

SPRINGTREE AT SOUTH GILBERT HOMEOWNERS ASSOCIATION

RULES AND REGULATIONS

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Overview

Purpose: These rules and regulations (“Rules”) have been established to ensure the maximum enjoyment of the neighborhood by all residents and make the neighborhood, as a whole, a place where owners take pride in the property.

Authority: These Rules have been approved by the Board of Directors in accordance with the Association’s Declaration, Articles and Bylaws and are subject to change with written notice to all owners..

Inclusion of CCRs and Bylaws: These Rules are intended to supplement the Association’s Declaration of Conditions, Covenants and Restrictions (“CCRs and Bylaws”), and any subsequent amendments. The contents of the Declaration of Conditions, Covenants and Restrictions and Bylaws are incorporated herein by reference:

[County Recorded Document # 19960764614](#) .

In certain areas of this document the section(s) of the “CCR and Bylaws” which correlate to a specified topic are referenced for convenience. Example: [Section 6.1] where 6.1 is the specific CCR section

Publication: A copy of the Rules shall be provided to or sent to all owners at their last known address. Owners are responsible for providing a copy to tenants.

Universal Application: All owners, tenants, guests and pets are subject to these Rules. It is the responsibility of the owner(s) to notify tenants and guests of these rules, and the owner shall be held responsible by the Board of Directors for actions of the residents/guests in violation of these rules.

Failure to Enforce: Failure of the Association or any Owner to enforce any covenant and reservation in this Declaration or in the other Project Documents shall not be deemed a waiver of the right to do so thereafter.

[Section 11.1]

Conflicts: In the event that these Rules conflict with the Declaration (the CCRs), the Declaration shall control.

Enforcement Policy

Any infractions of these rules or of any provision of the Declaration, Articles of Incorporation, Bylaws or Architectural Committee Rules by a member, tenant, guest, invitee, licensee or lessee shall result in a fine against the applicable Member and penalty. These may be in addition to other penalties, or remedies available to the Association. **[Section 6.1 (g)]**

A. **First offense:** Written warning from the property manager or Board member notifying homeowner of the violation.

B. **Second offense:** A \$50.00 dollar fine; Suspension of Member voting rights and loss of common area use

C. **Subsequent violations:** All subsequent violations will result in \$100.00 fines until remedied. Any reoccurrence of the same violation within six (6) months of the original violations shall make the owner subject to imposition of a \$100.00 fine

D. Unless otherwise indicated in any notice of a violation, homeowners will have 10 days to remedy the violation. Exceptions to this are trash can and bulk trash violations, parking violations and nuisance violations. In these situations, immediate remedy is expected and second offenses, regardless of frequency, shall result in additional fines.

E. Vandalism or unauthorized alteration of common area property will involve a fine as outlined above, plus reimbursement to the Association for actual replacement or repair costs, and for such other amounts as are more fully set forth in the operative documents.

F. Any charge or fine not paid by its due date, as set forth in the community documents or as set forth by the Board of Directors will be handled in the same manner as any other assessment.

G. Prior to the imposition of any monetary penalty for violating the terms of the governing documents, the Association shall provide the Owner with both notice and opportunity to be heard prior to imposing the fine. The notice provided to the Owner will set forth the procedure for contesting the violation.

H. The Association shall have the authority to deviate from the fine schedule/policy set forth in this section due to extenuating circumstances, including but not limited to, the nature of the violation. The Association shall also have the authority to refer any violation to legal counsel for injunctive relief or enforcement action at any time.

Appeal Process

- A. Appeal shall be provided in written format (paper or electronic mail) and be received by the Association at the mailing address of the management company or via the published e-mail address of the community manager.
- B. Appeal shall be received within 10 days of the date of the fine notification (violation letter).
- C. In the event a timely request for a hearing is received, the fine(s) will be held in abeyance pending the hearing; denial of appeal at the hearing will result in all interim fines becoming due and payable.
- D. Appeal shall include all pertinent information which supports the existence of an extenuating circumstance.
- E. All appeal decisions of the Board are final and may not be further appealed.
- F. Any fine imposed shall become the personal obligation of the Owner, and shall be collected in any manner permissible by the Declaration or Arizona law.
- G. Any appeals which do not meet the requirements as prescribed within this Appeal Process shall not be heard by the Board and shall not be considered.

General Rules

Trash/Recycling Containers and Collection

[Section 8.9]

Bulk Trash Pick Up

As per the Town of Gilbert guidelines, items can be placed out for collection no earlier than the Saturday prior to the collection week. All bulk trash must be kept completely out of sight from the street or adjacent property until the Saturday prior to the collection week. ***[Section 8.9]***

The bulk trash pick-up schedule and guidelines can be found here: <https://www.gilbertaz.gov/departments/public-works/solid-waste/bulk-trash>

Landscaping Maintenance

Landscaped areas shall be properly maintained by the owner or lessor of the property. Maintenance shall include pruning, trimming, watering, removal and replacement of dead plant material. ***[Landscaping covered in sections 5.5 and 5.6]***

Some of the definitions of proper maintenance includes, but is not necessarily limited to, the following:

Trimming: Trees, shrubs, and other plants must be trimmed from ground level to at least 10 feet, is said plants are adjacent to sidewalks, streets, or neighboring lots. Encroachment onto sidewalks, streets or neighboring lots will be enforceable if the plant(s) is not trimmed to at least 10 feet above ground level.

Pruning: All dead limbs should be removed from trees and bushes as necessary and appropriate.

Removal of plant material: All debris, including dead plant material, is to be removed from front yards and common areas. This debris is generally treated as bulk trash and subject to the bulk trash guidelines.

Weeds: Landscaping needs to be maintained in a weed-free manner. This includes the prompt removal of weeds and grass growing in gravel, sidewalk and driveway cracks, and other similar areas. Weeds growing in grass should be adequately removed or controlled, so as not to negatively impact the cosmetic appearance of the lawn.

Watering: The effective watering of landscaping is always expected. This includes the avoidance and correction of over-watering and under-watering landscaping, and overspray from sprinklers onto cinderblock fences.

Note: During the winter months it is permissible to reduce or stop the watering of grass.

Other Landscaping Standards

Gravel: All graveled areas are required to use “earth toned” gravel, but prior to the installation of any gravel the Owner must obtain approval from the Architectural Committee in accordance with the procedures set forth in the Declaration.

Artificial turf: May be permitted, subject to the prior written approval of the Architectural Committee. A sample of the turf must be provided with the application requesting permission to install.

Property Wall Damage

Any damage caused to shared common walls by overwatering, oversized trees and tree roots will be the responsibility of the homeowner who caused the damage to repair. **[Section 7.3]**

Holiday Decorations

- Temporary holiday decorations are permitted.
- During the end of year holiday period (generally recognized as Oct. 1 to Jan. 15) decorations may be installed beginning **30 days** prior to the holiday and must be removed no later than **14 days** after the holiday concludes.
- For all holidays outside of the end-of-year season defined above, decorations should be installed during the week prior to the holiday and should be removed by the end of the following week.

No decorative holiday lights or decor may be permanently installed on any house; they may only be installed temporarily, as defined by the durations specified above. **[Section 8.3]**

Exterior Home Additions and Changes

No exterior additions, changes, or alterations may be made to any home until all plans and specifications have been submitted and approved, in writing, by the Architectural Committee. **[Section 9.1]**

It is recommended that this approval is received before obtaining any permits, if applicable. Provided however, that obtaining a permit is an independent requirement, and approval from the Architectural Committee is required regardless of whether a permit is obtained.

Exterior home changes or additions could include, but is not limited to, the following:

- Painting a different color
- Constructing a new bedroom
- Affixing a satellite dish that is otherwise not covered by Federal Law

- Changing the color or type of roof tile

External Structures

The construction of a gazebo, cabana, covered patio, storage shed or other similar structure requires prior review and approval by the Architectural Committee before beginning construction. *[Section 1.1]*

Any proposed structures that require a Town of Gilbert building permit should seek approval from the Architectural Committee before obtaining a building permit. This will help avoid the unnecessary re-requesting of building permits if the Architectural Committee requires changes which impact an existing permit.

Sheds

Sheds may be erected only after prior review and approval is granted by the Architectural Committee. All sheds are subject to the following guidelines:

- Maximum height of 8 feet at the highest point
- Must be set back a minimum of 2 feet from any perimeter wall

Cabanas, Ramadas and Gazebos

Cabanas, ramadas, gazebos and other similar structures may be erected only after prior review and approval is granted by the Architectural Committee. These structures are subject to the following guidelines:

- Maximum roof height of 10 feet at the highest point
- Must be set back a minimum of 7 feet from any perimeter wall
- Lighting of the structure must also be approved

Play Structures

Play structures may be erected in rear yards only and are not considered “elevated sports structures” *[Section 8.19]*

Prior to constructing play structures, a prior review and approval must be provided by the Architectural Committee. Play structures are subject to the following guidelines:

1. May be erected in rear yards only
2. Play structures must be set back a minimum of seven (7) feet from any perimeter wall

The Architectural Committee will take the appearance, height, and proximity to the neighboring property into consideration when reviewing plans. Additionally, the committee will need the following details submitted:

- Measurement of the distance from the ground elevation to the top of the perimeter fence
- A brochure, advertisement, or picture of the play structure (or substantially similar play structure) being subject to review

All play structures must be maintained in good condition and appearance kept reasonably clean.

Pets

Pets are not allowed to make an unreasonable amount of noise or become a nuisance to neighbors.

No animal may be kept or raised for commercial purposes.

All pet droppings left on any front yard or common area must be immediately picked up.

Dogs must always remain on a leash while outside any home's rear or side yards. *[Section 8.7]*

Recreational Vehicle, Trailer and Boat Parking

Lots which already have a double-side gate will be considered to have an approved "RV Parking Area" *[defined in section 1.25]*. Any requests to add or recognize a new RV Parking Area will require approval by the Architectural Committee.

RVs, trailers, and boats less than 8 feet high and 18 feet long and which are screened from view may park in an existing, approved "RV Parking Area". *[see "Family Vehicle" in section 8.24]*

Vehicles which exceed 8 feet in height or 18 feet in length will require Architectural Committee approval prior to parking on a lot. This does not preclude temporary parking for loading or unloading purposes. *[Section 1.20]*

Vehicle Parking and Maintenance

Recreational Vehicles and Commercial Vehicles can only be parked on the street on a Nonrecurring and Temporary Basis. Additionally, no commercial pick-up truck of a one (1) ton capacity or more may be parked at any time within the Project (including the garages, Lots, driveways, or Recreational Vehicle Parking Areas) other than for loading and unloading. All other street parking for these vehicle types is prohibited. *[Section 8.23]*

Routine vehicle maintenance and repairs may only be performed within an enclosed garage.. No maintenance is allowed on vehicles which are parked on driveways, side yards, back yards, or any street. *[Section 8.25]*

Inoperable vehicles cannot be remain anywhere on a Lot. All vehicles parked in driveways or other approved vehicle parking areas must be operated monthly and cannot exist in a state of disrepair. *[Sections 8.24 and 8.25]*