West Bluff Hills
HOMEOWNERS ASSOCIATION

RULES & REGULATIONS

RESTATED OCTOBER 2020

Guidelines for Successful Community Living

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The Board of Directors of the West Bluff Homeowners Association adopted the following rules and regulations in accordance with Section 4.03 (b) and (k) of the By-Laws of this Association on, January 1, 1985.

I. Emergency Phone Numbers and Service Information

Police Emergency	911	
Police Non-Emergency	760-931-2197	
Fire	911	
Paramedic	911	
Laundry Equipment Breakdown	Wash Multifamily Laundry Systems	858-279-1234

Common Area Problems or Questions- all but true emergency situations- should be reported during regular business hours (M-F 9-5) to:

Professional Community Management
West Bluff Hills Homeowners Association
1921 Palomar Oaks Way #205
Carlsbad, CA 92008

Requests or complaints directed to the Board of Directors must be in writing and submitted through the Management Company.

Introduction and Definitions
II.

Pursuant to the CC&R's and By-Laws of West Bluff Hills Homeowners Association, the Board of Directors has adopted the following rules and regulations. These are supplemental to the above documents which should also be read and understood by all owners.

Your help and cooperation in the operation of West Bluff Hills requires a minimum amount of involvement, however, your assistance is necessary to ensure a community whose reputation for harmony contributes to increased property value based on high standards of maintenance.

The following definitions should be kept in mind:

Unit — The elements of a condominium NOT owned in common with owners of other condominiums in the project.

Common Area — All areas on the project except units.

Restricted Common Areas — Parts of the common area generally used by only the individual owner or occupant such as patios, balconies and garage parking.

Improvements — Alterations or additions to ANY portion of the exterior of any building or interior alterations or additions affecting walls floors, roofs, plumbing, wiring or any part of a building owned in common with any other unit.

General Rules & Regulations
III.

A. Units shall be used for single family residence only. Commercial or business activity is limited to professional occupations carried on within a unit with no external evidence of same. (CC&R's 8.09)

B. Noise or activities which disturb the quiet use and enjoyment of any other resident are prohibited at all times.

   Sound levels on televisions and stereos, etc., should be minimal from the hours of 10:00 p.m. through 9:00 a.m. (CC&R's 8.03)

C. **Patios balconies and entryways may not be used for storage**, only outdoor furniture, plants, and barbeques may be kept on patios and balconies.

   Dog litter must be cleaned immediately from these areas.

   No towels, rugs, laundry, or objects of any kind may be draped on balcony or patio enclosures. (CC&R's 8.06)

D. Alterations or additions to **any** portion of the exterior must be approved, in writing, by the Architectural Committee. See Section IV of the CC&R's for further information. (CC&R's 4.02 and 8.06)

E. Owners are liable to the Association for damage to the common property caused by negligence, willful misconduct, or improper installation of improvements by the owners, his guest, or his tenant. (CC&R's 3.07)

F. Garages may be used only for parking or storage. Residents who choose not to use their garage for parking, do so with the understanding that they are fully responsible for possible vehicle theft and any and all possible damages, vandalism, etc. that may occur to their vehicle. The owner of every garage that contains one or more water heaters must provide for clear and unobstructed access to the water heater(s) and all associated plumbing. (Adopted January 8, 2013)

   The use or storage of flammable materials is prohibited.

   Garage doors are to remain closed when not in use. (CC&R's 8.02)

Recreation Facilities

Recreation facilities are for use only by the owner or tenant of a unit. Should a unit be rented, the tenant shall have these privileges and the owner shall relinquish his / her right to use these facilities.

Users of the pool / spa must have a West Bluff Hills key tag in their possession at all times.

A. Pool and Spa Rules:

1. No food, glass containers or pets are permitted (STATE LAW).
2. Gates must remain closed and latched at all times.
3. Pool furniture must not be removed from pool area.
4. Children under the age of 14 years and guests MUST be accompanied by a resident and all times.
5. No loud music, running, diving or activities that interfere with the enjoyment of others. Posted pool rules to be obeyed at all times.
6. Pool parties by residents are prohibited without prior **written** approval of the Board of Directors.
7. Pool hours for regular activities 8:00 a.m. to 10:00 p.m. daily. NO GROUP ACTIVITIES ALLOWED IN THE POOL AREA AFTER 10:00 P.M. The operation of Spa equipment and talking disturbs other residents in the pool area. Complaints o after hour's noise will result in revocation of pool privileges.
8. Bobby pins and hair pins shall not be worn in the pool. Suntan oil and sand shall be removed from the body before using the pool or spa.
9. No intoxicated individual or person with an infectious disease shall use the pool or spa. (CC&R's 15.06)

ALL PERSONS SWIM IN AND USE THE POOL AND SPA AT THEIR OWN RISK.

Violations:
Signed complaints must be submitted to the Board through the Management Company in writing and must include the unit number of the violators. All complaints will be held in confidence and followed up on by the Board of Directors or their representative.

Common Area General Provisions

A. Parking is only permitted in marked spaces. **There shall be no parking in the driveway or in front of garages.** This practice obstructs the free flow of traffic, constitutes a nuisance, violates the Rules and Regulations, and otherwise creates a safety hazard.

   Minor auto repairs must be undertaken only **within** private garages.

   Commercial vehicles and trailers are not permitted to be parked within the community. Overnight RV and boat (with trailer) parking is acceptable for one night only for the purposes of loading and unloading. Residents must notify Management and obtain a temporary parking permit in advance. (Adopted January 8, 2013)

   No inoperable or unlicensed vehicles may be parked on the premises. (CC&R's 8.02)

   Violation of parking restrictions will result in vehicle being towed at owner's expense.

B. **All trash** must be placed **in** the trash bins. Cartons or large objects must be broken down and must **not** be left outside the bin under any circumstances. (CC&R's 8.10)

C. Any damage, or alterations to common area landscaping without written Board approval, will result in a charge to the owner of the unit responsible.

   Disposal of litter and/or items on the common area will result in a charge to the owner of the unit responsible. (CC&R's 8.03)

D. No sign, poster, display, or other advertising devise shall be erected anywhere on the property. FOR SALE or FOR RENT signs may be placed **within** a unit on a window. (CC&R's 8.04)

E. Laundry Room hours: 8:00 a.m. to 10:00 p.m., daily. Laundry must be completed, and lights turned off by 10:00 p.m. or utilities may be turned off.

   Laundry Room doors are to be closed and locked at all times for security reasons. If a machine malfunctions, please place an out of order sign on the machine and follow the instructions posted in the laundry room to request repairs. (CC&R's 15.06)

F. Access to water heaters located in garages other than that assigned to a given unit shall be granted by owner of said garage — at reasonable times for repair or replacement of water heater. (CC&R's 6.01)

Pets

A. Only two (2) ordinary and usual household pets may be kept in any unit.

B. Owners must have all dogs on a leash in the common area (STATE LAW) and restrained when left in the patio area.

C. Dogs must be walked in the open space beyond landscaped areas to relieve themselves. **Any droppings in the common area must be cleaned up immediately and disposed of properly. Dogs must not be allowed to urinate on landscaped areas as this causes these areas to die.**

D. No pets shall be permitted to bark or create disturbances that interfere with neighbors. (CC&R's 8.07)

Tenants

A. All owners who lease their units **must** provide their tenants with a copy of this booklet and stipulate that the tenant be bound by all rules and regulations as stated.

   Additional copies may be obtained from Management for a cost to cover printing expenses.

B. Owners must provide the Association with tenant information upon request. (CC&R's 4.03)

Enforcement

A. It is the responsibility of all owners and tenants to extend consideration and respect to their neighbors to avoid infractions of these basic Rules and Regulations.

B. **Violations may be reported by any resident in writing to the Management Company.**

C. Any resident notified of a violation, who does not cease such violation, shall be subject to a hearing before the Board of Directors and a fine to be determined by the Board of Directors.

D. Any fines or administrative costs incurred to enforce these Rules and Regulations , the CC&R's or the By-Laws shall be the responsibility of the **Unit Owner** and, as such, should be provided for in any lease agreement entered into.

   Court costs to collect such sums shall also be the responsibility of the unit owner.

E. A minimum fine of $25.00 shall be imposed by the Board for any violation that is not corrected after notice.

F. Should any owner fail to clean up after a pet, there will be a $25.00 charge for such clean up.

G. Any damage to the common area shall be assessed at cost to repair, plus a $25.00 administrative cost. (CC&R's 8.03 and By-Laws Section 4.03)

Architectural Review Committee & Procedure
IV.

This section of the Rules and Regulations will provide the owner with an outline of the duties of the Architectural Review Committee and assist in the preparation of applications required.

Application included at back of booklet.

The Architectural Review Committee shall consist of three members, appointed by the Board of Directors and shall be responsible for review and approval of any proposed plans for construction, alterations, redecorations, decorations, or re-construction of any and all improvements to the property. (CC&R's 4.01 & 4.02)

1. All requests for improvement must be submitted on the application form provided in this packet. Forms must be complete with all relevant information attached to each application.

2. All applications must be submitted at least **45 days** prior to the proposed date of construction or installation, to allow time for review by the Architectural Committee and final approval by the Board of Directors.

3. **Copies of all building permits must be on file with the Association prior to the commencement of any structural modification.**

Applications must be submitted for:

1. Repair or maintenance on any unit, inside or out, that would or could pierce walls, ceilings, floors, or any utility bearing portions of **any** building. (CC&R's 2.09)

2. Outside installations of any type, such as radio poles, clotheslines, balcony or patio covers, air conditioning units, water softeners, fountains, fences, screen doors, gutters, gates, trees, shrubs or any installation on any building, that protrudes through roofs or walls. (CC&R's 8.06)

3. The Installation of Hard Flooring in Upper-Floor Units is Prohibited:

    1. The Installation of hard flooring in an upper-floor Unit (i.e. a Unit with floors that separate it from a Unit below) is strictly prohibited. If the Board of Directors ("Board") receives two complaints of noise nuisance (as defined in Section 8.03 of the CC&Rs) against an upper floor Unit with hard flooring installed, the Board or Architectural Review Committee shall deliver a notice of hearing (per Section 15.02 of the CC&Rs) to the upper-floor Unit owner so as to determine whether the level of ambient sound transmission and/or impact noise from the upper-floor Unit is caused by hard flooring and constitutes a noise nuisance. After a hearing, if the board or Architectural Review Committee makes a finding of noise nuisance, the Board or Architectural Review Committee shall issue a written notice after hearing requiring the installation of carpet and padding in the Unit sufficient to provide adequate insulation against sound transmission , as approved in writing by the Board or Architectural Committee. Such installation of carpet and padding shall cover all floor areas of the upper-floor Unit, except entries, kitchens, and bathroom.

It shall also be the duty of the Architectural Committee to see that:

1. Patios, balconies, and garage parking (defined as "restricted" common areas) are kept clean and in good repair and that patio furniture, plants, and barbeque equipment is maintained by **All Residents.** (CC&R's 2.09)

2. Vegetation or construction is maintained on patios or balconies in such a way as not to obstruct the view of any other residence. (CC&R's 8.08)