

# Palm Lake



## Palm Lake Owners Association

**RULES & REGULATIONS  
JUNE 2013**



**Palm Lake Owners Association  
Rules & Regulations**

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# PALM LAKE OWNERS ASSOCIATION

## 1 Introduction:

- 1.1 Palm Lake Owners Association (hereinafter referred to as the "Association") developed this summary of policies, procedures and restrictions governing activities at Palm Lake to inform all homeowners, tenants, and guests of their responsibilities and liabilities to the community and to each other as residents of Palm Lake. Keeping the Palm Lake community an orderly and clean environment requires that we each do our part by example, to assure it. We have a duty to protect the common welfare. We do not have, nor do we ourselves want to be, "policemen." However, every resident, when observing abuse or nuisances, has a responsibility to call them to the attention of the perpetrators in a friendly and constructive manner, asking them to abate the nuisance. As good neighbors they will, in most cases, comply in good faith. If, however, they fail to abate the nuisance, it is in the common interest to report that matter to the management company.
- 1.2 The policies, procedures and restrictions outlined in this document have been approved and adopted by resolution of the Palm Lake Owners Association's Board of Directors (hereinafter referred to as "Board").
- 1.3 In the event of a conflict between any policy, procedure or restriction outlined herein and the provisions of the Conditions, Covenants and Restrictions (hereinafter referred to as "CC&R's"), or the Bylaws for Palm Lake Homeowners' Association, the provisions of the CC&R's shall first prevail followed by the Bylaws.
- 1.4 The Board may revise any policy, procedure or restriction to meet the changing needs of the community.
- 1.5 The day-to-day operation of the Association's affairs is the responsibility of a board which employs a management company. Questions, problems and suggestions should be directed to the management company as per "Attachment A".
- 1.6 Palm Lake HOA advises all HOA member(s), they are responsible and liable, for the behavior of any and all guests. The term "guest" is defined as: any person who is on the premises directly or indirectly associated with or through tenancy, and any third party.
- 1.7 If any guest causes damage or vandalism or fails to follow the HOA rules, CC&R's or By-laws, the HOA member is personally liable and subject to action by the Board in accordance with said CC&R's and By-laws.

## 2 General Conduct Requirements

- 2.1 Palm Lake HOA's rules and regulations are governed by the CC&R's and By-laws. Not all rules are intended to be discussed herein, however, each HOA member is responsible to read and follow the CC&R's and By-laws. No resident shall permit any obnoxious behavior or offensive activity that may interfere with the quiet enjoyment, rights, comfort, safety, welfare and convenience of other residents.
- 2.2 All homeowners who RENT or LEASE their homes MUST PROVIDE the Property Management Company a copy of the lease with the tenants' names, phone numbers and license plates for all cars that will be on property. All homeowners who rent, lease, or lend their homes to non-owners are required to give a copy of these rules to those non-owner residents and require they read and understand them. All owners are responsible for seeing that all of their guests, invitees, visitors, renters and lessees comply with these rules. Damage to any common area or common area equipment is the responsibility of the property owner causing the damage, whether the damage is caused by the property owner, owner's family, guest, lessees, pets, vendors, contractors, and / or agents.
- 2.3 The conduct and safety of resident's or guest's children within the community is at all times the responsibility of the resident.
- 2.4 All residents, when observing policy violations, are encouraged to call them to the attention of the perpetrator in a friendly and constructive manner. If the violation continues, it should be reported to the management company.
- 2.5 No person shall carry or discharge any firearm, air gun, slingshot, or other device designed or intended to discharge or capable of discharging any dangerous missile with the exception of those persons lawfully licensed to carry a concealed weapon.
- 2.6 Firecrackers, rockets, torpedoes, or any other fireworks may not be discharged within Palm Lake.
- 2.7 The following activities in any of the common areas of Palm Lake are prohibited: model airplane flying, model rocketry, archery, and hitting golf balls.
- 2.8 Electric/gas powered skateboards, go-carts, and all recreational scooters are prohibited inside Palm Lake.
- 2.9 Skateboards, roller skates and roller blades are not permitted in Palm Lake.
- 2.10 Open fires and open flame devices including fire pits and charcoal burning cooking devices are not to be operated on combustible balconies or within 10 feet of combustible construction.
- 2.11 Signs: Only one "For Sale" sign may be displayed, as provided in the CC&R's, no riders signs such as "reduced, bank owned, foreclosure" are allowed. Colors to be brown lettering on tan background only. The sign is to be no more than 18" x 30", in plastic or metal, and placed in the window of the condominium, not in the common area. A sign indicating a house is protected by security service may be placed as close to the house as possible. Homemade signs of any type are not permitted. A bulletin board is provided in the mailroom for owners to post miscellaneous notices.

- 2.12 Decorations: Decorations permitted during the year include holiday season decorations consisting of lights and appropriate cut-out figures (Santa, reindeer, sleigh, etc.) from a period starting on the day after Thanksgiving through the 10th of January. Decorations for Halloween are permitted ten (10) days prior to October 31st. All decorations must be removed promptly, within 10 days following the holiday and not left attached to the condo, fence or left in yards.
- 2.13 Personal garage, yard and estate sales are prohibited.
- 2.14 Community yard sales may be authorized by the Board for the entire community on a specific date and time.
- 2.15 Gardeners, and all other trade persons hired by a homeowner must not work before 7 am and must end work by 5:30 pm and all work must be performed on Monday through Saturday only. Work may not be performed on Sundays or holidays. Work performed by repairmen to provide bona fide emergency services are exempt from this subsection.
- 2.16 Residents are furnished a key for the walkway entry gate including the tennis courts and pool. Replacement keys are available from the management company.
- 2.17 The Lake is for every homeowner's personal enjoyment. No persons or domestic animals are permitted to swim, boat or fish in the lake.

### **3 Architectural Control Policy and Requirements**

- 3.1 The Board shall appoint an Architectural Control Committee (herein after referred to as "ARC") composed of three (3) or more members, but not to exceed five (5). If the Board has not filled the ARC, then the Board will act as the ARC.
- 3.2 The following shall not be initiated without written approval by the ARC: Exterior addition, change or modification to any residence or landscaping, construction, alteration, removal, relocation, demolition, repainting, modification or reconstruction of any improvement to the property (includes windows, window coverings, fences, skylights, light tubes and glass block windows).
- 3.3 A homeowner who wishes to initiate any of the projects described above must submit a written request to the ARC and shall include plans and specifications showing the exact nature, shape, height, width, color, materials and location of the project.
- 3.4 The ARC may require such detail in the plans and specifications for review, as it deems necessary to make an informed decision regarding the homeowner's request. This includes, but is not limited to, floor plans, site plans, drainage plans, elevation drawings, and descriptions or samples of exterior materials and colors.
- 3.5 The ARC may issue guidelines, which set forth the procedure for the submission of plans for approval.
- 3.6 All decisions of the ARC are subject to the review of the Board and may be appealed by the homeowner to the Board.
- 3.7 The ARC shall notify the Board of: 1) all violations and noncompliance with its rulings; and 2) plans and specifications submitted to and approved by the ARC. Thereafter, the Board shall take any actions it deems necessary.
- 3.8 Newspaper, aluminum foil or similar materials may not be used as window coverings.
- 3.9 A satellite dish with prior approval from the ARC may be installed. Satellite dishes are not to be attached to any portion of the building or fence and must be installed on tripods.
- 3.10 The homeowner is responsible for all required permits.

### **4 Landscape Policies and Requirements**

- 4.1 The Board may establish a Landscape Committee (hereinafter referred to as "Landscape Committee"), or may incorporate this committee within the ARC. If no committee is appointed by the Board, then the Board shall act as the Landscape Committee.
- 4.2 Landscape activity within Palm Lake must ensure compatibility and conformance with landscaping throughout the community. A homeowner who wishes to add, remove or modify elements of existing landscape on his/her property must submit the request on an architectural / landscape request form and must present the request to the Board. This form is available from the management company and may be emailed or mailed upon request.
- 4.3 The landscape service company hired by the Board maintains the Palm Lake common areas. All trees and shrubs within the individual owner's enclosed back yard must be kept in a trimmed and neat condition throughout the entire year and this remains the sole responsibility of the homeowner. Bushes and shrubs must remain no higher than the roof line of the condo or dwelling.
- 4.4 No landscape alterations, additions or any other changes may be made to the common area by any homeowner without express approval of the Landscape Committee.
- 4.5 No person shall give direction or work orders to individual landscape workmen or gardeners working on the property. These individuals work for the Association's contractor and not the individual homeowners. If a problem arises it should be brought to the attention of the landscape contractor's supervisor or the management company representative who will inform the landscape contractor's supervisor.



- 4.6 The procedure for obtaining Landscape Committee approval for initial landscape installation or any changes to existing landscaping is as follows:
  - 4.6.1 A landscape plan (drawing) detailing the proposed installation and/or revision must be submitted to the Landscape Committee. This may be accomplished by delivering the plan to the Chairperson of the Landscape Committee or to the Association's management company.
  - 4.6.2 Initial approval of the landscape plan must be obtained before any landscape installation begins.
  - 4.6.3 Upon completion of the work, the Landscape Committee will review the project to ensure conformance with the initially approved plan. The Landscape Committee, with agreement by the Board, may require that any unapproved work be removed at the homeowner's expense.
  - 4.6.4 If the homeowner fails to remove the work following Board agreement, the Association may initiate removal and charge the fee to the homeowner as a "special assessment". Final approval will not be granted by the Landscape Committee until the homeowner is in full compliance with the initial plan previously approved.
- 4.7 The total replacement cost of homeowner-installed trees, shrubs, or any other plants that die will be the responsibility of the homeowner. Trees that destroy or cause damage or become a safety issue will be removed at owner's expense.
- 4.8 Patios and balconies must be kept clear of all inappropriate items. Bicycles, pool equipment, children's toys and other non-patio items should be kept in the unit's storage or inside the unit. Patios and balcony rails are not to be used for storage or for towels and clothing. Allowable patio items include outdoor furniture, BBQs, umbrellas and potted plants (if equipped with functioning drainage trays). See section 2.10 for allowable BBQ types

## **5 Tennis Court Usage and Restrictions**

- 5.1 Tennis court hours of operation are from 5:00 am to 10:00 pm. Reservations for use of the tennis court are not permitted. Play is limited to 1 hour when other players are waiting. The last person(s) using the court at night are responsible for turning off the court lights.
- 5.2 Children are not allowed on the tennis court except to play tennis. Adult supervision is required for all children under fourteen (14) years of age.
- 5.3 Proper tennis attire is required while using the tennis court. Tennis shoes must be worn at all times and must have non-marking soles.
- 5.4 Food, glass, and pets are not permitted on the court. Skateboards, roller skates, roller blades or bicycles are absolutely forbidden at all times on the tennis court.

## **6 Pool & Spa Hours and Rules**

- 6.1 The pools and spa are open from 5:00 am to 10:00 pm.
- 6.2 NO LIFEGUARDS ARE PRESENT AT ANYTIME. All pool users must observe and adhere to the pool rules that are posted in the pool area. All persons using the pool do so at their own risk.
- 6.3 Main pool will be heated from November 1st through April 30th. Spa is heated all year long.
- 6.4 Children under fourteen (14) years of age must be supervised by an adult swimmer who must remain within the gated pool area at all times.
- 6.5 California State law prohibits children in diapers from entering the pool. County law prohibits persons with active diarrhea within the previous 14 days, from entering a public swimming pool.
- 6.6 Proper swimming attire is required. Cut-offs, regular shorts, and nudity are not permitted.
- 6.7 Radios, CD players, or music/noise producing equipment of any kind are permitted in the pool area but if noise becomes a nuisance, earphones must be worn by user.
- 6.8 Glass objects, food, alcoholic beverages and pets are not allowed in the pool area at any time.
- 6.9 Smoking is prohibited at both Palm Lake pools due to the effects of offensive second hand smoke.
- 6.10 Pool area gates must remain closed and latched at all times.
- 6.11 Floating devices of any type may not be used in the pool if they become a nuisance to other users of the pool.
- 6.12 Pool furniture may not be reserved. These items are available on a first-come basis. Pool furniture is not to be removed from the pool area.
- 6.13 Noisy behavior and/or "horseplay" are not permitted in or around the pool area at any time.
- 6.14 Courtesy and good sanitation practice requires that the pool shower be used prior to a person entering the pool and that towels be placed over pool furniture. This practice also prevents damage to furniture and pool equipment from lotions or spills.
- 6.15 Only personnel authorized by the Board may adjust the pool equipment controls.

## **7 Fitness Center**

- 7.1 The fitness center is open from 5:00 am to 10:00 pm.
- 7.2 To gain access to the fitness center, a code is available from the management company. Doors are to remain closed and locked at all times. Lights, TV and gym equipment must be turned off after use.
- 7.3 Good personal hygiene is required and after workouts, fitness equipment must be wiped down.
- 7.4 No unattended children under 14 years of age are allowed in the gym
- 7.5 Smoking is prohibited in the gym and clubhouse.

## **8 Animal Restrictions**

- 8.1 Each homeowner cannot have more than two (2) animals per household. This includes dogs, cats, birds or reptiles. A breed of dog, which is on the un-insurable breed list (including: Pitbull, Rottweiler, Akita & Canary), is not allowed at Palm Lake. If asked all dog owners must provide the property management company with a copy of their pet's insurance policy. Owners are financially responsible for any damage caused by their pets or their guests' / tenants' pets.
- 8.2 Pets are to be attended to at all times. Unleashed pets are not allowed anywhere in Palm Lake. All dogs shall be licensed by the City of Palm Desert and must wear a license tag at all times while in the common areas.
- 8.3 Every dog shall be inoculated against rabies by the time it is four months old and at least every two years thereafter.
- 8.4 Pet waste is a nuisance and a health problem, which cannot be tolerated. Pet owners are required to pick up their pet's waste immediately and dispose of it in a sanitary manner.
- 8.5 Owners must not allow pets to bark or create a disturbance that is a nuisance or bothersome to other residents, whether the pet is inside or outside the residence.
- 8.6 The management company should be contacted about any such disturbance for appropriate handling. If proper animal controls are not implemented immediately and the disturbance continues, the owner may be required to remove the pet from the premises. The Board may require the removal of any pet from the community, which it deems to be a nuisance or threat to the personal health and/or safety of others.

## **9 Parking & Vehicle Restrictions**

- 9.1 Parking is permitted to all residents in their assigned spaces as per their grant deed.
- 9.2 There is no parking allowed at any times in the red zones (curbs painted red).
- 9.3 Guest parking is located in front of the clubhouse and in various locations throughout Palm Lake.
- 9.4 All vehicles must have current registration tags displayed. Any vehicle without current tags or deemed inoperable will be towed at owner's expense.
- 9.5 Work vehicles, motor homes, recreational vehicles, trailers, boats, trucks, buses, or similar vehicles are not allowed to be parked on the property or on the streets except while loading/unloading.
- 9.6 Long-term storage of non-moving vehicles is not allowed
- 9.7 In compliance with the Association's liability insurance and state law, no person is permitted to operate any motorized vehicle, electric or gas powered within the Community without a valid state- issued driver's license.
- 9.8 When deemed necessary due to repeat violations, vehicles creating a safety hazard, and/or vehicles violating the Vehicle Code or these Association Rules and Regulations, may be towed at the owner's expense.

## **10 Trash & Recycling Removal**

- 10.1 Trash and recyclable items shall be placed in individual containers / dumpsters which are provided by the waste disposal company.
- 10.2 The dumpsters are not to be used for discarding large items such as furniture and appliances. Green waste may be left in the large, black/green trash dumpsters. Recyclable items to be placed in white dumpsters.
- 10.3 No person shall dispose of or dump any waste, trash or other material in or on any common area, or vacant property adjacent to or within the community.
- 10.4 If a holiday occurs during the week day (Monday through Friday) trash pickup will be the next work day following the holiday. Holidays include New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving & Christmas.

## **11 Enforcement Procedures**

- 11.1 Every resident should report violations of the Rules and Regulations to management. All violations shall be documented and a warning will be sent or given to the owner of the unit involved.
- 11.2 If the unit is rented or leased, a copy of the warning will be sent to the tenant.
- 11.3 If the violation is not corrected or is repeated, the owner of the unit will be called to a hearing to address the alleged violation, at which time the Board may consider disciplinary procedures such as a special assessment, and may include revoking common area privileges, and/or a monetary assessment to be determined at the Board's discretion.
- 11.4 Special monetary assessments will be doubled for each subsequent violation. Homeowners may appeal a special assessment by requesting, in writing, an appeal to the Board. Such requests must be submitted to the management company.
- 11.5 Violations that are governed by local Law Enforcement Agencies, such as pet disturbances, threats, or break-ins should be reported to the Riverside County Sheriff's Department by calling 911 or 760-836-3215.

## Attachment A Enforcement Policy

Any violation of the Rules and Regulations which involve the safety of owners or residents will be handled by the Board of Directors as is deemed necessary and will not be restricted to the “Actions” as outlined below. Any violation of these Rules and Regulations which involve the destruction of Association property by an owner, their tenants, or their visitors will be handled by the Board of Directors as is deemed necessary, including prosecution under the appropriate criminal and/or civil laws of the State of California, and will not be limited to the “Actions” outlined below. In these cases the board will immediately request a hearing and fine along with the full amount of damage repair costs, eliminating the first and second offense action (written warnings).

**First Offense:** Courtesy /Warning Letter to Owner and Resident  
**Second Offense:** Final/Warning Letter to Owner and Resident  
**Third Offense:** Hearing Letter to Owner

<b>Offense</b>	<b>Schedule of fines</b>	<b>Up to:</b>
Architectural Violation		\$500.00
Landscape Violation		\$500.00
Pet Violation		\$500.00
Parking Violation		\$500.00
CC & R Infraction/ Rules Infraction		\$500.00

- The above is a list of general areas where fines are required. The list is not comprehensive and additions will be made as required. Please note that fines may vary depending on the severity and may be increased due to repeat violations. Homeowners are responsible for damages caused to the common area.
- The payment of any and all legal fees or costs incurred by the Association to enforce violations or collect fines will be the responsibility of the homeowner.
- It is the owner's sole responsibility to inform their tenants/guests of all Rules and Regulations. The Owner is responsible for any damage caused by tenants/guests.
- Vehicles may be towed without a hearing.

### Management Company

Desert Resort Management

760.346.1161

Manager: Marne Logan

mlogan@drmineternet.com

Assistant Manager: Alexis Pophoff

apophoff@drmineternet.com