

Association Rules and Regulations



Estrella Vista Homeowners Association
Goodyear, Arizona

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ESTRELLA VISTA HOMEOWNERS ASSOCIATION RULES AND REGULATIONS

PURPOSE

This purpose of this document is to provide a list of the Associations Rules and Regulations according to the Declarations Section 6.5 requirements.

GENERAL

These Rules and Regulations will not be interpreted in a manner inconsistent with the Declaration, the Articles of Incorporation, or the Bylaws, and will have the same force and effect as if they were set forth in full and were a part of the Declaration.

ADMINISTRATIVE

The Board, by majority vote, may adopt, amend, and repeal rules and regulations for the Association at any time. These rules and regulations will be available to all members of the Association for review.

SPECIFIC ITEMS

BULK TRASH

The purpose of this rule is to establish standards concerning when it is permissible to place bulk trash out for pickup within the Association.

1. Homeowners or tenants will not place bulk trash out on the street for pick up any earlier than 6:00 am on the Saturday immediately preceding the scheduled Bulk Trash pickup date.
2. Loose and lightweight items must be secured in a manner to prevent the scattering of trash throughout the neighborhood.
3. Bulk trash placed out on the street for pick up before the date and time mentioned in section 1 and/or not adequately secured may result in a violation issued to the homeowner.
4. The Association reserves the right to enact the "right of self-help" after proper notification under the Declaration's Section 5.6.

COMMERCIAL and RECREATIONAL VEHICLE PARKING

The purpose of this rule is to establish standards concerning when it is permissible to park Commercial and Recreational Vehicles upon individual lots within the Association. NOTE: This rule does not apply to public service and public safety or emergency vehicles as defined by Arizona Revised Statute §33-1809.

According to the Declaration, the Board may approve the storage or parking of certain limited types of Commercial or Recreational Vehicles within the Project (Community) so long as the Board determines, in advance of its use within the Project, the Commercial or Recreational Vehicle to be

of a size and type that would be consistent with the residential nature of the Project. Under the following guidelines, certain Commercial or Recreational Vehicles, as defined by the Declaration, may be parked within the Community on individual lots.

1. All Commercial and Recreational Vehicles, or any vehicle not defined in the Declaration as a Family Vehicle, must have the Association's prior approval before parking is allowed on a temporary or full-time basis upon any portion of a lot or street within the Community.
2. Commercial and Recreational Vehicles that do not exceed a maximum height (8 feet), length (22 feet), capacity rating (3/4 ton), or maximum gross vehicle weight of a 3/4 ton pickup restrictions for a Family Vehicle may be granted permission to be parked only within a fully enclosed garage or in a Recreational Vehicle Parking Area on a full-time basis so long as these vehicles are operable and are, in fact, operated from time to time. No exception or waiver will be allowed for full-time parking in the driveway or street for any Commercial or Recreational Vehicle.

The following vehicles will be treated as a "Family Vehicle," and may be parked within a fully enclosed garage, in the driveway, or in the lot's Recreational Vehicle Parking Area on a full-time basis so long as these vehicles are operable and are, in fact, operated from time to time.

- a. Non-commercial pickup trucks with a manufacturer's capacity rating of three-fourths (3/4) ton or less with attached camper shells so long as the truck and camper shell are no more than eight (8) feet in height, measured from ground level.
 - b. Commercial pickup trucks with a manufacturer's capacity rating of three-fourths (3/4) ton or less that are not equipped with a camper, camper shell, or work equipment (not to include toolboxes) in the truck bed.
 - c. Small motor homes not more than 8 feet in height and not more than 18 feet in length.
3. No long-term storage (greater than 30 days), the parking of inoperable vehicles, or the parking of any vehicle needing repair as defined by the Declaration will be allowed.
 4. Commercial and Recreational Vehicles, other than those specifically addressed in Section 3 above, may be granted permission to be parked in the driveway of the Lot or on any public or private street within the Project only on a Nonrecurring and Temporary Basis.
 - a. The Declaration defines a Nonrecurring and Temporary Basis as parking, *(i) for the temporary purpose of loading and unloading non-commercial items for use on the Lot; (ii) for temporary parking by guests or invitees of an Owner that do not involve overnight parking; or (iii) for temporary parking of the vehicles of an Owner or the Owner's Permittees for cleaning or special events that do not involve overnight parking and that do not occur on a frequent or repetitive basis.*
 - b. For clarification, the Board has defined overnight parking as occurring between the hours of 12:00 am – 5:00 am daily.

5. The Board may grant a variance to the rules for Commercial and Recreational Vehicle parking on a case-by-case basis not to exceed the period of time for the first violation. No permanent waiver or exception to these rules or the Declaration will be granted.

Regardless of vehicle classification (Commercial, Recreational, or Family) as defined by the Declaration, no more than three (3) of any single or combined vehicle classifications will be allowed to be parked upon a Recreational Vehicle Parking Area or anywhere within the Private Yard of any lot.

FREE STANDING FLAG POLES AND FLAG DISPLAY

The purpose of this rule is to establish standards concerning the installation of free standing flag poles and the display of approved flags within the Association. Free standing flag poles are permitted upon a lot within the Association using the following guidelines:

1. All free standing flag poles must have the Architectural Committee's approval before installation.
2. Submitted Architectural request forms for a free standing flag pole must include overall height, color, and placement on the property.
3. The overall height of the flag pole may not be taller than the peak height of the rooftop of the owner's residence where the flag pole is being installed.
4. The flag pole must be installed on the owner's property at least ten (10) feet from the foundation of the residence and at least six (6) feet from any external wall, fence or unfenced property line, either in the front or the back of structure.
5. No more than two flags may be displayed at the same time.
6. Any exterior lighting used with the flag display must not shine onto neighboring properties or create a nuisance.
7. Cables or ropes used to lower and raise the flag must be secured in such a fashion that they do not create banging, noise, or any other nuisance due to wind movement.
8. Flags may be no larger than five (5) feet by three (3) feet in finished dimension and must be kept clean and in good condition. Torn, frayed, dirty, or severely faded flags may not be displayed.
9. The pole must be either white or a natural metal color and be free of rust or discoloration and be maintained in good condition with a working halyard system. It must be anchored in the ground in such a way as to be inherently stable and to prevent falling in high wind conditions. Free standing poles may not be attached in any way to a building or structure.
10. Flags that may be flown are the following according to A.R.S. §33-1808:
 - a) The American flag, or an official or replica of a flag of the United States Army, Navy, Air Force, Marine Corps, or Coast Guard by an Association member on that member's property if the American flag or military flag is displayed in a manner consistent with the federal flag code (P.L. 94-344; 90 Stat. 810; 4 United States Code sections 4 through 10).

- b) The POW/MIA flag.
- c) The Arizona state flag.
- d) An Arizona Indian nation's flag.
- e) The Gadsden flag.
- f) A first responder flag. A first responder flag may incorporate the design of one or two other first responder flags to form a combined flag.
- g) A blue star service flag or a gold star service flag.
- h) Any historic version of the American flag, including the Betsy Ross flag, without regard to how the stars and stripes are arranged on the flag.
- i) Any other flag that may be added and allowed under Arizona Revised Statute §33-1808.

COMMUNITY POOL USE

The purpose of this rule is to establish standard operating hours and standard of conduct when using or visiting the Community pool.

1. All owners/members must request a pool key from the Association prior to utilizing the pool facilities. There is fee associated with the request that must be paid before the key will be issued. The form and instruction for requesting a key can be found on the Estrella Vista Community Management Company's website.
2. Homeowners are responsible for their guest's and/or family member's conduct while visiting the pool facilities.
3. Anyone utilizing the pool facilities, to include the restrooms, will be responsible for disposing of their own trash or waste products into the waste containers or garbage cans provided.
4. There is no lifeguard on duty. Each person utilizing the pool facilities will be responsible for their own safety and/or the safety of children in their care. For the health, safety, and welfare of children, the Association recommends all children under the age of twelve (12) have adult supervision present while utilizing the pool facilities.
5. There are no set hours of operation for use of the pool. Members using the pool from 10:00 pm – 6:00 am daily will adhere to the quiet hour's restrictions below.
 - a. No illegal, noxious, or offensive activity will be engaged in (or permitted to be engaged in) the pool or pool area.
 - b. No act or use may be performed in the pool or pool area that is or may become an annoyance or nuisance (loud sounds, yelling, shouting, etc.) to the neighborhood or that interferes with the use and quiet enjoyment of any of the neighboring Owners or of the neighboring Owner's Lot.

- c. Music and other sounds from outdoor speakers in the pool or pool area are discouraged and if utilized, will be played at a level so as to not be a nuisance to neighboring Lot Owners.
6. The Association reserves the right to close the pool at any time for repairs or any reason deemed necessary.
7. Any act of vandalism, to include graffiti, will not be tolerated. The Association reserves the right to take whatever legal action is allowed against anyone who is observed or caught damaging any of the Association's facilities or property.
8. Parking at the pool is allowed during periods of pool use only. No overnight parking in the pool parking spaces will be allowed.
9. Additional pool rules (no alcohol, no glassware or glass bottles, no diving, no pets, etc.) are posted at the pool facility. Everyone utilizing the pool facilities will observe and adhere to these and to the posted rules and regulations at the pool facility.

ON-STREET PARKING ENFORCEMENT

The purpose of this rule is to establish standards concerning the enforcement of On-Street Parking Enforcement in accordance with Arizona Revised Statute §33.1818, City of Goodyear (COG) Ordinance and Zoning codes, and the Association's Declaration §8.24

According to the Declaration, each lot will have at least one (1) garage that will be used by the Owner of the Lot for parking of Family Vehicles or approved Commercial or Recreational Vehicles and for household storage purposes only. No garage may be used for storage or any other use that restricts or prevents the garage from being used for parking Family Vehicles or approved Commercial or Recreational Vehicles. Additional Family Vehicles that cannot be parked in the garage may be parked in the driveway or in any Recreational Vehicle Parking Area located on the Lot so long as the Family Vehicles are operable and are, in fact, operated from time to time. Parking of vehicles on the public or private roadways will be enforced as follows:

1. Homeowners are encouraged to register all private and authorized commercial and recreational vehicles with the Association.
2. Homeowners who rent their homes are required to provide their tenant's vehicle information to the Association for each vehicle that will be parked at the rental address.
3. Homeowners should provide vehicle information to the Association and request a parking variance for any visitor whose vehicle will be parked overnight on the public or private roadway. If the visitor(s) will be parking in the garage, driveway, or recreational vehicle parking area, then no notification will be necessary.
4. Vehicle information provided must include the vehicle's make, model, color, state of registration, and license plate number.
5. Notices of on-street parking violation within the community will be sent to homeowners at the address provided during vehicle registration. The Association may limit the number of violations

sent to the homeowner for each vehicle to only four per 180-day period beginning with the issuance of the first notice.

6. Vehicles parked on public or private roadways within the community that do not appear on the vehicle registration list may have a notice sent to the house(s) closest to where the vehicle is parked. *The homeowner(s) should respond to these notices to inform the Association whether or not the vehicle belongs to a member of the homeowner's household or to a guest. Any fees and costs associated with researching the vehicle's ownership may be charged to the homeowner who is ultimately responsible for the vehicle parking infraction.*
7. Any vehicle parked on a public street that is observed stationary, immobile, or unattended for seventy-two (72) hours or more may be referred to the COG for Code violation and removal as an abandoned vehicle.
8. Family Vehicles may be parked in any public or private street within the Project only on a Nonrecurring and Temporary Basis, and no other on-street parking is permitted within the Community.
 - a. The Declaration defines a Nonrecurring and Temporary Basis as parking, *(i) for the temporary purpose of loading and unloading non-commercial items for use on the Lot; (ii) for temporary parking by guests or invitees of an Owner that do not involve overnight parking; or (iii) for temporary parking of the vehicles of an Owner or the Owner's Permittees for cleaning or special events that do not involve overnight parking and that do not occur on a frequent or repetitive basis.*
 - b. For clarification, the Board has defined overnight parking as occurring between the hours of 12:00 am – 5:00 am daily.
9. The Association may grant a variance to the rules for on-street vehicle parking on a case-by-case basis not to exceed the period of time for the first violation. No permanent waiver or exception to these rules or the Declaration will be granted.
10. All individuals who temporarily park or have been granted a variance for parking on the public roadways within the community will be solely responsible for adhering to all COG Ordinances and Zoning codes for on-street parking. References to city codes are included for informational purposes only and do not create additional enforcement authority for the Association. Examples of COG Ordinances and Zoning codes (not all inclusive) include no parking:
 - a. in front of or within 5 feet of private driveways
 - b. within 20 feet of an intersection
 - c. within 15 feet of a fire hydrant
 - d. in opposite direction of traffic flow
 - e. upon, interfering with, or blocking any sidewalk