



# **Artesa Community Association**

## **Rules and Regulations**

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Every Owner is a member of the Artesa Community Association (the "Association"). The Association is an Arizona nonprofit corporation formed to manage and maintain the Common Areas and to perform all duties and exercise all rights imposed on or granted to the Association by the Declaration of Covenants, Conditions, and Restrictions for Artesa Community Association (the "CC&Rs"). The CC&Rs, as amended from time to time, provide for design guidelines and rules and regulations to interpret, clarify, and implement the use restrictions detailed in the CC&Rs (the "Design Guidelines" or "Rules and Regulations"). In the event of any conflict between the Rules and Regulations and the CC&Rs, the CC&Rs shall control. Capitalized terms not defined herein shall have the meaning ascribed to them in the CC&Rs.

#### **ANIMALS**

Residents are allowed to keep a reasonable number of generally recognized domesticated house or yard pets. Animals cannot be kept or raised for commercial purposes and they are not allowed to make an unreasonable amount of noise or become a nuisance to neighbors. Dog runs must have prior approval of the Architectural Committee. Dogs must be kept on leashes at all times while on Association property and all Owners must clean up after their pets. No structure for the care, housing, or confinement of any house or yard pet shall be maintained so as to be Visible from Neighboring Property, the streets, or the Common Areas.

#### **CLOTHESLINES**

Clotheslines or other clothes drying facilities are to be placed in back yards, as to not be Visible from Neighboring Properties, the street or the Common Area.

#### **FLAGS**

Flags shall be displayed subject to the following:

- Prior to installing a flagpole on any Lot, Owner's must submit to the Committee in writing a request including specific plans detailing the height, type, location, method of installation and color of the pole.
- Wall mounted flag poles shall be a maximum of five feet (5') long with attaching brackets painted to match the attachment area. Such wall mounted flag poles do not require approval.
- Only one (1) permanent, removable, wall mounted or freestanding pole will be permitted per residence or Lot.
- The height of a flagpole can be no taller than the height of the highest point of the roofline or the distance between the point of placement of the pole in the yard and the closest point of either of the following: the sidewalk (or the street if no sidewalk exists); any common area; or any neighbor's property line.
- There shall be no more than one flag displayed at any one time on a Lot.

The Association permits display of a reasonable number of additional American flags on the following National Holidays only (to be removed no later than 5:00P.M. of the following day): Memorial Day, Flag Day, July 4, Labor Day, Veterans Day.

No flags may be placed in the common areas of the Community.

### **GARAGES**

Garages, including garage doors, are to be maintained in a neat and clean condition at all times. Garages are to be used for the parking of vehicles and the storage of normal household items, supplies and materials. Garages are not permitted to be converted into living quarters without the written approval of the Architectural Committee. Garage doors are only to be left open as needed for access to the garage.

### **LANDSCAPE MAINTENANCE**

Front yard landscaping must have a minimum of two (2) fifteen-gallon tree and six (6) five-gallon shrubs. All or a portion of trees and shrubs may be substituted with approved cacti. When a cactus is being substituted for a tree, it must be a minimum of five feet (5') tall. Organic or inorganic materials must cover all areas with no bare dirt areas allowed. An underground irrigation system is required to all plant material.

**Prohibited Plant Material:** The following vegetation types and varieties are expressly prohibited:

- Olive trees (*Olea europaea*) other than the "Swan Hill" variety.
- Oleanders (*Nerium oleander*) other than the dwarf variety and *Thevetia*. (*Thevetia* species).
- Fountain Grass (*Pennisetum setaceum*) or Pampas grass (*Cortaderia selloana*).
- All varieties of Citrus are permissible within the confines of the rear yard only.
- Mexican Palo Verde (*Parkinsonia aculeata*).
- All varieties of mulberry trees.

Owners shall maintain their Lots free of weeds and debris; all grass, hedges, shrubs, vines and plants of any type shall be irrigated, mowed, trimmed and cut at regular intervals so as to be maintained in a neat and attractive manner. Trees, shrubs, vines, plants and grass which die shall be promptly removed and replaced with living foliage of like kind, unless approval to change has been received by the Committee. No yard equipment, wood piles or storage areas may be maintained so as to be visible from neighboring property. No tree, root, shrub or planting shall be allowed to overhang/encroach any sidewalk, street, pedestrian way, etc. An eight foot clearance, from the ground up, shall be maintained.

### **PARKING**

Parking of vehicles (vehicles are defined in Section 4.16 of the CC&R's) is permitted only on a driveway, paved driveway extension or in the garage of a Lot. Parking of vehicles on the street is only permitted during daylight hours. Vehicles may not be parked on any portion of the front yard that is not the driveway. Vehicles are not to be parked in a manner that blocks or obstructs the sidewalk.

Parking/storage of inoperable vehicles on any portion of a Lot that is Visible from Neighboring Property, the street or the Common Area is not permitted.

Parking of Recreational Vehicles, including, but not limited to, RV's, boats, ATV's, trailers, etc. is permitted only when done so within a garage constructed by the Declarant or a Designated Builder, or a garage approved by the Design Review Committee. Recreational Vehicles may be parked in the side or back yard providing they are behind the fence and no part of the vehicle or equipment is visible from neighboring properties.

### **POOLS AND SPAS**

Pools may not be backwashed into any common areas. Check with your pool contractor concerning City ordinance requirements for backwashing. Damage including erosion to common areas due to backwashing will be repaired by the Association with all expenses incurred by the Association billed to the owner.

### **SANITATION**

No garbage or trash may be placed on any Lot except in covered containers provided by the trash removal agency, which must be stored out of sight. Trash cans may be placed out for pickup no earlier than 5:00 P.M. the day before collection and must be removed from view no later than 8:00 P.M. the day of collection. Rubbish, debris and garbage shall not be allowed to accumulate.

Each owner shall be responsible for removal of rubbish, debris and garbage not only from his Lot, but also from all public right-of-ways either fronting or alongside his Lot excluding (i) public roadway improvements, and (ii) those areas specified on a Tract Declaration or subdivision plat to be maintained by the City or the Association.

### **SIDEWALKS, PATHS AND WALKWAYS**

Sidewalks, paths and walkways within the Community are for pedestrian use only. Motorized vehicles, including, but not limited to ATV's and motorcycles, are not permitted on any sidewalk, path or walkway within the Community. Horses may not be ridden on sidewalks, paths, walkways, streets or any other portion of the Community.

### **SIGNS**

Posting of signs of any kind (including posters, circulars and billboards) is prohibited except those required by law and the following:

- One (1) Artesa Community Association approved real estate "For Sale" sign may be placed in the front yard only of a residence within the Artesa Homeowners' Association. The sign must be mounted on an approved signpost. This signpost shall be a black frame sign holder to mount an eighteen inches (18") by twenty-four inches (24") sign. The sign will be installed such that the top of the sign is no more than thirty-six inches (36") above ground level. The sign will be placed perpendicular to the curb or sidewalk, a minimum of eighteen inches (18") from the sidewalk or curb. No corner signs are permitted. One single eight inches (8") by twenty-four inches (24") double-sided rider in matching color and print may be attached to the lower sign post containing broker's name, agent's name and one phone number. No advertising riders, balloons, banners, flags or other promotional material may be attached to the

approved sign or residence. No flyers, tubes or containers may be attached to the approved sign. The approved sign may be modified to say "For Lease", but shall not contain the language "For Sale or For Lease". Signs must be removed seven (7) days after close of escrow and may not have a "Sold" rider attached. No signs will be permitted in windows, on rear fences, courtyard walls or any portion of the body of the residential structure. Owners shall be responsible for obtaining the sign, appropriate placement, maintenance and removal of the sign per these Guidelines.

- "Open House" ("OH") directional signs which give directions to a house which is for sale or for lease to which the public is invited for a walk-in inspection are permitted under the following conditions:
  1. OH signs are permitted Saturday and Sunday between the hours of 8:00A.M. and 4:00 P.M.
  2. OH signs shall be contained to a maximum height of no more than three feet (3') from the ground to the top of the sign.
  3. No more than four (4) OH signs will be permitted per property. This excludes the one (1) For Sale or For Lease sign allowed to be posted on the Lot.
  4. OH signs will be permitted to be erected in the common areas.
  5. No attachments or riders are permitted, including flags, balloons, etc.
  6. OH signs will not be permitted on any side or rear yard walls, sidewalks or roadways.
- Signs placed by the Declarant relating to the sale of the homes within Artesa.
- Signs required by legal proceedings.
- A maximum of one political sign with maximum dimensions of twenty-four inches (24") by twenty-four inches (24") may be placed on a lot by the owner of that lot. Political signs may be displayed no earlier than forty-five (45) days before an election day or more than seven (7) days after an election day.
- Not more than two (2) identification signs for individual detached residences, each with a face area of seventy-two (72) square inches or less.
- Signs identifying a security company whose services have been retained by the owner to monitor the residence. These signs must be posted within three feet (3') of the front corner of the home and must be kept in good repair at all times.

All signs must conform to applicable municipal ordinances. Signs advertising landscaping or pool contractors, etc., must be removed within forty-eight (48) hours of completion of work. In the event that a non-approved sign is observed, Artesa Community Association will provide the Owner with written notice allowing three (3) days for sign removal. If the sign has not been removed at the end of the three (3) day notice period, the Association shall reserve the right to impose a \$250.00 per day fine on the Owner until the sign is removed. The Artesa Community Association will reserve the right to have the sign removed at the owner's expense.

**WINDOWS**

Permanent draperies or suitable window treatments shall be installed on all front-facing windows within one hundred and twenty (120) days of occupancy. No reflective materials, including but not limited to, aluminum foil, reflective screens or glass, mirrors or similar type material, shall be installed or placed upon the outside or inside of any windows. Exterior window coverings or treatments used to shelf or decorate openings must be compatible, with respect to materials and color, with the style and color of home.