

RULES AND REGULATIONS OF THE SUNTERRACE HOMEOWNERS ASSOCIATION

These Rules and Regulations have been developed to help maintain the property value of the Sunterrace Homeowners. The people who compiled these Rules and Regulations are your neighbors: "The Association" is you and your neighbors.

These Rules are based on the Covenants, Conditions, and Restrictions and are limitations. However, these Rules (and the CC&R's) benefit the community association by preserving a certain degree of uniformity and are a reason that many owners choose to live in a community association. Because of these Rules, you can be assured that your neighborhood will be maintained at very high standards, which will help to protect the value of your home. Sunterrace Homeowners Association is an excellent example of an effective community association, and will continue to be as long as effective Rules are maintained and observed by everyone.

Please read these Rules and Regulations carefully. Each owner is liable and responsible for acquainting family members, tenants or guests (including, but not limited to, all invitees, vendors, service personnel and contractors) with the governing documents of the Association, including the Rules. If you have any questions or concerns, please contact the management company. If you do not have a copy of the Governing Documents, i.e.: CC&R's, Enforcement Procedures, Architectural Guidelines, and the Rules and Regulations, please contact the Management company as well. (Photo copying fees may apply).

GENERAL APPEARANCE

1. Garage doors must be kept closed at all times when not in use as access to the garage. Garage doors must be kept in good condition and repair.
2. Side gates must be kept in good condition and repair.
3. Holiday flags and decorations are encouraged. The design and quantity of the decorations shall be in good taste, and the architectural committee, in its sole discretion, has the right to determine if such decorations are contrary to good taste. Exterior decorations may be put up within a reasonable time prior to the holiday and must be removed within 10 days after the holiday, with the exception of Christmas and Hanukkah. These decorations may be present between Thanksgiving Day and January 31. Holiday decorations should not cause light glare or other safety hazards related to vehicular or pedestrian traffic.
4. Owners are responsible for attractive landscaping and the irrigation of their property. Lawns, driveways and walkways should be free of clutter. Clothing, towels, etc. shall not be placed on any privacy walls.
5. All trees, shrubs, vines, etc, need to be kept trimmed back as not to encroach upon other homeowners' property or common area property and safety.

6. Window coverings must be draperies, blinds, shutters or shades. No other materials will be acceptable.
7. Walk up trash collection service is encouraged. Trash containers **may not** be placed out for collection any earlier than 4:00 pm the evening prior to pick up and must be returned to a place out of sight by 10:00 pm the day of service. Owners and/or residence whose trash containers are set out too early prior to pick up or left out after 10:00 pm the day of pick up are subject to fine. To verify pick up day due to a holiday, please call Burrtec at 760-340-2113.

GENERAL RULES

1) TRANSPONDERS AND GATE CARDS:

- a) The HOA's Management Company handles all transponders and gate card related issues during regular business hours. Each owner is assigned their own transponders and gate cards. Because these transponders and gate cards represent a "key" to our community, you are urged to take sensible security and precautions. If an owner and/or tenant misplaces or suspects a transponder or gate card was stolen, he/ she shall immediately contact the Management Company so the transponder and/or gate card can be deactivated. Residents can purchase a transponder or gate card at the Management Companies office. Any owner or resident who experiences a problem with a transponder or gate card shall notify the Management Company.

2) PASSENGER VEHICLES AND TRAFFIC:

- a) The California Vehicle Code is applicable in its entirety to all vehicles, streets, driveways, and parking areas in the community. Any and all persons operating and/or parking a motor vehicle in the community are required to comply with these traffic and parking regulations, as well as the California Vehicle code. Violation of any Vehicle Code section shall be considered a violation of these rules, and the appropriate authorities will be contacted.
- b) Pedestrians always have the right of way. Please yield to pedestrians, children at play, etc.
- c) The maximum speed limit in the community is 20 MPH.
- d) Owners are encouraged to park their vehicles off the street, in their garages and driveways. Vehicles are not to be stowed in driveways for more than one week.
- e) No automobile or other vehicle may be dismantled, rebuilt, repaired, abandoned, disabled, repainted or serviced within the community, except within an enclosed garage and provided that such repair work is not undertaken as a business and is not creating a nuisance to others. Owners may perform emergency repairs outside of the garage area, only as may be necessary to move the vehicle. Emergency repairs shall not include ordinary maintenance such as oil changing, etc.
- f) Each garage is intended for parking motorized vehicles designed and used for non-commercial passenger transportation such as automobiles, passenger vans and pickup trucks with a payload rating of one (1) ton or less.

- g) Garages may not be used for storage if the storage reduces the total capacity of the parking area. No garage may be converted for any use other than a garage for vehicles, without prior, written, Architectural approval.
 - h) Overnight parking of Commercial vehicles is prohibited on streets and driveways in the community. Commercial vehicles shall be defined as a truck and/or vehicle with a sign displayed on any part thereof advertising any kind of business or trade or on which material and/or tools are visible or with a body type normally employed as a business vehicle whether or not a sign is displayed on any part thereof. Tool boxes on or in vehicles are considered commercial vehicles. The type of motor vehicle license plate shall not be material to the forgoing definition.
 - i) No vehicle may be parked on the street for a continuous period of 72 hours or longer. Vehicles parked on the streets, within the community for over 72 hours, are subject to tow at the owners' expense and complete liability.
 - j) Motor operated vehicles may only be driven by person of legal age with valid driver licenses and the vehicles must be street legal, this includes all golf carts.
 - k) Motorcycles may be operated within the community for ingress and egress from the entry gates to the owners/ residence lot. This includes guests of homeowners. You may not ride your motorcycle thru the streets of the community. Motorcycle owners should be considerate of their neighbors in hours of use and unnecessary engine noise.
 - l) Recreational vehicles are allowed to load and unload, twice per month, but not to exceed 12 hours per occasion within the community. Generators shall not be operated between 10:00 pm and 7:00 am. Recreational vehicles shall include, without limitation, travel trailers, boats, boat trailers, campers, buses, motor homes or any other similar type of equipment or oversized, non commercial vehicle.
 - m) Overnight hours are to be defined between the hours of 2:00 am and 5:00 am.
 - n) Camping and/or overnight living in any recreational vehicle, commercial vehicle, passenger vehicle or non-conventional vehicle, truck, boat, trailer, or van is strictly prohibited while located within the community.
 - o) No automobile, motorcycle, golf cart or other motorized vehicle shall be parked on any Association streets with the intent of advertising the sale of such vehicle.
 - p) The association shall have the power, but not the obligation, to have any vehicle parked in violation of the associations governing documents, towed from the community at the vehicle owners' expense. The Association has no liability for any such actions.
- 3) PETS:**
- a) Unleashed dogs are not allowed anywhere in the community, including the retention basins, except for fenced yards or inside houses. Any pet not inside a fenced yard or house must be controlled and restrained by a leash at all times.
 - b) Pet owners shall carry a bag and /or a trowel when walking their animals and shall clean up after their pets immediately, including retention basins. Your pet is not allowed to urinate on private and/ or common turf areas to cause the unsightly look of "halos". Care and consideration should be given. No visible exterior structures are to be erected for pets without the prior, written authorization of the Architectural Committee.

- c) Any animal which unreasonably disturbs the peace and comfort of any resident within the community and/or interferes with the reasonable and comfortable enjoyment of the property by any Owner shall be considered a nuisance and subject to removal from the property.
- d) Excessive barking or other animal noise is a nuisance and is prohibited. Pets that may become dangerous or attack or otherwise interfere with the freedom of movement of persons and other pets on the common areas are considered a nuisance.
- e) Owners are liable for any damage or injuries resulting from the direct action of their pet.
- f) Any potentially dangerous dogs may not be kept on the property.
- g) The Association shall have the right to prohibit any animal that constitutes a nuisance from the community.
- h) Pet owners are asked to use discretion when using extendible leashes. Keep pets at a reasonable length and away from other people, neighbors' lawns, etc.
- i) Owners may not allow their dogs on others' property without permission.

4) NOISE AND NUISANCES:

- a) Noise and nuisance such as cooking, fumes or smoke occur in every community. Owners are encouraged to be tolerant of occasional noise and other minor disruptions and to be sensitive to the fact that everyone in the community lives in relatively close proximity to their neighbors.

The Association has only limited authority to respond to noise and other nuisance. While the Association will notify Owners when a complaint is received, the Association cannot intervene unless an Owner's conduct is a direct violation of the CC&R's. Instance involving two Owners such as loud music; the Association has no authority to attempt to force an Owner to do, or not to do something. The Association cannot act as a landlord would act.

The Association will respond to any issue that it determines to be a specific violation of the CC&R's. The Board of Directors will independently evaluate each situation to determine whether the conduct in question is within the Association's area of authority. The Association will then notify the parties involved in writing, request that the problem be rectified, and may also request the individuals to participate in mediation or arbitration.

- 5) GENERAL INFORMATION:** The Association falls under the jurisdiction of the City of Palm Desert. All local ordinances, State and Federal laws are applicable at all times in the Association. Any violation of these ordinances, regulations, codes, or laws shall be considered a violation of these rules.

- a) Draining of your pool and/or spa into the streets within the community is discouraged. Remember, Sunterrace is not connected to the City sewer system. All water in our streets & common areas drains into our retention basins, which are NOT sewers. If you find it necessary to drain your pool into the street, you must **first** obtain a permit (at no charge) from the management company; to be sure no scheduled maintenance will be going on in the affected retention basins at that time. The homeowner will be financially responsible for any damage to our common areas caused from chemicals or debris.

- b) Cleaning of pool filters is not allowed to be done in the streets or driveways. Again, all water and debris drains into our retention basins. The homeowner will be financially responsible for any damage to our common areas caused from chemicals or debris.
- c) Bicycles, skateboards, roller skates, roller blades, cars, trucks, and/or any wheeled vehicles are not permitted on the common area landscaping.
- d) Basketball hoops and skateboard ramps are not permitted on the streets and/or in driveways or front yards.
- e) Climbing over perimeter walls is prohibited.
- f) Homeowners are responsible for damages to the common areas caused by themselves, their children, their guests, their workmen or their pets.
- g) Common courtesy shall be observed at all times. No disruptive behavior is permitted at any time. No homeowners are to approach any Sunterrace vendors with any issues. They are to contact the Management Company with their concerns.
- h) Machinery operated for hobby-home use or other purposes is not permitted between the hours of 10:00 pm and 7:00 am.
- i) Garage sales are not permitted within the community.
- j) Residents may not annoy others with unreasonable noise.
- k) Residents quiet hours will be observed from 11:00pm to 8:00 am every day.

Vendor hours and Noise Restricted hours:

Vendors will be allowed to enter Sunterrace and work from 7:00 am to 5:30 pm Monday through Saturday. They will not be allowed however to make any noise until the times deemed legal by the City of Palm Desert. See below for details.

Allowable noise hours:

Per Palm Desert Municipal Code, noise sources associated with property building, maintenance activity and all portable blowers, lawn mowers, edgers or similar devices shall be prohibited except during the following hours.

October 1st through April 30th - Monday to Saturday 9:00 am to 5:30 pm. Government code holidays not allowed.

May 1st through September 30th - Monday to Saturday 8:00 am to 5:30 pm. Government code holidays not allowed.

Please note that the city ordinance allows a homeowner to work on his/her lot on Sundays from 9:00am to 5:30pm.

No portable powered blower shall be operated in a manner which will permit dirt, dust, debris, leaves, grass clippings, cuttings or trimmings from trees or shrubs to be blown or deposited onto our neighboring property or public right-of-way. All waste shall be removed and disposed of in a sanitary manner by the user or property occupant. All vendors will wear shirts and be dressed appropriately. It is the homeowner's responsibility to notify their vendor of the covenants in this section.

- l) No advertising displays shall be permitted on properties or from windows. This applies to but shall not be limited to cars, personal property, personal or professional services, etc.
- m) If you are in need of a dumpster, you must first request permission from the management company. If granted, the dumpster must be placed on your driveway or in your garage and are NOT to be placed on the streets. Dumpsters must be removed within 3 days.

- n) You are not allowed to dump rock, gravel or other materials onto the streets. This must be dumped onto your driveway, so as not to damage the streets.
- o) You are requested to keep your outside house lights on at night, and if possible, landscape lighting should also be left on.
- p) Homeowners are not allowed to share confidential Membership data with vendors or any other persons for the purpose of selling services without consent from the Board. Corp. Code 8338, strictly prohibits the distribution of membership lists or any part thereof (names, addresses, e-mail data, telephone numbers, etc) for any purpose without Board consent. This includes, but is not limited to, the use to solicit money, property, services or any commercial purpose. Any person who violates these provisions shall be liable for any damage such violation causes the Association.

6) RESPONSIBILITY FOR TENANTS:

- a) Owners who rent or lease their property are responsible for informing their tenants of all the Rules and Regulations. Owners are responsible for seeing that their tenants comply with these regulations. Owners are liable for their tenant's noncompliance with these rules. Any expense for damage to common area by guests or tenants will be charged to the responsible owner. Agreement to abide by the documents must be in writing.
- b) No less than the whole property can be rented or leased.
- c) Properties shall not be rented or leased for periods shorter than 30 days.
- d) Homeowners are to notify the Management Company when they have rented or leased their home. They are to supply the tenant's name, phone number, and the renting or leasing dates.

7) REAL ESTATE SIGNS:

- a) Only one 18" x 24" For-Sale/ Lease brown lettering and beige background sign is permitted.
- b) Signs are to be set back at least 10 feet from the curb.
- c) No hanger or flyer boxes are allowed on the signs.
- d) The sign may remain up with a sale pending notation until the closing of escrow, and then must be removed within three days.
- e) Open house signs must have a beige background with dark brown lettering.
- f) Open House signs and notices are allowed between 9:00 am and 6:00 pm seven days a week on the El Dorado gate only, and must be removed immediately at the completion of the open house.
- g) Agents are not permitted to list our gate entry code on their multiple listing. It is the owner's responsibility to make sure their agent is aware of that rule.

8) VIOLATIONS/ FINES:

- a) Violations of the Rules and Regulations and CC&R's will result in penalties and action, as outlined in the current Enforcement Procedure policy.

Please understand that these Rules and Regulations are subject to change. They are in place for the safety and enjoyment of our community. Owners are required to comply with these Rules and are responsible for informing guests, tenants or contractors of these Rules and Regulations, and for their compliance with them. If a Contractor or Vendor causes damages to a common

area, the Owner will be responsible for the damage. Unpaid costs for damage to a common area are subject to be collected via a lien on the Owner's property.