

# Rules & Regulations<sup>1</sup>

## Cobblestone Creek Homeowners Association

### I. Purpose

These Rules & Regulations (R&Rs) have been formulated for living at Cobblestone Creek and have been approved for use by the Board of Directors. They are intended to be strictly in accordance with the CC&Rs<sup>2</sup>. In case of a conflict, the CC&Rs take precedence. <sup>3</sup>We believe that the R&Rs that follow will help to maintain conformity, retain aesthetic beauty, ensure privacy, retain property value and minimize problems that emerge whenever a large number of families live together in a condominium project.

### II. Privacy

1. Refrain from all excessive noises.
2. Use of radio(s), stereo(s), television(s), musical instrument(s), etc., must not disturb other residents.
3. Use of powers<sup>4</sup> tools and equipment in the garage areas and other common areas should be restricted to the hours of 8:00 a.m. and 9:00 p.m.<sup>5</sup>.

### III. Guests

1. All guests using the common area recreation facilities<sup>6</sup> must be accompanied by an adult resident for such guests<sup>7</sup>.
2. Consideration for neighbors should be used as to the number of guests per unit allowed in the unit and/or in the common area facility at any one time.<sup>8</sup> Refer to Section VII specifically pertaining to usage of the pool, Jacuzzi and surrounding area<sup>10</sup>.

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<sup>1</sup> Consider a new title of "Rules, Regulations & Recommendations" to align with the fact that all the info herein is NOT compulsory.

<sup>2</sup> Recommend adding, "and are specifically provided for by Article 3.5.2."

<sup>3</sup> Recommend adding, "In case of any conflict with Federal, State, County or City laws, those laws take precedence."

<sup>4</sup> Grammar correction to, "power"

<sup>5</sup> Recommend editing times to coordinate with State Law and GGMC to 7am-10pm and/or add language to make a compound statement of "shall be restricted to 7am-10pm and should be limited to 8am-9pm when possible."

<sup>6</sup> Spelling correction to, "facilities".

<sup>7</sup> This seems awkward. What "recreation facilities" do we have? (Pool alone?) If it's only the pool, this Rule isn't needed here as it's already covered under the Pool Rules. If we ever add a Tot Lot, THEN we'd need something like this. Who does "such guests" refer to? If we're going to keep this Rule, consider amending to, "Underage (< age 16) guests using the recreational facilities must be accompanied by an adult resident."

<sup>8</sup> I think this Rule is OK as is, just understand that it is only a "recommendation" as the word "should" is NOT compulsory.

<sup>9</sup> Change to lowercase "j".

<sup>10</sup> "Area" could be ambiguous, recommend change to "surrounding pool patio."

#### IV. Pets

1. All dogs must be leashed and under owner control at all times while outside condominiums and in <sup>11</sup>common area. NOTE.— Unleashed animals in the common area are subject to being turned over to the Department of Animal Regulation and the unit's owner<sup>12</sup> being fined.

2. Pets are not allowed to urinate or deposit any waste in the common areas except for the designated posted<sup>13</sup> areas.

3. Barking or excessive<sup>14</sup> noise is considered a nuisance and will not be permitted<sup>15</sup>.

4. Pets are not allowed in the swimming pool or J<sup>16</sup>acuzzi.<sup>17</sup>

5. The Board of Directors reserves the right to request immediate removal of any pet that is a nuisance.<sup>18</sup>

#### V. Walkways & Common Areas (Excluding driveway<sup>19</sup> and garage)

1. Running, jogging, bicycle riding, roller-skating and skateboarding are not allowed<sup>20</sup> in the complex. Owners can<sup>21</sup> be fined for non-compliance.

2. Playing or walking through landscaping or stream areas is not allowed<sup>22</sup>.

3. Littering is not allowed<sup>23</sup>.

4. The only sign<sup>24</sup> allowed are those relating to sale, lease and/or rental of units. They must be in accordance with the CC&Rs and are allowed only in the area designated<sup>25</sup> by the Board of Directors.

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<sup>11</sup> Insert "the"

<sup>12</sup> Add the word "possibly"

<sup>13</sup> Do we currently have or maintain posting(s) to this effect? I don't believe we do. We either need to do postings (I recommend against that/maint expense), or create a map showing designated areas for pet relief to be included with R3's, or create a statement something like, "Any grass common areas are suitable for pet relief followed by immediately curbing your animal(s)."

<sup>14</sup> Add the word "animal"

<sup>15</sup> Consider changing & adding verbiage to read "should be avoided. Violators may be fined by the HOA following due process and/or may be cited/fined by the City."

<sup>16</sup> Change to lowercase "j".

<sup>17</sup> Consider adding sentence, "See also Section VII(13) herein." to cross reference the Pool Section.

<sup>18</sup> NEEDS RESEARCHING FOR AUTHORITY??? or ammend to something more reasonable by adding after the word removal, "from the area."

<sup>19</sup> Where does the word driveway refer to?

<sup>20</sup> Consider changing "not allowed" to "prohibited."

<sup>21</sup> Consider changing word "can" to "may" and add the words, "following due process." Also, do we really need to have this sentence here (only)? If so, should it not be added to the following 6 more Rules in this Section? Consider pursuing consistency throughout the Section.

<sup>22</sup> Consider changing "not allowed" to "prohibited."

<sup>23</sup> Consider changing "not allowed" to "prohibited."

<sup>24</sup> Grammar correction, should read, "signs."

<sup>25</sup> Where is the area being referenced designated?

5. Bicycles, motorcycles, carts or other objects are not to be left at entrances<sup>26</sup> to units and/or<sup>27</sup> garages and are not to be left on walkways or in the alleyways.

6. All trash materials must be placed inside the provided trash bins/dumpsters.

7. Roof access is limited to persons maintaining or repairing the roof.

## VI. Parking, Driveways and Garages

1. Occupants may park their vehicles only in their assigned<sup>28</sup> garages or those spaces designated for resident parking by the Board of Directors. Parking in non-assigned resident parking spaces is limited to 48 hours<sup>29</sup>. Long-term storage of vehicles, RVs, boats, etc. is not allowed<sup>30</sup>.

2. <sup>31</sup>Interior designated parking spaces have a 48 hour limit and <sup>32</sup>only for residents<sup>33</sup> use and are not for guests.

3. The maximum speed is 5 mph.

4. No automobile or other vehicle repairs are allowed on any portion of the common area including driveways and alleyways except in an emergency<sup>34</sup>.

5. Storage of gasoline and/or other volatile<sup>35</sup> materials is not allowed in garages, in or in parked vehicles.

A) Volatile chemical materials included<sup>36</sup> any flammable substances such as some paints and aerosol cans.

B) Chemicals are to be construed in the broadest sense of the word to ensure public safety.

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<sup>26</sup> Spelling correction to, "entrances."

<sup>27</sup> Consider adding, "in front of" before the word garages.

<sup>28</sup> Consider changing "assigned" to "own."

<sup>29</sup> 48 hours? Really? How is this enforced? Since it appears it is NOT being enforced, consider adjusting language to, "should be limited to" AND consider extending it to 72 hours if that seems more realistic. That would at least cover a Friday-Sunday period which is a reasonable amount of time to park your car and travel away. Also consider adding, "In cases of extended travel away from their residence, Owners should notify the Board about their vehicles remaining parked for longer periods to avoid possibly being towed. Lastly, it would seem a statement like, "inoperative and/or gravely damaged vehicles are prohibited from being stored in Resident Spaces" would be a good addition here.

<sup>30</sup> Consider changing "not allowed" to "prohibited."

<sup>31</sup> This Rule seems redundant to preceding Rule, consider deletion. If it is retained, correct grammar errors and consider alignment with the 72-hour timeline proposed for the Rule above this one.

<sup>32</sup> Grammar correction, add "are."

<sup>33</sup> Grammar correction, change to "resident's"

<sup>34</sup> Consider adding, "for a limited time only. Fire Lanes are enforced 24/7/365."

<sup>35</sup> Spelling correction to, "volatile."

<sup>36</sup> Typo, change "included" to "include."

C) This restriction does not preclude the possession<sup>37</sup>/storage of small quantities of paint or lawn chemicals for personal use<sup>38</sup> as long as they are secured from public access. Any quantities or substances in question will be ruled on by majority of<sup>39</sup> the Board of DI<sup>40</sup>rectors.

<sup>41</sup> ADD SECTION 6 FOR EV CHARGING PROHIBITION

<sup>6</sup><sup>42</sup>. Commercial<sup>43</sup> vehicles are not permitted in any parking spaces.

A) Commercial<sup>44</sup> vehicles are defined not only by the type of license issued to the vehicle but by the use as means of earning income or performing work.

B) Large or oversized company-owned vehicles are expressly prohibited.

<sup>7</sup><sup>45</sup>. Fluid leaking from vehicles is not permitted. If fluid leakage occurs, the owner must clean-up the residue immediately.

## VII. Patios and Balconies<sup>46</sup>

1. Any alterations are subject to prior review and approval by the Board of DI<sup>47</sup>rectors.<sup>48</sup>

2. Visible storage is not allowed<sup>49</sup>. This includes towels, clothes, mops, boxes, bicycles, cleaning items, excess furniture and/or storage cabinets, etc.

3. Railings and patio walls are not to be used as clothesline nor will clotheslines be hung on patios or decks<sup>50</sup>.

4. Consideration for occupants below your unit should be taken<sup>51</sup> when cleaning patios/balconies and when watering plants.<sup>52</sup>

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<sup>37</sup> Spelling correction to, "possession."

<sup>38</sup> The term "small quantities" is undefined herein. Consider adding, "(one gallon or less of each type of chemical and not to exceed X [5? 10?] gallons total)."

<sup>39</sup> "majority of" is totally unnecessary here; recommend deletion, the Board always votes by majority.

<sup>40</sup> Typo, should be lower case "i."

<sup>41</sup> Codify Summer 2021 new rule prohibition of any type of EV charging in garages using HOA-sourced electricity.

<sup>42</sup> Old Section 6 becomes new Section 7.

<sup>43</sup> Spelling correction to, "Commercial."

<sup>44</sup> Spelling correction to, "Commercial."

<sup>45</sup> Old Section 7 becomes new Section 8.

<sup>46</sup> Consider changing, "Balconies" to "Decks" to align with language from CC&R's where the word "Balcony" does not appear. Effect this change in every instance of the word "balcony" appearing herein.

<sup>47</sup> Typo, should be lower case "i."

<sup>48</sup> Consider adding, "/Architectural Committee. See also Section IX herein." to cross reference Architectural Rules

<sup>49</sup> Consider discussion, several units have storage cabinets on their patios/decks

<sup>50</sup> Discussion: we seem to have allowed many Units to hang numerous items (lights, potted plants, wind chimes, etc.) from HOA Common woodwork. I know we don't want to see hanging clothes, but the other items do incur wood penetration and may be worth also mentioning here.

<sup>51</sup> Typo, should be "taken."

<sup>52</sup> As written, this "Rule" is really only a recommendation (it says "should") and is not actionable when care watering is NOT taken. SEE ALSO FOOTNOTE 53.

5. All plants hanging or otherwise, must be securely fastened.<sup>53</sup>
6. Decks should<sup>54</sup> be well maintained and waterproofed at all times to ensure structural integrity. Decks found to have caused damage will<sup>55</sup> place the owner liable for such repairs as are found necessary<sup>56, 57</sup>.

#### VIII. Swimming Pool, Jacuzzi and Surrounding<sup>58</sup> Areas

1. The swimming pool and J<sup>59</sup>acuzzi are open for use between the hours of 8:00 a.m. and 10:00 p.m.
2. All persons using the facilities do so at their own risk.
3. Persons under the age of sixteen(16) may only use the swimming pool and J<sup>60</sup>acuzzi when accompanied by an adult resident.
4. Persons under the age of twelve (12) are restricted from the using the J<sup>61</sup>acuzzi.
5. For sanitary reasons children under the age of two (2) are not allowed<sup>62</sup> in the swimming pool and J<sup>63</sup>acuzzi.<sup>64</sup>
6. Use of the swimming pool, J<sup>65</sup>acuzzi and surrounding area is expressly limited to residents and no more than six (6) guests per unit. Residents are responsible for the behavior of their guests.
7. Smokers shall bring something unbreakable and suitable for use as an ashtray. Users are responsible to promptly remove all debris and, at no time, shall any remnants be left behind.
8. No smoking or eating is allowed by a person who is physically in the swimming pool or J<sup>66</sup>acuzzi

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<sup>53</sup> Discussion: smaller issue about condoning specifically hanging plants (piercing our woodwork) and the larger issue about potted plants in general on decks possibly being a significant problem as they pertain to promoting water retention and subsequent wood rot and an annoyance when watering drains down on patios. I propose we consider outright banning of real potted plants (needing water) on decks. Owner's with patios can do as they please. While one could argue it's unfair, the Board could do analysis and potentially make a finding that allowing plants on Decks is fiscally unsound over time.

<sup>54</sup> As written, this "Rule" is really only a recommendation (it says "should"). Consider changing "should" to "shall" to fall into alignment with CC&R's.

<sup>55</sup> Consider changing, "caused damage will" to "sustained damage by the owner, tenants or guests may"

<sup>56</sup> Spelling correction to, "necessary."

<sup>57</sup> Consider adding, "following due process" at the end of the sentence.

<sup>58</sup> Consider changing, "Surrounding Areas" to pool patio area.

<sup>59</sup> Change to lowercase "j".

<sup>60</sup> Change to lowercase "j".

<sup>61</sup> Change to lowercase "j".

<sup>62</sup> Consider changing "not allowed" to "prohibited."

<sup>63</sup> Change to lowercase "j".

<sup>64</sup> Discussion: no allowance for using swim-rated diapers?

<sup>65</sup> Change to lowercase "j".

<sup>66</sup> Change to lowercase "j".

9. Running<sup>67</sup> pushing or any “horse play” in the swimming pool or its surrounding<sup>68</sup> area is not allowed.
10. Metal, wood, glass and large flotation devices are not allowed in the pool or J<sup>69</sup>acuzzi. No unattended rafts are allowed in the pool.
11. All food and beverages must be in unbreakable containers... NO GLASS ALLOWED<sup>70</sup>.
12. Life-saving equipment is to be used exclusively for life-saving purposes.
13. Pets are not allowed in the pool/ Jacuzzi<sup>71</sup> area.<sup>72</sup>
14. Swimming pool and J<sup>73</sup>acuzzi areas may not be used for private parties.
15. Pool area furniture may not be removed from<sup>74</sup> pool area<sup>75</sup>.
16. The thermostat may not be reset by anyone except authorized personnel.
17. Chemicals or any substances<sup>76</sup> may not be added to the swimming pool and J<sup>77</sup>acuzzi.<sup>78</sup>
18. No jumping or diving into the J<sup>79</sup>acuzzi is allowed. No flotation devices are allowed in the Jacuzzi.
19. Gate to the pool/ Jacuzzi<sup>80</sup> area must be kept<sup>81</sup> locked at all times.

## IX. Architectural Rules

1. Any and all exterior alterations or additions must have prior written approval by the Board of Directors<sup>82</sup>. This includes alterations or additions to

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<sup>67</sup> Grammar correction; add a comma between, “Running” and “pushing”.

<sup>68</sup> Consider adding, “patio.”

<sup>69</sup> Change to lowercase “j”.

<sup>70</sup> Consider changing “NO GLASS ALLOWED” to, “GLASS IS PROHIBITED.”

<sup>71</sup> Change “pool/ Jacuzzi” to be consistent with usage throughout to, “pool and jacuzzi.” Lowercase “j”.

<sup>72</sup> Add, “See also Section IV(4) herein” to cross reference to Pets Section.

<sup>73</sup> Change to lowercase “j”.

<sup>74</sup> Grammar correction, insert, “the.”

<sup>75</sup> Consider adding, “nor placed into the pool or jacuzzi” at the end of the sentence.

<sup>76</sup> Spelling correction to, “substances.”

<sup>77</sup> Change to lowercase “j”.

<sup>78</sup> Consider adding, “by anyone other than authorized personnel” at the end of the sentence; otherwise Marco Polo is breaking this rule.

<sup>79</sup> Change to lowercase “j”.

<sup>80</sup> Change “pool/ Jacuzzi” to be consistent with usage throughout to, “pool and jacuzzi.” Lowercase “j”.

<sup>81</sup> Consider adding, “closed and” in front of “locked” for clarity and liability mitigation.

<sup>82</sup> Consider adding, “/Architectural Committee. See also Section VII herein and CC&R Article XI.”

<sup>83</sup>interior that alter the exterior appearance and includes, but<sup>84</sup> not limited<sup>85</sup> to, window tinting, aluminum foil, “doggie door<sup>86</sup>”, etc.

2. If an architectural change is made without the approval of the Board of Directors, the owner, upon notice from the Board of Directors, has thirty (30) days to either remove the change or appeal to the Board<sup>87</sup>.<sup>88</sup>

## X. Lease of Units

1. Homeowners are responsible for their tenants conforming to the R&Rs and the homeowner is responsible for any type of damage by lessees, members of their household, guests, tenants<sup>89</sup> and pets to the common areas.

2. Homeowners must provide the Association/Board with current contact information at all times.

3. Homeowners are responsible for payments of their monthly Association dues regardless of any arrangement they may have with their tenants<sup>90</sup>.

4. The Board of Directors shall have the power to issue a fine against any member of the Association found to be in violation of the CC&Rs, By-laws and/or the Rules of<sup>91</sup> Regulations in an amount<sup>92</sup> not to exceed \$250 per month for any one (1) violation<sup>93</sup>. Other methods of enforcement may be implemented as outlined in the CC&Rs<sup>94</sup>.

## XI. Enforcement Procedures

The members of the Board of Directors of Cobblestone Creek Homeowners Association have approved these Rules and Regulations and procedures for enforcement of this 23rd day of August, 2012.<sup>95</sup>

Updated on this 1st day of September, 2012.

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<sup>83</sup> Grammar correction, add “the.”

<sup>84</sup> Grammar correction, add, “is.”

<sup>85</sup> Correct spelling to, “limited.”

<sup>86</sup> Grammar correction, change “door” to “doors.”

<sup>87</sup> Consider adding, “/Architectural Committee

<sup>88</sup> Consider adding, “See also Section VII(1) herein.” to cross reference to the Patios & Balconies (Decks) section.

<sup>89</sup> Spelling correction to, “tenants.”

<sup>90</sup> Spelling correction to, “tenants.”

<sup>91</sup> Correction to reflect proper title, “Rules & Regulation,” (not “of”) or use new name (R3) if selected..

<sup>92</sup> Spelling correction to, “amount.”

<sup>93</sup> Consider adding a reference to CC&R Article 3.5.4 and the Fine Schedule.

<sup>94</sup> Discussion: what other methods? Can we reference a particular CC&R Article to provide clarity?

<sup>95</sup> Change dates upon re-issuance.