

VILLA PARAISO HOA  
ARTICLE VI – RULES AND REGULATIONS

1. **ADVERTISEMENTS:** No resident of the property shall post any advertisements or posters of any kind in or on the property except as authorized by the Board of Governors, providing such authorization does not violate the said Declaration.

2. **DISTURBANCE:** Apartment occupants shall exercise extreme care about making noises or the use of musical instruments, radios, television and amplifiers that may disturb other apartment occupants.

3. **NON-HANGING OF OBJECTS:** It is **prohibited** to hang garments, rugs, etc., from the windows or from any of the facades of the property, including clotheslines.

4. **NON-DUSTING OF OBJECTS:** It is prohibited to dust rugs, etc., from the windows, or to clean rugs, etc., by beating on the exterior part of the building.

5. **GARBAGE:** It is prohibited to throw garbage or trash outside the disposal installations provided for such purposes.

6. **INSTALLATION OF WIRING:** No wiring shall be installed for electrical or telephone installation, television antennae, machines or air conditioning units, etc., on the exterior of the building or that protrude through the walls or the roof of the building except as authorized by the Board of Governors.

7. **LITTER:** No dust, rubbish, litter or anything else shall be swept, thrown or emptied from any of the windows or upon or from any of the balconies of the building or into the halls or entryways thereof or upon the grounds of the property.

8. **SIDEWALKS:** The sidewalks, entryways and stairways outside of the apartments, shall not be obstructed or used for any other purpose than for ingress and egress to and from the respective apartments.

9. **STORAGE:** The halls and stairways shall not be used for storage of property of any nature.

10. **WATER:** Water in the apartments shall not be left running for any unreasonable or unnecessary length of time.

11. **GUESTS:** Residents shall be responsible for the behavior of their employees and guests on the property. These By-Laws, Rules and Regulations and all changes promulgated from time to time by the Board of Governors will apply to all apartment occupants, their employees and guests.

12. **PETS:** The occupants of any one apartment shall be allowed to keep within that apartment a dog or a cat or a bird; however, the right to keep such pet within that

apartment is a privilege and not an absolute right and in the event a majority of the Board of Governors acting in their absolute discretion determine that such pet creates a nuisance or disturbs the occupants of any other apartments, the board of Governors may order that such pet be removed from the property and the co-owners and occupants of the apartment in which such pet is kept shall cause such pet to be removed within three days after notice from the board of Governors to remove such pet. All dogs and cats shall be maintained on a leash when outside of each apartment. All pet leavings shall be properly disposed of by pet owner.

13. POOL AREA: The Board of Governors shall post in the area of the swimming pool such rules and regulations as they may adopt relating to the hours of use of the pool, limitations on use of the pool by persons other than co-owners and apartment occupants, and all other rules and regulations they deem desirable relating to the use of the pool and the pool area.

14. PARKING AREA: The Board of Governors shall adopt rules and regulations relating to speed limits, loading and unloading within the parking area, and the general use of the parking area and all driveways located on the property.

15. OTHER RULES AND REGULATIONS: The Board of Governors may adopt such other rules and regulations as they, in their discretion, deem necessary or advisable to promote the health, safety, welfare or comfort of the co-owners, apartment occupants and their respective employees and guests. Such other rules and regulations adopted shall be distributed to each co-owner and apartment occupant. Each co-owner and occupants shall comply with such other rules and regulations as well as those herein specifically set forth in this Article VI.

16. In the event a resident, or guest, fails to accompany pet on the premises or in the event a resident, guest and the co-owners of the apartment in which such resident or guest resides shall be subject to a fine which may be levied by the Board of Governors in accordance with the following procedures:

All complaints shall be in writing and delivered to the Management Agency or any member of the Board of Governors. Upon receipt of a written complaint, the Management Agency shall notify both the complainant and alleged violator (and the co-owner or resident of the apartment in which such alleged violator resides) that a complaint has been filed and the date that the Board of Governors will consider the complaint. At such meeting the Board of Governors will hear unworn testimony from the complainant, any witnesses who may wish to testify, and the alleged violator. In the event that a majority of the members of the Board of Governors present at the meeting decide, after hearing such testimony, that a violation of this rule has occurred, a fine shall be levied against the violator (and the co-owner or resident of the apartment in which such violator resides) in accordance with the schedule adopted by the board.

Such fine shall be the joint obligation of the violator, the co-owner and the resident of the apartment in which the violator is residing. The fine shall be due and payable to the Board of Governors within ten (10) days after written notice of imposition of the fine is delivered, either personally or by first-class mail, to the foregoing persons. In the event legal proceedings become necessary to collect any fine levied by the Board of Governors, the Board of Governors shall be entitled to judgment in the amount of such fine together with court costs and reasonable attorney's fees. Nothing contained in this rule shall limit the rights and remedies of the Board of Governors or any co-owner under Article VI, Rule 12 of these By-Laws, Rules and Regulations.

#### 17. RULES GOVERNING THE POOL AREA:

- 17-1. No running or rough play.
  - 17-2. No glass containers.
  - 17-3. Place refuse in proper waste containers.
  - 17-4. Proper swim attire is to be worn; entering pool or Jacuzzi in street clothing is prohibited.
  - 17-5. Pets shall not be brought into the pool area
  - 17-6. Children under the age of 12 must be accompanied by an adult. An adult is someone over the age of 19
  - 17-7. Residents must accompany their guests in the pool area.
  - 17-8. Homeowners are solely responsible for the conduct and safety of their children, tenants, and guests
  - 17-9. Greasy or oil types of tanning lotion are prohibited
  - 17-10. Gates are to be securely locked at all times
  - 17-11. The pool area between is open at 6 a.m. and closes at 10 p.m.
  - 17-12. Homeowners shall not engage in or allow any conduct or condition which poses a hazard to health and/or safety
  - 17-13. THE POOL AND JACUZZI ARE CLOSED ON MONDAY BETWEEN 6:00 AM AND 1:00 PM
  - 17-14. The Board of Governors may restrict access to the pool area by residents violating the above rules
  - 17-15. These rules are subject to review and may be revised or amended at any time by the Board of Governors.
18. PARTIES AT THE POOL . Any parties or use the pool by more than 6 people after 6 p.m. MUST MAKE A POOL USE RESERVATION AND PAY A \$100 CASH DEPOSIT PRIOR TO THE DAY OF THE EVENT. DEPOSIT WILL BE RETURNED AFTER AN INSPECTION IS MADE THE FOLLOWING DAY PROVIDING THERE ARE NO DAMAGES TO THE POOL AREA AND THAT ALL TRASH AND RESTROOMS ARE CLEAN.

#### 18. RULES AND REGULATIONS FOR PARKING AREA:

Rules governing use of Parking Area, adopted by the Board of Governors on September 29, 1980; amended October 20, 2980, in accordance with the Horizontal Property Regime and Declaration of Conditions and Restrictions, Article 6, Paragraph 14 of the By-Laws.

- 18-1. Unauthorized use of assigned parking spaces is prohibited. (Refer to Declaration, Paragraph 8.)
- 18-2. Motorized vehicles shall not be allowed on the sidewalks or lawns.
- 18-3. Parking of vehicles is permitted only in properly marked spaces. (Exception: Mopeds may be stored in Owner's Patio.)
- 18-4. All vehicles kept in common parking areas will be maintained so that they can be lawfully operated on a public highway.
- 18-5. Any unattended vehicle must have all wheels in contact with the pavement.
- 18-6. Pickup campers and motorhomes which do not exceed 20 feet in overall length will be allowed to park in properly marked spaces. No towed vehicles of any sort shall be allowed in the parking area.
- 18-7. Vehicles in common parking areas must display current valid license plates.
- 18-8. Homeowners, tenants or guests will not engage in the use, or open storage of toxic or flammable material in parking areas.
- 18-9. Homeowners will not permit any activity or condition which will pose a hazard or threat to public health or safety to property or structures.
- 18-10. Common area parking is restricted to the use of wheeled vehicles which do not exceed a gross vehicle weight of 10,000 pounds.

The Board of Governors will enforce these regulations by whatever means the Board deems appropriate. This may include, but is not limited to, towing the vehicle at the owner's expense without notice; and/or seeking injunctive relief against the responsible homeowner.

## 19. OWNER RESPONSIBILITY RULE

Owners are fully responsible for the conduct and behavior of members of their households and any other person they invite or permit on the Villa Paraiso property regime. The term "other person" shall include, but not be limited to, guests, tenants, members of tenant's households, guests of tenants, tradesmen and deliverymen.

In the event that an owner or any other person violates the Articles of the Declaration of the Council of Co-Owners, damages the property of the regime, damages the property of other occupants, threatens, harasses, or assaults any other occupant, or in any other way interferes with the rights of other occupants or creates any sort of nuisance including unreasonable noise, the board of Governors shall have the right to:

- (1) Order the owner to remedy the offensive conduct or behavior and to make restitution for any damages, or
- (2) Request the owner to appear at either a special or regular meeting of the Board for the purpose of hearing evidence related to the specific complaint or complaints. The request to appear will be delivered to the owner by regular United States mail posted at least TEN (10) days prior to the

meeting and shall specify the time and place the owner is to appear and the nature of the complaint(s). If the Board finds the complaint(s) to be justified, the Board may, at its option, take one or more of the following actions:

- (a) Reach an agreement with the owner as to remedial measures to prevent a reoccurrence;
- (b) Fine the owner an amount not to exceed \$50.00 per violation;
- (c) Order the owner to remedy the offensive conduct or behavior and to make restitution for any damages;
- (d) In extreme situations the Board, in its absolute discretion, may order the owner to remove the offending person from the property regime and to insure that that person will not be again permitted onto the property. Such order of the Board shall be enforced by the owner without undue delay at the owner's sole expense.

In the event that an owner is uncooperative, refuses to obey any order of the Board, or fails to pay and sums found due by the Board for restitution or fine, the Board shall have the right to enforce such order by legal process. In addition, the amount of any such assessment shall become a special assessment against the owner, which may be enforced as a special lien as provided in the Declaration. In the event that the Board engages an investigator or attorney to investigate or document a complaint, or if the board engages an attorney to enforce any rules, orders, or assessments, the owner shall be responsible for all costs, including reasonable investigator and attorney fees. Nothing herein precludes an aggrieved party from pursuing any other remedy available in equity or at law.