surf boards, etc. may not be stored or kept on patios, balconies and decks.
- Nothing shall be attached or hung on exterior walls or wood trim that may affect the integrity of the structure including but not limited to installation of nails, hooks, etc.
- Any penetrations or otherwise affixing into the Trex material will require the replacement of the entire board at the homeowner's expense.
- Live plants must be placed on a plant saucer to prevent water intrusion.
- Unsecured items may not be placed on balcony railings.
- Owners are responsible for any and all damage to decks, patios and balconies caused by their plants and/or excessive water usage.
- Decks, patios and balconies are not to be used for such purposes as drying laundry, miscellaneous storage, etc. Clothing, towels, etc. are not permitted to hang on or over patio railings.
- Decks, patios and balconies must be maintained at all times so as to enhance, rather than detract from the aesthetic appearance of the buildings. The Board of Directors reserves the right to determine the appropriate aesthetic standards for the buildings.
- Holiday decorations must be removed no later than one week after the holiday.
- Tile and carpet are not permitted on the decks, patios or balconies.
- Satellite dishes are not permitted on the roofs and may not be screwed or nailed into the exterior walls or wood beams. Satellite dishes must be on free-standing poles.
- Charcoal grills and open flames are not allowed on the premises.

## Smoking

- Smoking is not permitted within 100 feet of any building or recreational area. Smoking is prohibited on balconies, patios, and decks.
- Homeowners are permitted to smoke within their units; however, second-hand smoke may not escape from your unit (this includes through open windows, open doors, walls, etc.) The Board of Directors retains the right to determine if smoking within a unit has become a nuisance as defined in the CC&Rs.
- Illegal drug use of any kind is not permitted on the premises.

## **Rental Requirements**

- Owners are required to provide their tenants with a copy of the Rules and Regulations. All tenants must comply with the governing documents of the Association.
- No timeshares are allowed.

## Common Areas

- Sidewalks are for pedestrian use only.
- Parents must supervise the activities of any minor children in the common areas.
- Please keep out of shrubbery and planters.
- Commercial enterprises are prohibited on the premises.
- Charcoal grills and open flames are not allowed on the premises.
- The community has gas grills that may be used by residents. A propane tank is required to use the grills. Residents are expected to clean the grills after use.
- No solicitation or distribution of printed materials of any kind is allowed on the premises.

## Leaks

- Leaks must be reported immediately.
- Access to unit must be given within 24 hours during regular business hours.
- Failure to comply with the rules regarding leaks may result in a reimbursement assessment being applied to your account.