

Note: In the case of any inconsistency between the CC&Rs, the Bylaws and these Rules, the CC&Rs will govern, then the Bylaws, and then these Rules & Regulations.

Contents:

Rules & Regulations: Simply states and defines rules based on our CC&Rs (**CC&Rs Section 2 I, Page 6**), Bylaws, Arizona Revised Statutes, and Pima County Code and cites origin where appropriate.

Definitions, Inspection & Enforcement: Provides definitions and explains the inspection process and the enforcement procedure.

Rules & Regulations

Assessments: Assessments are due quarterly on the first day of each month. Appropriate instructions are given on your statements for payment of all assessments.

If assessments are not paid within 15 days of the due date they are considered delinquent. A \$36.00 late fee will be added each quarter and bear interest monthly until the assessment is paid in full from due date.

Common Areas: All residents and their guests shall take responsibility for maintaining acceptable noise levels and for keeping all common areas clean. Smoking is not allowed in any of the common areas due to the health consideration of others.

Common Walls, Gates, and Iron Barriers: For the safety of all Dorado Association Three residents, the climbing of common walls and gates is prohibited. If common walls are climbed or damaged violators may be fined, made to pay for any damage, and/or reported to law enforcement. If children residing in Dorado Association Three are caught violating this rule, the parents or guardians will be held responsible. Climbing on gates is inherently dangerous and prohibited at all times.

Home Maintenance: Being part of a Golf Course Community, building structures (both front and back) should be kept in good condition. Homes should be maintained to preserve the appearance of the neighborhood. House walls and patio block walls/fences should remain free of cracks, stains, mold or obvious signs of damage. **Roof tile should not be broken or cracked.** Windows should not be cracked, broken or missing and window screens should be in good condition (not bent or torn) and secured in place. Doors and gates should be in place and in good condition. Wrought iron and security windows and doors should be painted the approved HOA color. (**CC&R 2.j.1,2,3 page 6**). Exterior lighting fixtures should be uniform in design and down shielded. Light bulbs in street lights need to be maintained and working at all times since part of the light from these fixtures is used to illuminate the driveways and streets (**Pima County Outdoor Lighting Code, Chapter 4, Section 401**, Illumination levels and Shielding Requirements)

Home Improvements: Improvements, alterations, repairs, painting, excavation or other work done to the exterior appearances of any lot (**front or back**) requires prior approval of the Dorado Association Three Architectural Review Committee (ARC) (**CC&R, 7.a,b page 11**).

Interior front doors may be modified or changed only after prior approval from the ARC. To change exterior light fixtures (wall and entrance lights) submit request to the ARC. Such changes need to be consistent with the architectural design of townhomes. Black is the only approved finish for all metal aspects. All homes should be painted with Dunn Edwards quality paint in the approved Association colors (Dunn Edwards Whisper White DEW 340 and Weathered Brown W625E). The board has the authority to require the homeowner to paint the owner's home if it shows signs of streaking, peeling, fading or signs of unevenness at any time.

Holiday Decorations/Lights: Homeowners may place outside decorations on their lot 30 days prior to any generally recognized holiday. All decorations must be removed fifteen days after the holiday. Exceptions are possible only by prior approval of the board.

Inspection of Association Records: Any association member (or his/her designated agent) may, after having made a request in writing, inspect permitted financial and other records of the association as defined by **ARS 33-1805** or most current AZ Revised Statutes. Comments, suggestions or concerns must be in writing and may be mailed to the property management company or sent via e-mail to the board of directors. Should the situation require immediate attention, please call the management office and the board will be notified.

Landscaping: All front and side and back yard landscaping shall conform to and be compatible with the desert landscape and support low water use plants. **(CC&R j.1 page 6)** A list of suggested plant choices on the Dorado Association Three Architectural and Landscape Guidelines as on the Dorado Association Three website. Please be cognizant of your neighbor and do not plant trees or shrubs that have invasive root systems. Plants must be pruned and maintained as needed. Dead trees, palm fronds, stumps, dead bushes and other dead vegetation must be promptly and completely removed. Shrubs and trees obstructing walks, paths or streets or have become overgrown for the space must be removed. **(DORADO ASSOCIATION THREE MA Architectural Guideline Resolutions adopted 11.16.2011)** Landscape rock should be between ½ inch and 1 inch and may be one of the approved Association colors. Every Homeowner should endeavor to have some type of decorative tree or shrubs in their front area. The Association maintains the landscaping in all common areas to maintain a uniform look throughout the community.

- **Yard Art:** *Should be done in good taste with a desert theme. The board has the discretion to ask owner's to change or minimize yard art if it does not comply with the theme of the community.*

Motor Vehicles: Inoperable and unregistered vehicles must be stored in an enclosed garage. Junked motor vehicles may not be stored or parked in the driveway or carport or street. Junked may be defined as wrecked, dismantled, stripped, damaged, inoperable, or as having an expired registration. **(CC&R 2.b page 4) (See also RVs and Trailers Below).**

Nuisance: Common nuisances include pet waste and/or odor and excessive noise. Please be considerate of your neighbors. Anything that is injurious to health, or is indecent or offensive to the senses, or is an obstruction to the free use of property, so as to interfere with the comfortable enjoyments of life or property by an entire community or neighborhood, or any considerable number of persons, is declared to be a public nuisance. Odors, including those from pets, and loud noises should not arise from your property so as to become offensive to neighboring properties. **(CC&R 2.f page 5)** Nuisances should be immediately reported to the management company in writing (email is acceptable). Exterior lights such as accent lights for

shrubbery, other landscape lights and lights on exterior of the house shall abide by the Night Sky Light Ordinance in Pima County (**Pima County Outdoor Lighting Code, Chapter 4, Section 401**) and will not shine from one homeowner's lot into the windows of another property owner.

Parking: Resident vehicles shall not be parked on the streets overnight. (**CC&R 2.b page 4**).

Pool Parking: Is restricted parking for owners and guests while at the pool.

Pets: Dogs are to be kept on a leash and may not run free (**Pima County Code, section 6.04.030**) The owner of a dog that is found "at large upon the streets, sidewalks, alleys, or public property" is guilty of a Class 2 misdemeanor. "At large" is defined as "neither confined by an enclosure nor physically restrained by a leash." The penalty for this Class 2 misdemeanor can include a fine of between \$100 and \$750; up to four months in jail; and/or two years' probation. So, if your dog is not fenced at home, keep it on a leash at all times.

Pet Noise: Excessive noise from animals is a civil violation. There is a complaint process for noise through Pima County. You may register a complaint about animal noise by calling Pima Animal Care Enforcement at 520-243-5900. The procedures following the initial complaint will vary depending upon if it is a noise complaint or waste complaint. For more information visit: www.pimaanimalcare.org.

Pet solid waste is to be removed immediately by the pet owner. It is unlawful for the owner or the person with custody of the dog to fail "immediately" to "remove and dispose of in a sanitary manner" any solid dog waste deposited on public property or on private property without the consent of the property owner. A person who commits such a violation is guilty of a Class 3 misdemeanor, for which the penalties may include a fine of between \$100 and \$500; up to 30 days in jail; and/or one year probation. (This section does not apply to blind persons or persons with mobility disabilities.) (**Pima County Code, Section 6.04.030**) (**CC&R 2.c page 4**)

Pool and Spa: The pool and spa facilities are a private common area paid for by the homeowners. Residents are responsible for their guests at all times. All residents should take responsibility for keeping our amenities secured; for safety as well as deterring vandalism.

PETS are not allowed in the pool and spa area. **No Smoking** in the pool area due to the health consideration of others.

RVs and Trailers: Parking recreational vehicles, motor homes, campers, trailers, boats and similar vehicles is permitted to remain on any lot for more than 72 hours in any two week period, unless parked inside a garage, nor is any such vehicle permitted to be parked in the guest/overflow parking at any time. A recreational vehicle must completely fit in the garage or in the driveway or must be stored offsite. (**CC&R 2.b page 4**)

Rentals: Any homeowner who intends to rent their property within the Association is required to complete the rental form attached to these Rules & Regulations and submit to the management office prior to the start of the lease. (**CC&R 9.xi.i page 15**). All renters must receive a copy of the CC&Rs & Rules and Regulations by the owner. (**ARS 33-1260.1 c**)

Signs: Real estate signs may be placed in homeowner's yard when needed. Security

company signs less than one square foot may be placed in the yard. Political signs are permitted as long as they comply with the AZ Revised Statutes, as revised from time to time. **(ARS 33-1808) (CC&Rs 2.d page 5)**

Trash/ Recycle Containers: Trash is to be kept in covered containers, stored in garage, not on graveled areas between houses. Trash should be made available for collection the night before or morning of collection and must be removed on the day of collection. **(CC&R 2.h page 5).**

Weeds: The Owner's property shall be maintained so it is free of weeds, dead plants or dead parts of plants to include leaves from trees and shrubs. Weeds also include desert broom, Russian thistle, ragweed. This is also inclusive of grass and weeds growing up through the landscape rock.

Additional guidelines are located in the Declaration of CC&Rs and the Bylaws. Homeowners and the Association must also follow City of Tucson Ordinances, Pima County Ordinances, Master Association Governing documents, State Laws, and Federal Laws.

Definitions, Inspection & Enforcement

Definitions

Infraction: Failure to comply with the CC&Rs, The Bylaws, the Rules and Regulations and the Architectural and Landscaping Guidelines as outlined by the Association. In the case of an infraction, the board will offer up to two (2) reminders to correct the problem, at which point, if the owner has not corrected the infraction, the situation is considered a violation, where a further level of enforcement action may be taken.

Violation: A situation that has progressed to the point that the Board believes an imposition of fines may be required to obtain corrective action. A violation may be deemed as repetitive if the noncompliance is continuing, and the issue has not been resolved between the homeowner and the Board. This could result in continued fines until a resolution has been reached.

Inspection Process

Front and back yards and common area inspections will be held periodically by the members of the Board of Directors, landscaping committee or Management Company. If upon inspection, or as a result of a legitimate complaint filed in writing by a Dorado Association Three resident, a member is in noncompliance with the Covenants, Conditions and Restrictions (CC&Rs), Rules, or other governing document, the homeowner will be notified. All infractions and violations will be recorded by the authorized inspector and kept on file following the inspection.

Enforcement Process

When an infraction of the CC&Rs, Bylaws, Rules and Regulations, or Architectural and Landscape Guidelines has been observed by the inspector or submitted in writing by a Dorado Association Three resident, the homeowner will be sent a letter entitled "Courtesy Notice" by the managing agent. The homeowner is responsible to take corrective action within 10 days, unless (depending on the infraction) immediate correction action is to be taken as determined by the board.

If corrective action is not taken within ten (10) days of the date of the "Courtesy Notice" or the same infraction is noted on a second inspection, the homeowner will be sent a letter entitled "2nd Reminder" by the managing agent advising him/her that the Board of Directors is requesting the infraction be corrected within fifteen (15) days. In order to officially document the infraction will be or has been corrected, the homeowner shall contact the managing agent with an action plan stating when the infraction will be corrected or that the infraction has since been corrected.

If corrective action is not taken within fifteen (15) days of the "2nd Reminder", a "Notice of Violation and Hearing" will be sent by certified mail, return receipt requested, to the homeowner by the managing agent. A copy of the "Notice of Violation and Hearing" will also be sent to the President of the Board. This notice will contain the following information:

The nature of the alleged violation(s);

The date(s) on which the violation(s) was/were observed;

The time and place of the hearing, which shall not be less than seven (7) days from the date of the notice;

An invitation to attend the hearing and produce any statement, evidence, and/or witness on his or her behalf; and

The possible sanctions to be imposed which may include the imposition of a fine of \$100.00 and an additional \$100.00 fine for each 30 day period if the violation has not been remedied and the payment of any attorney fees incurred by the Association. **Violations remedied after a penalty fine has been assessed do not cancel the fine.**

At the hearing the homeowner will be given reasonable time to make a statement, and present evidence or a witness on his/her behalf. The Board of Directors will deliberate and may or may not impose a fine. The decision of the Board is final. The Homeowner will be notified in writing, sent by certified mail, return receipt requested, of the Board's decision.

Should the homeowner or the homeowner's designated representative fail to appear before the Board, the board may impose a fine *in absentia*. The fine assessed may continue to double if upon further inspections the violation has not been corrected.

Once a fine has been imposed the homeowner will be sent notification and given fifteen (15) days to pay the fine. If the fine is not paid, the Board may authorize legal action, and the homeowner will be responsible for all attorney fees and costs.

Violations remedied after a penalty fine has been assessed, does not cancel the fine.

The President or the Board of Directors may, at its sole and absolute discretion, waive the three (3) notice requirement in the event of an extreme situation needing immediate resolution.

Fine Schedule

Board imposed fine: \$100.00 for first offense.

Additional \$100.00 to be assessed each subsequent thirty (30) day period the violation has not been remedied and the fine has not been paid.

When the fines reach \$500.00, the debt will be turned over to a collection agency. The fines will continue on a 30 day basis until the infraction is remedied and the fines have been paid.

These Rules and Regulations of the Dorado Association Three Homeowners Association were voted on and passed by the Board of Directors on this 1st day of June, **2015** and supersede all previous Rules. These Rules are in addition to and consistent with the Declaration, the Articles of Incorporation, and the Bylaws of the Association.