



COMMUNITY ASSOCIATION

**18816 Four Peaks Blvd.
Rio Verde, Arizona 85263
480-471-2068**

**REVISED
RIO VERDE RULES**

AS ADOPTED BY

**RIO VERDE
COMMUNITY ASSOCIATION
BOARD OF DIRECTORS**

SEPTEMBER 20, 2007

**REVISED
RIO VERDE RULES
September 20, 2007**

Authority for establishing the following stated Rio Verde Rules (the "Rules") is granted to the Board of Directors (the "Board") of the Rio Verde Community Association (the "Association") under Article V, Section 3 of the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Rio Verde, dated March 23, 2006 (the "CC&Rs"). Authority is also granted to assess fines for failure to comply with either the Rules or CC&Rs and any fines assessed are collectible in the same manner as all other assessments provided for in the CC&Rs.

Upon receipt of these Rules, each Owner is deemed to have knowledge of each and every rule set forth below. Each Owner has, therefore, already received notice that fines may be imposed for violations of these Rules.

When the CC&Rs require consent or approval of 'Members' it has been and is the policy and practice of the Association and the Board to obtain such action by vote of 'Memberships' in accordance with Article VI of the CC&Rs.

These Rules are meant to supplement and clarify the CC&Rs. These Rules in no way limit, modify, replace, or substitute any provisions of the CC&Rs. Any conflict between these Rules and the CC&Rs will be resolved to conform with the CC&Rs.

In addition to the remedies set forth herein, the Association may pursue any and all other remedies provided for in the CC&Rs, including, but not limited to, suspending the Owner's voting rights, placing a lien against the Owner's property, instituting legal action, having the Association correct the violation and charge the associated expenses to the Owner, requiring the Owner to remove an unacceptable improvement and restore the affected area to the condition before the change, suspending the Owner's right to use the Common Areas, and assessing the costs and expenses of pursuing any such remedies. Failure of the Association to enforce any provision of the CC&Rs or Rules shall not be deemed a waiver of the right of the Association to do so thereafter.

These Rules have been promulgated to enhance your right to enjoy the beautiful environment and recreational activities of Rio Verde. Compliance with the Rules will result in a continuing quality of life for all Owners and occupants of Rio Verde, not available in many communities.

LET'S BE A GOOD NEIGHBOR AND LIVE WITHIN THESE RULES.

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**ARTICLE I
PROCEDURES FOR COMPLAINTS**

1. At least one (1) person must sign a written complaint if it is believed that an Owner or his guests, invitees, renters or lessees have violated the CC&Rs or the Rules. The complaint shall constitute a written statement which shall set forth in concise language the acts or omissions for which the alleged violator is charged, and must specify the specific provisions of the CC&Rs and Rules which allegedly have been violated. The complaint must be as specific as possible as to time(s), date(s), place(s), and person(s) involved. Signed written complaints should be hand delivered to the Association office during regular business hours or mailed to the Association as provided in Article IX, Section 8 of the CC&Rs. Verbal complaints will not be accepted.
2. Upon receipt of a written complaint, the Association will verify that the complaint alleges an actionable violation of the Rules or CC&Rs. The Association will notify the complainant about the disposition of the complaint and will provide the complainant with a copy of any written notice of violation which results from the complaint.
3. As a courtesy to the person(s) alleged to have violated the CC&Rs or Rules, after verifying the written complaint as provided in Paragraph 2, a Board Member or other Association Representative will attempt, if feasible, to notify such person(s), either in person or by telephone and attempt informally to obtain compliance. The Association is in no way obligated to give such oral notice or to seek informal compliance. If oral notice is given, the person(s) will be advised of: (i) the violation, and (ii) the specific period of time during which the violation must be remedied.
4. After verifying a written complaint as provided in Paragraph 2 and determining that corrective action has not been achieved, the Association shall follow the Procedures described herein. Written notice shall be given pursuant to Article IX, Section 8 of the CC&Rs to the Owner alleged to have violated the CC&Rs or Rules, and such notice shall:

- a. Provide a copy of the written complaint upon request;
- b. State the nature of the violation and specify the provisions of the CC&Rs and Rules which allegedly have been violated;
- c. State the period of time during which the Owner may cure the violation;
- d. State the sanctions to be imposed, including the amount of any applicable fine;
- e. Advise Owner of the right to a hearing if Owner wishes to contest the sanctions, by notifying the Association Office within ten days of the date of the notice; and
- f. State that if Owner does not ask for a hearing, the sanctions will become immediately imposed and fines payable if not cured prior to expiration of the time period stated in the notice.

Copies of all correspondence regarding alleged violations shall be maintained in the Association files and copies may be provided to counsel for the Association.

5. The Board from time to time may establish other procedures (the "Procedures") to handle complaints. These Procedures will be available for Owners to review at the Association Office.

6. If an Owner has been sanctioned for a violation and thereafter fails to cure the violation, the Board shall have the right to issue additional sanctions, including imposing additional fines, until such violations are cured.

7. If a hearing is requested in a timely manner, it shall be held to afford the alleged violator a reasonable opportunity to be heard, either (a) by the Board in Executive Session or (b) by hearing officers appointed by the Board to hear testimony and report their findings and recommendations to the Board. Prior to the effectiveness of any sanction hereunder, proof of proper notice shall be placed in the minutes of the meeting. Such proof shall be deemed adequate if a copy of the notice, together with a statement of the date and manner of delivery, is entered by the officer, director, or agent who delivered the notice. The notice requirement shall be deemed satisfied if the alleged violator appears at the meeting. The minutes of the meeting shall contain a written statement of the results of the hearing and the sanction, if any, imposed. The decision of the Board after the hearing shall be final.

8. It shall be incumbent upon each member of the Board to make a determination as to whether that member is able to function in a disinterested and objective manner in consideration of any case before it. Any member incapable of such objective consideration of the case shall disclose such to the Board and shall become inactive during the proceedings and have it so recorded in the minutes. Any Board member has the right to challenge any other member whom he/she feels is unable to function in a disinterested and objective manner. Prior to any hearing, the complainant and alleged violator may challenge any member of the Board for cause. In the event of such a challenge, the Board shall meet within 15 days to determine the sufficiency of the challenge. All decisions of the Board regarding a challenge as described herein shall be final.

ARTICLE II **THE RULES**

ANIMALS:

- An Owner is allowed to maintain a reasonable number of generally recognized house or yard pets on the Owner's property. By Board action on June 20, 1996, the "reasonable number" of dogs was determined to be two in number. Any Owner maintaining more than two dogs on his/her property on June 20, 1996 shall be permitted to continue to do so beyond that date, but such Owner shall not replace any of said dogs that would result in the Owner exceeding the two dog limit (CC&Rs, Article IV, Section 2F.).
- No animal care, housing or confinement structure shall be maintained so as to be Visible From Neighboring Property.
- No pet shall be allowed to make an unreasonable amount of noise or to become a nuisance.
- Dogs and other permitted pets must be kept on a leash when not confined.
- No Owner in Rio Verde shall permit his dog or other animal to create unsanitary conditions anywhere on the Common Areas, Lots, Tracts, Parcels, Golf Course or public rights-of-way in Rio Verde. Any dog feces on these areas must be removed at once by the owner.
- Pot Bellied Pigs are generally recognized house pets, and the reasonable number of such pets on any Lots shall not exceed one.

\$25 FINE FOR EACH CITATION ISSUED

ANTENNAS:

- Outdoor antennas, including television satellite dish antennas, are not acceptable in Rio Verde without prior written authorization of the Board or by a Committee to whom the Board has delegated this authority.
- Illegal antennas must be removed upon notification and a fine will be levied for each citation.

\$100 FINE FOR EACH CITATION ISSUED**ARCHITECTURAL CONTROLS:**

- Prior to beginning exterior alterations, including such things as additions, walls, fences, pools, painting, repainting and landscaping, approval from the Architectural Committee must be obtained. The Application for Approval form is obtainable at the Association office and must be filed there, after approval. Instructions for completing such Application are also available there.
- Architectural Controls are completely described in the CC&Rs and in the Architectural Committee Guidelines.
- Failure to comply with Architectural Committee's requirements or the Architectural Guidelines will result in a fine being assessed. If the Owner fails to cure this violation within the time specified in the written notice, removal or modification of the construction may be ordered by the Association at the Owner's expense. The Owner may request a hearing before the entire Architectural Committee to contest this action prior to the date specified in the notice.
- Owners are responsible for ensuring compliance with all Rules and Architectural Guidelines applicable to contractors and subcontractors they employ.

\$250 FINE FOR EACH CITATION ISSUED**BICYCLES & PEDESTRIANS:**

- No bike riding after dusk, without proper lights and reflectors.
- Pedestrians: left side of street (facing traffic) only.
- Bicycling: right side of street (with traffic) only.
- Motor Boards are not allowed.
- Skate boarders, roller skaters and in-line skaters must observe all pedestrian rules.

COMMUNITY FACILITIES USAGE:

The following activities are prohibited on and in only those common areas of Rio Verde which are available for use by Members for recreational or community purposes ("Community Facilities"), unless expressly authorized by, and subject to conditions as may be imposed by, the Board of Directors in its discretion:

- A. Any noxious or offensive act or activity which tends to cause significant embarrassment, discomfort, fear, annoyance or nuisance to any person or persons using the Community Facilities;
- B. Any activity which emits foul or obnoxious odors or creates noise or other conditions which may disturb the peace or threaten the safety of the occupants of the Community Facilities, including use or discharge of any radio, loud speaker, horn, whistle, bell or other sound device so as to be audible to occupants of the Community Facilities, except alarm devices used exclusively for security purposes;
- C. Any activity which may cause an unclean or unhealthy condition or which may cause damage to the Community Facilities;
- D. Possession, use or discharge of firearms, pellet guns, firecrackers, fireworks or explosive materials or devices; or
- E. Any activity which violates local, state or federal laws or regulations.

Persons violating any of the above rules may be required to immediately leave the Community Facilities by any Board member or officer or employee of the Association. In addition, after notice and an opportunity to be heard, any person violating the foregoing rules shall be subject to one or more of the following in the discretion of the Board:

1. A fine not to exceed Two Hundred Fifty and No/100 Dollars (\$250.00) per violation.
2. Suspension of voting rights for period of sixty (60) days per violation; and
3. Suspension of the right to such person and his or her Immediate Family's, tenant's, guest's and invitee's rights to use the Community Facilities for a period of sixty (60) days per violation.

Written notice of any alleged violation shall be given within thirty (30) days following occurrence of the alleged violation in the manner required by Article IX, Section 8 of the CC&Rs. The notice and hearing procedures related to any violation of these Rules shall be as stated in Article I, Sections 4 through 8 of these Rules.

DUMPING:

- There is to be no dumping on any property within the boundaries of Rio Verde (private or commercial) including vacant lots, roadsides, Common Areas, and the Golf Courses. This includes, without limitation, any garden clippings, construction materials, tool and equipment wash water or other debris.
- Construction sites must be equipped with an adequate sized dumpster and maintained daily.

\$100 FINE FOR EACH CITATION ISSUED

FIRE HYDRANTS:

Speed can be a life or death matter in the event of a fire. Therefore, it is imperative that fire hydrants be easy to find and unobstructed by bushes and weeds. The Owner of any property on which a fire hydrant is located is responsible for the area surrounding same. When a violation of this rule exists, the Association will order the problem corrected and, if not corrected at once, the expense of clearing the hydrant area will be charged to the Owner.

\$25 FINE FOR EACH CITATION ISSUED

FITNESS CENTER – COMMUNITY CENTER:

- Fitness Center is for Adults Only.
- All users must sign in.

IF NOT ADHERED TO, PRIVILEGES WILL BE REVOKED

GARAGE DOORS:

Garage doors are to remain closed when not in use.

INFLATABLE YARD DECORATIONS:

All inflatable yard decorations over four feet in height may be inflated only during the hours of 5:00 PM – 10:00 PM.

\$50 FINE FOR EACH CITATION ISSUED

MISCELLANEOUS:

- Clothes lines or drying articles shall not be Visible From Neighboring Property.
- External nuisance noises will not be tolerated.

\$25 FINE FOR EACH CITATION ISSUED

MOTOR VEHICLES & GOLF CARTS:

Citations may be issued immediately for violations of the following rules, without any notice whatsoever.

- Speed limit: 25 mph on all Rio Verde owned streets unless otherwise posted.
- Observe all no Parking Zones (Loading/Unloading Zones).
- Observe all Handicapped Parking.
- Observe all One Way signs as well as the Entrance and Exit signs at the Post Office and Village Green.
- No Golf Carts may be driven, even if an adult is a passenger, by anyone without a driver's license.
- No parking within 15 feet of any Fire Hydrant.
- No parking on any street at any time (including social gatherings) so as to restrict passage of emergency vehicles.

\$25 FINE FOR EACH CITATION ISSUED

PARKING OF CERTAIN VEHICLES/BOATS:

- Motor Homes, Trailers, Boats, Trucks, Campers, Recreational Vehicles (RVs) and similar vehicles: None of these are permitted to be parked upon privately owned property in Rio Verde except in a garage without approval of the Board or a committee established by the Board with this responsibility. Forty-eight (48) hours will be allowed for preparing for use or unloading after a trip. Any other improper parking of such vehicles will result in a fine. The unavailability of spaces in the RV Lot does not constitute a waiver of the restrictions of Article IV, Section 2H of the CC&Rs. These Rules shall not be construed to require the Association to provide RV parking. Space in the RV Lot is provided as available, on a first-come, first-served basis.
- Residents' vehicles parked on a driveway, in a vacant lot or in the street overnight regularly and visible to neighboring property must obtain the approval for parking from the Board or a committee established by the Board and charged with this responsibility.

\$25 PER DAY FINE FOR EACH CITATION ISSUED

POOLS AND SPAS:

Water from pools and spas is not allowed to be drained on the streets, in draws, washes, or common areas, or on or across adjacent Lots. Water drained from pools or spas is to be discharged only in the sewer system serving the Lot on which the pool or spa is located.

PROPERTY APPEARANCE:

- The Owner of each Lot, Tract, and Parcel is responsible for the appearance of his property. This includes the exterior appearance and maintenance of buildings, as well as removal of trash, weeds, dead plants and trees, and other unsightly or allergy-causing material. This includes all property to the street and any wash that is part of the property. This includes developed and undeveloped Lots, and Lots owned by the Developer.
- The Property Appearance Committee has the right to hire a landscaping or construction crew to correct undesirable, hazardous or unsightly conditions if the Owner does not correct the deficiency after written notice to do so. The Owner will be responsible to reimburse the Association for all costs incurred.

RESIDENTIAL RESTRICTIONS:

Individuals under the age of nineteen (19) years of age shall not be permitted as Residents of Rio Verde for more than thirty (30) days in any six (6) month period. No gainful occupation, profession, trade or other non-residential use (including garage sales and rummage sales) shall be conducted on any Residential Lot except for such activities which the Board shall approve pursuant to the terms and conditions set forth in the CC&Rs.

\$100 FINE FOR EACH CITATION ISSUED

SECURITY SYSTEMS:

No security alarm shall be allowed to make an unreasonable amount of noise or become a nuisance. Absent homeowners who have alarm systems must designate a responsible Rio Verde resident who has authority to permit entering their homes to shut off the alarm, check the interior and assist in the elimination of any false alarm. The name of such designee must be filed with the Association office. Every alarm, both audible and silent, is reported to the Maricopa County Sheriff's office. After the third false alarm occurs within any three consecutive months, a fine will be levied.

\$50 FINE FOR EACH CITATION ISSUED

SIGNS:

- The type, number and size of permitted signs are defined in the CC&Rs (Article IV, Section 2, Paragraph T). Signs that do not conform will be removed at the Owner's expense if the violation is not cured within the time period stated in the notice of violation.
- A contractor's sign placed on a Lot must be (a) within 15 feet of the edge of the street, and (b) removed when the work is completed.
- Open House signs may not be placed (a) on the median of Four Peaks Boulevard, or (b) within 18 feet from the edge of Forest Road.

- For Sale Signs: In compliance with Arizona Law (Senate Bill 1062 effective September 19, 2007) a “For Sale” sign may be displayed on a property currently being marketed.
 - Quantity:
 - Only one “For Sale” sign per property.
 - Signs and Riders:
 - The sign shall not exceed Real Estate industry standard sign size of 18” x 24” or 432 square inches.
 - There may be one rider attached to the sign not to exceed the industry standard of 6” x 24” for a total of 144 square inches.
 - There may be one information tube or box attached to the signpost.
 - Signs will be professionally produced and hand lettering or stenciling on the sign will not be allowed.
 - Signpost:
 - The signpost may be wooden, metal or composite material. The shape will be one vertical post no higher than forty-eight inches above ground with one horizontal post no longer than thirty-six (36) inches. The sign will hang from the horizontal post.
 - The signpost may not exceed 4 inches by 4 inches in width and depth.
 - The signpost may not be double-leg design.
 - The signpost color may be an earth tone, white or black.
 - Placement of Signpost and Sign:
 - The signpost may not be installed any closer than ten (10) feet from the front street and the measurement will be from the pavement edge nearest the property. The ‘front street’ is considered the address street of the property. This ten (10) foot limitation is as a consideration of utility easements as well as appearance. The Property Owner may contact the Architectural Committee for an exception to placement when landscape materials or other conditions prevent visible placement of the sign.
 - Property Owner will be responsible for contacting Blue Stake for identification of utility lines prior to sign placement when permitted within the ten (10) foot setback by the Architectural Committee.
 - The signpost will be installed so that the sign view is parallel to the street. The front street is determined by the property address.
 - One sign may be placed on the above described signpost or;
 - One sign may be placed inside an interior front window or;
 - In the case of a townhouse with no visible front window or with less than ten (10) feet frontage and no suitable location for a sign, the sign may be attached to the front of the carport or garage at a height not to exceed eight (8) feet.
 - “For Sale” signs will not be permitted on the golf course side of the property.
 - Removal of Sign and Signpost:
 - Signs and posts must be removed within 48 hours of Close of Escrow or termination of the listing.

\$25 FINE FOR EACH CITATION ISSUED

SWIMMING POOL – COMMUNITY CENTER & RIO LANE:

- Children must be toilet trained to enter pool.
- Children under the age of 14 must be accompanied and supervised by an adult at all times when swimming.
- No running, diving, jumping or throwing of objects.
- Lane area is for lap swimmers.
- Hot tub for adults only.
- Shower before entering pool or hot tub.

IF NOT ADHERED TO, PRIVILEGES WILL BE REVOKED

TEMPORARY WINDOW COVERINGS:

If an Owner uses temporary window covers, window covering material must completely cover the entire window or door and be unobtrusive. Owners should consult the Association office with any inquiries concerning acceptable coverings and obtain prior written approval of coverings when required.

\$25 FINE FOR EACH CITATION ISSUED

TRASH:

Trash containers shall not be Visible From Neighboring Property except on the day of collection. Trash or trash containers shall not be left out more than 24 hours. If necessary, arrangements should be made with a neighbor to put trash out for pickup. A regular weekly trash collection is made on Wednesday unless that day is a holiday, in which case the collection will be made the following day. Trash pick-up commences at 7:00 a.m.

TRASH BURNING:

Under no circumstances will outdoor fires be permitted for burning of trash or debris.

UTILITY BOXES:

- TV, Electrical & Telephone: Obstructions, including but not limited to, fences, trees, shrubs, or similar large vegetation, and large rocks, shall not be permitted to block the access side of any TV, electrical, or telephone equipment.
- Water Meters: The area within two (2) feet of a water meter box shall be kept free of all obstructions including vegetation, overhanging or spreading plant growth, large rocks, fencing, decorative materials or other features impeding access.

WORK HOURS: CONSTRUCTION AND LANDSCAPE

- Construction:
Monday through Friday: Quiet work only before 7:00 AM and after 5:00 PM.
Saturday, Sunday and Holidays: Quiet work only.
- Landscape:
May 1 through October 31, Monday through Saturday: Quiet work only before 6:00 AM and after 5:00 PM.
November 1 through April 30, Monday through Saturday: Quiet work only before 7:00 AM and after 5:00 PM.
Sundays and Holidays: Quiet work only except for emergency tree removal and/or other safety related reason.