

INDIAN HILLS – PALM DESERT HOMEOWNERS ASSOCIATION

RULES AND REGULATIONS

IT IS EVERYONE'S RESPONSIBILITY TO SEE THAT THE RULES AND REGULATIONS OF THE ASSOCIATION ARE ADHERED TO BY ITS MEMBERS, TENANTS AND THEIR GUESTS.

The Homeowners Association has been set up to operate under the guidelines of the Covenants, Conditions, and Restrictions (CC&Rs) of the project and the Rules and Regulations established for all homeowners and residents to abide by. While you are required to abide by ALL of the following Rules and Regulations, please pay particular attention to the restrictions relating to “Parking/Automobiles” and “Animals”, violations of which generate the most complaints to the Board of Directors. Please also note the new restrictions regarding TOWING of Unauthorized Vehicles at the owners' expense and the establishment of fines for Rules and Regulation violations.

PARKING/AUTOMOBILES

TOWING OF UNAUTHORIZED VEHICLES AT OWNER'S EXPENSE

1. The street and striped Common Area parking may be used for overnight parking by any guest of a resident of the Association PROVIDED that such use **shall be limited to four (4) days in any sixty (60) day period.** Other than the foregoing use by guests of a resident, guest parking facilities shall not be used for parking any boat, camper, trailer, commercial vehicle, or any other similar vehicles or for overnight parking of any vehicle (regardless of type) in excess of two (2) hours. **Violation of these parking regulations constitutes unauthorized vehicle parking and will be subject to tow away at the owner's expense** in accordance with the California Vehicle Code.
2. No person shall perform repairs or maintenance on any vehicle in any portion of the Association common areas at any time. Occupants of the Association may wash their vehicle in the Common Areas provided that the vehicle is parked in accordance with the Association's parking restrictions. Occupants may not park and/or wash their vehicles in individual carport areas if doing so interferes with normal ingress and egress of other residents to their residences.
3. No vehicle, including any motorcycles, or the equipment contained therein, including, but not limited to, stereo systems may be used or operated such that they create a nuisance, as determined in the sole discretion of the Board, which disturbs occupants in the quiet use and enjoyment of their residences.
4. Garage doors shall remain closed at all times except for short term periods of not more than two (2) hours in duration during daytime and evening hours (but not later than 7:00 p.m.) while the occupant is working in and around the garage. Notwithstanding the foregoing, a garage door may be opened a maximum of 12 inches if and when the temperature reaches or exceeds 90° F to facilitate cooling.

5. The Association private property speed limit is 10 MPH.

VIOLATIONS OF PARKING OR TRAFFIC RULES MAY RESULT IN A FINE AND/OR TOWING OF THE VEHICLE

ANIMALS

1. All animals, including, but not limited to, Cats and Dogs must be held on a leash at any time they are in the Association Common Areas and they must be held by a person capable of restraining the animal. With the exception of a certified service animal, NO *animals are allowed in the pool areas at any times.*
2. Owners and occupants shall immediately “pick up” after their pets. When walking dogs, always go outside the landscaped area and remain curb side with your pet. Owners shall be responsible for the cost to maintain and/or repair any damage caused to the Common Areas by any pet as the result of that Owner and/or their occupant or guest’s failure to comply with these Rules and Regulations.
3. Owners and/or occupants may keep a total of not more than two (2) normal household pets, including, but not limited to, dogs and/or cats, at their residence at any time.

TRASH

1. Pick-up day is on Monday. City Ordinance # 8.16.030 – Container Specification, states that trash is to be out no sooner than 12 hours before trash pick-up and taken in within 12 hours after pick-up. If you leave mid-week, have your neighbor put your trash out.
2. Trash must be kept in sanitary containers which containers must be stored in the garage out-of-view of any neighboring residence and/or the Common Areas EXCEPT for the period beginning twelve (12) hours before the scheduled trash pick-up until twelve (12) hours after the scheduled trash pick-up, provided that empty trash containers must be removed from the street and stored the same day they are emptied. All residents and their guests must be cooperative in maintaining the cleanliness of our streets.

POOL

1. Rules are posted at each pool and must be complied with at all times.
2. Pool and Jacuzzi hours are 7:00 A.M. to 10:00 P.M and are subject to noise disturbance rules and the “Nuisance” provision set forth in Article VI, Section 10 of the CC&Rs.
3. No owner or occupant of a residence or their guests may use *any* Pool/Jacuzzi area in such a way as to unreasonably annoy or disturb other owners and/or occupants.

TENNIS COURTS

1. Tennis courts are for tennis playing only. Appropriate tennis attire, including non-marking tennis shoes, shirts and other appropriate tennis clothing shall be worn at all times.

2. The hours of operation of the tennis court shall be as follows: 7:00 a.m. through 8:00 p.m. during the summer months May through October and 8:00 a.m. through 5:00 p.m. during the winter months November through April.

COMMON AREA

1. Any and all improvements to an Owner's separate interest Lot of any kind shall be subject to the requirements, restrictions, duties and obligations set forth in Article VII of the Association's CC&Rs, as that Article may be amended or restated from time to time. Pursuant to the same, no Owner may make any improvement to their separate interest without obtaining the **prior written approval** of the Association's Architectural Committee for that improvement. Failure to obtain such prior approval may result in an action to compel removal of any unauthorized, unapproved improvement. If an Owner has any doubt as to whether prior written approval is required for a particular improvement, that Owner is strongly encouraged to contact the Association to seek clarification of the foregoing requirement as it relates to the contemplated improvement.
2. Unless expressly authorized to do so in writing by the Association through its Board of Directors, no Owner, occupant or their guest shall interfere with the Association Common Areas at any time. Impermissible interference with the Common Areas includes, but is not limited to, planting any new plants in the Common Area and/or changing the appearance of any existing landscape vegetation by cutting or trimming the same including any landscape vegetation outside an Owner or occupant's patio.
3. Athletic games and activities which damage or destroy the Common Area grass/lawn areas are prohibited. Owners shall be responsible for the cost to repair any damage to the Common Areas caused by any such activity.
4. Except in the case of an emergency threatening life and/or property, no Owner, occupant and/or lessee shall give any instruction or direction to any person employed directly or indirectly by the Association without the express written approval of the Association's Board of Directors. This includes, but is not limited to Ground maintenance personnel hired by the Association who are not permitted to perform any work for any Owner, occupant and/or lessee.
5. The use of bicycles, tricycles, skateboards, roller skates, roller blades and/or any similar mechanized device blades prohibited on the Association streets and sidewalks and in and on the Association Common Areas at any time.
6. Owners and/or lessees shall not use recreational facilities or common area when maintenance contractors are providing cleanup and maintenance.
7. With the exception of "patio furniture", as determined in the sole discretion of the Board of Directors, patios shall not be used for storage of any sundry items at any times and must be maintained in a neat, clean and sanitary condition. Examples of items which may not be stored on patios include, but are not limited to: boxes, bottles, cans, machinery, implements, lumber, recreational equipment, exercise equipment, trash containers and items of clothing.

8. With the exception of an authorized vehicle, carports may not be used to store any item of any kind at any time.
9. The installation and use of “Over-The-Air Receptions Devices” (“OTARD”) shall be subject to the FCC OTARD Rule, 47 C.F.R. § 1.4000 and California *Civil Code* § 1376, or any successor statutes. Owners must note that, notwithstanding the foregoing statutes, Owners are required to submit an application to the Association seeking prior approval to install any OTARD pursuant to the requirements of Article VII of the CC&Rs, as that Article may be amended or restated from time to time.
10. Owners must obtain the prior written approval of the Association to install any window treatment product or material, such as tinting, on any window pursuant to the requirements of Article VII of the CC&Rs, as that Article may be amended or restated from time to time. Aluminum foil, bed sheets, paper, etc. and any other material not specifically intended as a window cover, shade or treatment is prohibited on any window at any time.

RENTALS

1. Owners may not rent or lease their separate interest for a period of less than thirty (30) consecutive days.
2. Owners shall provide the Association with a copy of any lease or rental agreement relating to that Owner’s rental or lease of his or her separate interest. Any such agreement shall be mailed to the Association’s managing agent within thirty (30) days of the date of execution of the same.
3. Owners shall provide tenants with a copy of the Association’s governing documents, including the Association’s CC&Rs and its Rules and Regulations. Owners shall be responsible for any and all violations of the Association’s governing documents by their tenants and/or their guests.

ENFORCEMENT POLICY

Pursuant to the Article XIX of the Association’s CC&Rs and the Association’s “Enforcement Policy/Fining Schedule”, the Association has the power and duty to enforce by lawful means or proceedings said CC&Rs and the Association’s Rules and Regulations (“Governing Documents”). Furthermore, Article XIX of the CC&Rs authorizes the Association to take any action as may be reasonably necessary to enforce said governing documents. The enforcement procedure adopted by the Association provides that violation of its governing documents may result in the imposition of discipline against the member in violation, including: (1) the imposition of fines, as outlined in the schedule of fine assessments; (2) the levying of a Reimbursement Assessment for the cost incurred by the Association to compel a member’s compliance with the governing documents; (3) the suspension of privileges, including the privilege to use the Common Area facilities and the privilege to vote in Association elections; and/or (4) disconnection of the TV cable service.