

# EAST BEACH HOMEOWNERS ASSOCIATION RULES AND REGULATIONS MANUAL DECEMBER 2014

Preface & Forward

I Board of Directors Meetings

II Association Dues

III Insurance

IV Leases

V General Regulations/Exterior Modifications

VI Pet Rules

VII Parking Rules

VIII Pool Rules

IX Enforcement

X Summary

# **EAST BEACH HOMEOWNERS' ASSOCIATION MANUAL OF RULES AND REGULATIONS**

## **Preface**

East Beach Homeowners Association is a beautiful and uniquely situated community in which all of its residents can take great pride. As a common interest development, the welfare of one resident is closely related to the welfare of all. Upon becoming an East Beach owner, each of us has voluntarily accepted the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF EAST BEACH HOMEOWNERS ASSOCIATION as the document that defines the rules and regulations of the community and governs our rights and responsibilities as neighbors. Awareness of the CC&Rs and the voluntary compliance thereof is a true measure of the goodwill of a good neighbor.

The Board of Directors of the East Beach Homeowners Association has approved this MANUAL OF RULES AND REGULATIONS to highlight and amplify some of the core rules and regulations of the CC&Rs that we feel are most likely to affect the day-to-day activities and the quality of life in the community. The Board also has the right and responsibility to establish additional regulations and procedures for the community as the need arises. This manual also serves to notify the community of such new rules and to describe enforcement procedures in the case of rule violations.

We encourage all residents to become familiar with this manual. Violations of the rules and regulations contained herein or in the CC&Rs may result in penalties and fines against the property owner, in some cases together with their tenant(s). It is the owner's responsibility to inform any tenants of the Rules and Regulations governing the community.

This manual has been approved and adopted by the Association Board of Directors December 2014 and supersedes the Rules and Regulations of the association dated 2009.

## **Foreword**

The East Beach Homeowners Association is a non-profit mutual benefit association consisting of all owners of units within the complex. The Board of Directors is elected by the owners and is responsible for managing and maintaining the complex. The Board enforces the Rules and Regulations as authorized by the CC&Rs and in accordance with California law that may supersede the Declaration.

This manual is designed to provide a ready reference for both owner and renter as to those Rules and Regulations which most centrally impact daily life and activities in the Community. Please take the time to read and review each one. All owners and renters are responsible for understanding and abiding by the rules and regulations. Owners are responsible to ensure that their tenants receive a copy of these rules and regulations. The objective is to promote safety, harmony, convenience, mutual respect, and sense of shared community.

Sincerely,

The Board of Directors

## **I Board of Directors Meetings**

Meetings of the East Beach Homeowners Association Board of Directors are generally held on the third Saturday of every month in the Cabana. Notice is posted in the window of the cabana in advance. Owners on the email list, will get the Notice emailed.

At these meetings, the Board conducts Association business, discusses issues, expenses, vendor advice and takes *owner comments*. Homeowners are encouraged to attend Board meetings and to take an active role in the community through that attendance, Committee Activities and volunteering for the Board. Comments are taken during the Owner Commentary Period listed on the meeting Agenda, unless otherwise arranged. Owners with questions should submit their questions in writing to the HOA mailing or management email address.

## **II Association Dues**

Operation, maintenance, and repair of the complex are funded by a regular assessment of the homeowners. This assessment is the only source of revenue, therefore, the Association places top priority on timely payment from all homeowners.

Dues pay for all items in the Association budget: insurance, local licenses and fees, common area utilities, services and repairs such as landscaping, pool maintenance and repair, gas, water, electricity, refuse and structure repair, reserves, and administration such as management services, legal fees, and the reserve study. A copy of the annual budget is provided to homeowners each year in the annual disclosure packet.

Dues are payable the first day of each month and are considered late after 15 days at which time a ten percent late charge will be assessed. Dues that are more than 30 days late shall bear interest from that date at the rate of ten percent (10%) per annum.

## **III Insurance**

The Association pays for the blanket hazard insurance that covers each building. If you believe you have a claim against the Association insurance, please contact the Association Management. You may not contact the insurance agent directly as the HOA is the policy holder.

## **IV Leases**

A lease may not be written for a period of less than three months.

Subletting is not permitted.

It is the responsibility of the homeowner who leases the unit to provide copies of the CC&Rs, Bylaws, and Rules and Regulations to each new tenant. The homeowner is also required to provide the tenant's names, telephone number, number of cars, license numbers, makes of car, **a copy of the lease** and pet information to the Board of Directors.

No owner is permitted to lease his condominium for transient or hotel purposes. No owner may lease less than the entire unit. Any lease of a unit shall provide that the lease is subject to, in all respects, the provisions of the CC&Rs, Bylaws, and Rules and Regulations of the Association.

Such lease shall further provide that any failure by the lessee to comply with the terms of such documents shall be a default under the lease. All leases and rental agreements of Association units shall be in writing and shall be for a term of three months or more. All owners are required to provide the Association with a copy of a signed lease and the printed names of each lessee.

## **V General Regulations/Architectural Changes**

Owners are responsible for the action of their children, guests, and tenants. Although tenants are to abide by these Rules and Regulations, owners bear the ultimate responsibility for the actions of their tenants. If there is a need to impose penalties, they are imposed against the owner.

Exterior alterations of any kind are not permitted without the prior written permission of the Board of Directors sitting as the Architectural Review Committee. This involves, but is not limited to, structural changes to doors, balconies, exterior railings, and roof including skylights and solar paneling and satellite dishes. In addition to Board review, external alterations typically must be approved by the city's Landmark Commission. A written request, including a sketch, must be submitted to the Board of Directors. A copy of the Architectural Request Form is attached.

Board review and approval is also required for any internal or inside only construction involving substantial traffic, noise, construction materials, or construction time. Any external or internal construction project involving any of the impacts noted above need to be managed through private contractors as follows:

Obstructions of sidewalks, driveways, garages, and entranceways are not permitted. Storage of personal articles such as furniture, bicycles, toys, mops, ladders, tools, brooms, etc., is not permitted in any part of the common area.

The only items that may be kept on exterior balconies and patios are patio furniture, barbeques, plants, and items of a decorative nature. Balconies and patios must be kept clean and orderly at all times.

The hanging of rugs, towels, and other such items on porches, balconies/patios, railings, and stairs is not permitted.

Signs in windows visible to the exterior are prohibited, with the exception of one For Sale or For Rent/Lease sign.

Outside antennas, including satellite dishes, shall not be attached to roofs or building, unless approved in writing and in advance of any installation by the Board of Directors. Complete information regarding satellite dish installation is available from Management.

Garbage and refuse from units shall be deposited properly in garbage containers provided by the Association. Boxes or cartons must be flattened and placed in dumpsters. Disposal of furniture, mattresses, and other household items is not permitted in the dumpster areas.

### **Waste disposal by contractors is not permitted.**

Paints, flammable materials, and other hazardous materials cannot be discarded in dumpsters. Such materials must be disposed of in accord with applicable City Ordinances.

No fireworks or firearms shall be discharged within the complex.

State and Local ordinances must be observed if explosives or flammable liquids are brought to the complex. Storing large quantities of flammable liquids is prohibited.

No owner or tenant is to plant, or cause to be planted, any planting on common property without prior Board approval. Any planting on unit balconies and patios, which are visible from the common area, must be kept in good condition. No ornaments or potted plants may be placed on building walls, patio walls, or steps.

Owners, tenants, or guests are not permitted to borrow or remove any equipment or property from the common area or gardeners.

Any costs of repair of damages to buildings, walkways, driveways, equipment, recreational facilities, landscaping, or any other common area property caused by an owner or tenant, or any family member, guest, employee, contractor, or agent of an owner or tenant, shall be at that owner's expense.

Skateboarding, roller skating, rollerblading and the riding of scooters are prohibited in the complex. Bicycles are to be used for ingress and egress only.

Ball, volleyball, soccer, baseball, football, Frisbee playing, etc., are prohibited in the complex roadways, common areas, sidewalks, and driveways.

Noise from individual units, TV, radio, stereo, musical instruments, voices, etc., should not extend beyond unit walls or disturb the peace of any residents.

The speed limit throughout is 10 mph.

No unit shall be used for business, commercial, manufacturing, mercantile, storing, vending, or any nonresidential purpose without prior approval of the Board.

Garage doors are to remain closed except for the purpose of entering, exiting, cleaning, or maintaining the garage.

Window coverings must be of a neutral shade; white, off-white, beige, taupe. Only curtain, drapes, blinds, shutters, or shades may be installed as window covers. If you have doubt as to whether a color or material is acceptable, contact the Association first.

Garages may not be used for business, storage, or workshops that displace the space for autos. Your garage must be able to accommodate at least one vehicle.

The Board of Directors must approve screen doors in advance of installation.

In general, no exterior signage is permitted in common areas. Signs advertising an open house may be used, provided they are placed in such a way that they do not interfere with ingress and egress, do not damage landscaping, and are removed in a timely manner.

The Association prohibits installations in any common area or exclusive use common area, of bird feeders that use seeds or scattering of seeds of any kind.

## **VI Pet Rules**

Dogs must be kept on a leash or confined within the owners unit in accordance with County and City ordinances.

There is a limit of two customarily uncaged pets, i.e., dogs or cats per unit, unless approved in advance by the Board of Directors at a meeting where notice is given in advance on the Agenda.

Any costs of repair for damage to buildings, landscaping, shrubbery, or any common area, by an animal shall be at the owner's expense.

The owner is responsible for the cleanup and proper disposal of animal waste.

All pets must be kept in such a manner so as to not interfere with other residents' quiet enjoyment and use of their property. (Example: Barking dogs)

No animal, livestock, or poultry shall be raised, bred, or kept in the complex for commercial purposes.

## **VII Parking Rules**

**All Residents must be able to park at least one vehicle in their garage.**

Vehicle storage is not permitted in any EB HOA common parking spaces. No Vehicle may be continuously parked in Common parking, without being used, for more than three (3) consecutive days, without prior written approval of the EB HOA Board of Directors through the Management. The common parking spaces are meant for only regularly used vehicles.

All vehicles parked in the common parking spaces must be in operating condition with license plate and current registration. They may not be missing any parts such as tires, doors, windows, etc. No vehicle repairs or painting is permitted in common parking spaces.

All vehicles parked in the common parking spaces must clearly, **without obstruction** display upon the front dash or rear view mirror an official EB HOA parking permit during the hours 6:00 pm to 8:00 am daily. The vehicle must display the permit number clearly, no exceptions.

Parking in such a manner that interferes with entry or exit to the community or to an individual garage is prohibited at all times. Vehicles should not be parked in front of unit garages other than for a brief time for the purpose of unloading passengers or items. Vehicles parked for such purposes may not be left unattended, closed up and locked. No vehicles are to be parked overnight in front of unit garages.

One parking permit per unit will be issued to all unit owners and tenants of record. Only those tenants that are listed with the HOA and a lease agreement is on file will be given a permit. To replace a lost or stolen permit will cost \$50.00. The lost or stolen permit will be deactivated.

Commercial vehicles, trailers, and recreational vehicles are prohibited from parking in the

complex. Exceptions are temporary parking of delivery trucks, vendor and service vehicles. They must be parked and fit in a common parking space and display the appropriate ID form on the dash issued by Security. They may not park in the street in front of the unit. They must display the ID form on the dash clearly showing the address where working. The ID form shall note the duration of the project for daily parking.

In situations involving multiple guests, available parking can be found on Ninos Drive.

Guest passes may be issued on a first come first served basis and residents must call the Guard to list incoming guests that will be parking during permit hours. The guest permit must be on the dash at all times when parking in the common spaces. NO tenants will be permitted to use a guest permit for their personal vehicle.

In the event of a one-time special event that could require more parking for an individual unit, contact the Management no less than 7 days before your event for temporary accommodations.

#### NO PARKING IN THE STREET, ROADWAYS OR IN FRONT OF GARAGES.

All Owners who chose to rent their units, receiving remuneration in any form therefore, shall be required to provide the EB HOA Management prior to issuance of a Parking Permit with the following information: (a) names of all tenants authorized to use the Owners Unit, (b) a clearly legible copy of the lease agreement listing names and phone contact for each tenant (c) complete identification of all Tenant vehicles. Providing a tenant with a parking permit or gate clicker is not an emergency and must be done in advance of the tenant move in and upon payment of any fees and receipt of the lease agreement.

NO VEHICLES, OWNER OR TENANT OR VENDOR, SHALL BE PARKED IN FRONT OF UNITS OR IN OTHERWISE UNAUTHORIZED PARKING AREAS. ANY VEHICLE IN THE COMMON PARKING SPACES MUST DISPLAY A PERMIT. ALL GARAGES MUST BE ABLE TO HOUSE MINIMUM ONE VEHICLE.

#### ENFORCEMENT PROCEDURES:

Upon establishment of the parking permit rules explained in this document, written warnings will be placed on vehicles parked in violation of the Association's permit parking rules for a grace period following adoption and complete distribution of the new permits. Receipt of your final copy of the new Rules Manual is considered your first warning. Signs posted at the complex entry and in common areas will also be considered a warning. **The Board may also levy fines in accordance with the fine schedule or tow offending vehicles following the provisions found in the California Vehicle Code Regulations Section 22658.** Members of the Board of Directors, Management and Security have the authority to enforce the parking rules. For retrieval of towed vehicles you may contact the posted towing company.

#### **VIII Pool Rules**

The pool is for the exclusive use of residents and their guests. An adult resident must accompany any guests. There is a limit of four guests per unit. Residents are responsible for the behavior of their guests. No swimming before pool cleaning on Monday and Thursday each week.

Pool hours are **8:00 a.m.** to 8:00 p.m. daily and 10:00 a.m. to 8:00 p.m. on weekends.

The lifesaving ring and pole are for emergency use only. Tampering with, and use for other purposes other than emergencies, is prohibited.

Children under 14 must be accompanied by a parent or responsible adult at all times while in the pool or pool area.

Proper attire (swimwear) is required when using the pool. No cutoffs, T-shirts, etc.

Infants, not toilet trained, must wear swim pants or swim diapers.

Glass containers, pets, toys, bicycles, skateboards, boogie boards, surfboards, roller skates, roller blades, plastic rafts, beach balls, etc., are not permitted in the pool area. Infant safety devices are not prohibited.

Trash must be deposited in the containers provided or removed from the pool area.

Running, boisterous play, splashing, yelling, and inconsiderate behavior are prohibited.

NO DIVING is permitted.

Radios, except when used with headsets, are prohibited. Extended cell phone use is prohibited.

Entrance to the pool equipment room is prohibited.

Tampering with the pool filters is prohibited.

The pool gate must be closed and locked at all times, except when entering or exiting.

NO SMOKING is permitted within the enclosed pool area.

## **IX Enforcement**

Infractions of these Rules and Regulations should be documented and brought to the attention of the Management. Before fines are levied, the Board conducts a closed hearing with the owner and follows procedures outlined in California Civil Code, Section.

In order to ensure the enforcement of the Rules and Regulations of the East Beach Homeowners Association, monetary sanctions will be applied against those members who have been found to be in violation of any of the published Rules and Regulations of the Association.

1 <sup>st</sup> Violation	Warning or fine up to \$100
2 <sup>nd</sup> Violation	Same offense: up to \$250
3 <sup>rd</sup> Violation	Same offense: up to \$500
Additional Violations:	Same offense: up to \$500 each
Fines up to \$750 per incident, depending on the violation	



Fines up to \$400 per day may accrue until the violation is cured

In addition to or in lieu of fines, privileges may be suspended for up to 30 days. Before the imposition of any of the fines detailed above, the Board will give at least 10 days' notice of a hearing, either personally or by mail, setting forth the date, time and place of said meeting.

## **X Summary**

The East Beach Homeowner Association's Rules and Regulations have been adopted and published by the Board of Directors to provide certainty, clarity and predictability with respect to the basic rules of common conduct deemed necessary to the maintenance of the community's common welfare. The rules and regulations are not intended to restrict or arbitrarily hamper the lives of its members but rather to facilitate the harmonious and cooperative environment which has always characterized this unique community.

The Board of Directors appreciates the cooperation of all members and their guests in acknowledging and observing these rules while noting that the critical factor in the creation and maintenance of a quality community is the continuing mutual respect and courtesy that has been the hallmark of life at East Beach.

The Board continually seeks the input and participation of all of its members in ensuring that the common rules that apply to our community life are responsive to change in accordance with the needs and wellbeing of the community.

Sincerely,

The Board of Directors,

**East Beach Homeowners Association**