

**WINDSOR SHADOWS  
HOMEOWNERS ASSOCIATION  
RULES AND REGULATIONS  
REVISED 2010**

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## **INTRODUCTION**

Windsor Shadows is a private community of 163 single family homes. A single-family community represents a democracy with the Declarations of Covenants, Conditions and Restrictions (CC&R's) and the Bylaws standing as its constitution. Purchasing a home and the acceptance of a deed to the property obligates owners to abide by the CC&R's and the Bylaws recorded on the property as well as subsequent Rules & Regulations adopted by the Board of Directors of the Homeowners Association. The elected Board of Directors is responsible for enforcing the CC&R's and Bylaws, Rules and Regulations and operating the Association in a financially accountable manner.

The CC&R's and Bylaws require the Board of Directors to develop Rules and Regulations. The following Rules & Regulations summarize and clarify the CC&R's and Bylaws. The Rules and Regulations are not intended in any way to modify or waive the CC&R's and Bylaws. Questions should first be addressed by reviewing your copy of the CC&R's and Bylaws, then addressed to our managing agent.

It is to everyone's advantage to use and care for our property in a proper manner and to respect the rights and privacy of other residents. These Rules and Regulations were compiled by our Association for the purpose of protecting our property, its value and for making Windsor Shadows a pleasant place to live. Your cooperation is essential in observing the Rules and Regulations and reporting all violations to the Management Company.

### **I. ASSOCIATION MEETINGS**

- A. Meetings of the Association (per the CC&R's and Bylaws) – The Association shall hold an Annual Meeting for the purpose of electing new Board Members and giving an Annual Report. Notification will be mailed to each owner 30 days prior.
- B. Meetings of the Board of Directors – Meetings of the Board of Directors are held monthly, date and time are posted on the community bulletin boards. Any homeowner wishing to address the Board with concerns must contact the management company to be placed on the agenda.

### **II. BOARD OF DIRECTORS**

- A. The Board of Directors is the legal body duly elected to represent the Association and whose authority shall be absolute and final in all matters. The purpose of the Board is to function as a central authority and final court for the members of the Association.

### III. GENERAL

NOTE: Common areas are streets, pool area, front yard, water-retention areas, landscaped areas and exterior fences. Contracted personnel maintain common areas.

**Association Members are responsible for the compliance of these Community Rules and Regulations including their guests, visitors, renters, renter's guests, and any and all occupants associated with your Windsor Shadows Property.**

- A. In the event any part of the common areas are damaged or destroyed by acts of an owner, his guests, tenants or other members of his family, the Association will hold the owner liable for the costs of the repair or replacement together with any legal fees or court costs that may be incurred. (Article 6, Section 3)
- B. Climbing on or over any fence or wall in the complex including pool fencing is strictly prohibited.
- C. Firearms, BB guns, pellet guns, paint guns, bows and arrows or any similar device shall not be handled within the complex except when carried in a vehicle while entering or exiting the complex.
- D. No gainful occupation, profession, trade or non-residential use shall be conducted on any Lot (Article 4, Section 1) that creates a nuisance, disturbance or eyesore to residents.
- E. No open fires or burning shall be permitted on any Lot or common areas at any time. BBQ grilling is permitted only in backyards.
- F. Excessive noise of any kind is construed as a nuisance to neighbors and is not permitted at any time (Article 4, Section 9). This would include, but not limited to, operating machinery, auto repairs, ATVs, motorized skateboards, loud music, shouted obscenities and other colorful metaphors. The noise curfew is 10:00 p.m. to 8:00 a.m.
- G. Recreational equipment including portable basketball hoops, hockey nets, and ramps are not permitted in the streets at any time and must be stored out of view when not in use. The noise curfew must also be observed – 10:00 p.m. to 8:00 a.m.
- H. Garage sales are not permitted at any time other than the Community Garage sales which are held twice a year. Dates are posted on the community bulletin boards.
- I. Solicitation of any type including the distribution of handbills and flyers, other than those of the Association is strictly prohibited.

### IV. POOL

NOTE: All persons use the pool at their own risk.

No life guard is on duty.

Noise curfew – 10:00 p.m. to 8:00 a.m.

- A. Use of the pool area is restricted to owners, tenants, and their sponsored guests. The pool is designed and maintained primarily for the exclusive use of the residents and their occasional guests. Repeated and heavy use by non-resident guests is not permitted.
- B. The Association has provided each homeowner of record with one pool key. IT is the responsibility of the homeowner to transfer the key at the time of sale or lease, and to advise the Association of its transfer. There is a \$20.00 charge for replacement keys.
- C. A responsible adult, 18 years or older, who can provide supervision and control must accompany all children under the age of 14 years. Owners children and/or tenants children or guests under 14 years old who are in the pool without appropriate adult supervision is considered a Zero Tolerance Violation and is subject to an immediate \$100.00 penalty assessment. Any homeowner has the right to remove from the pool area

- any individual breaking pool rules or damaging property. This behavior should also be reported to the management company along with the lot number of said part. Per County Ordinances – Pool area gates must be locked AT ALL TIMES! Gates must NEVER under ANY circumstances be propped open. This violation carries a hefty fine from the County and can result in the shut down of the pool by a County Official.
- D. No pets allowed in the pool area (prohibited by Maricopa County health regulations). Pets/animals in the fenced pool area is a Zero Tolerance Violation and is subject to an immediate \$100.00 fine.
  - E. Breakable items, especially but not limited to, glass containers and other bottles are prohibited in the pool area.
  - F. Climbing on or over the pool area fenced or Ramada is not permitted.
  - G. No running, pushing, scuffling or horseplay is permitted in the pool area.
  - H. Bathing suits must be worn at all times when using the pool. No cutoffs or other street clothes are permitted in the pool.
  - I. No motor vehicle, bicycle or sports equipment of any kind is permitted in the pool area.
  - J. Persons using portable audio equipment in the pool area must maintain sound at a level that cannot be heard beyond their immediate area. Earphones are recommended. Only battery operated equipment is permitted.
  - K. Guests may use the pool subject to the same rules as the homeowner. Homeowners will be held responsible for misuse or damage at the hands of their guests.

#### V. PARKING

- A. Street parking is reserved for **short –term visitors only**. Owners, tenants and regular occupants must park allowable vehicles in their respective driveways and garages. (Article 4, Sections 6, 7 and 8)
- B. There is NO PARKING IN THE FIRE LANES AT ANY TIME, per order of the City of Mesa Fire Marshall. Vehicles parked in fire lanes will be towed at owner’s expense as well as subjected to an immediate penalty.
- C. Parking at the pool is reserved for residents using the pool only for the time they are using the pool. Vehicles parked at the pool area will be towed away at owner’s expense as well as subjected to a fine.
- D. Parking is not permitted in front of mailboxes. The area is reserved for mail pick-up only.

#### IV. VEHICLES

- A. No vehicles of any kind are permitted in the common grass areas or front lawns. Damage to sprinklers and/or landscaping will be billed to the homeowner.
- B. No commercial vehicles, trailers, campers, motor homes, boats or similar recreational equipment shall be stored on the streets or in the driveway at any time.
- C. Windsor Shadows speed limit is 15 mph. A vehicle being driven by owners, residents, and/or their guests at excessive speeds is considered a Zero Tolerance Violation and is subject to an immediate \$100.00 penalty assessment.
- D. No excessively loud vehicles, motorcycles, ATVs, motorized skateboards or stereos are to be operated in the complex.
- E. Inoperable vehicles may not be stored in driveways.

- F. Vehicle repairs and reconstructions are strictly prohibited. Emergency repairs only are permitted, but must be performed out of view without crating a noise disturbance or eyesore to the community.
- G. The Association has the right to have any vehicle in violation towed at the owner's expense. (Article 4, Section 8).

## VI. ANIMALS

- A. Pet Owners must clean up after their own pet and properly dispose of waste, according to the City of Mesa ordinances. This would include waste in backyards as well as common area.
- B. All **residents must observe City of Mesa leash laws**. Animals must be kept under control at all times while on leashes.
- C. Pets may not be tied or chained in front yards unaccompanied at any time. Pets may not be tied to trees, shrubs or plants. Owners will be financially responsible for any damage that occurs.
- D. Barking dogs must be controlled so as not to become a nuisance to neighboring homes. Mesa Police as well as the CC&R's enforce this. (Article 4, Section 2)

## VII. LANDSCAPING AND ARCHITECTURAL

- A. No planting in common areas by individuals is permitted. When trees or shrubs must be replaced in common areas the Association will authorize replacement by the contractor at the Association's expense, only after inspection by the Landscaping Committee or its representative. Damaged caused by owners or their tenants to sprinkler parts as well as the cost of replacement plants, when removed by the resident will be billed back to the owner.
- B. Trash containers may be placed out on the street no earlier than 6:00 p.m. the night before pick-up and must be removed from view no later than 6:00 a.m. the morning after pick-up. Trash cans may only be stored behind the gates or in garages.
- C. Exterior lighting is not permitted without prior recommendation of the Architectural Committee and the approval of the Board of Directors. Holiday lighting is permitted as follows: December holiday lighting and decorations must be removed by January 15<sup>th</sup>. All other holiday lighting and decorations must be removed seven days following the holiday.
- D. No emblem, sign or billboard of any kind shall be displayed in public view on any portion of the Lot (Article 4, Section 16). For Sale, Lease or Rent signs of five square feet or less are permitted, but only one per Lot. This does not apply to security service signs.
- E. No reflective materials, including but without limitation; aluminum foil, reflective screens or glass, mirrors or similar type items, or temporary window coverings such as newspapers or bed sheets shall be installed or placed upon the outside or inside of any windows of any residential unit or other structure. No enclosures, drapes, blinds, shades, screens, or other items affecting the exterior appearance of a residential unit or other structure shall be constructed or installed in any residential unit or other structure without the prior written consent of the Architectural Committee. (Article 4, Section 25) Sunscreens must be black with white frame and muttons (grid work) where required. Styrofoam may not be placed in windows within view from the street.

- F. Any addition, alteration, repair, change or other work which in anyway alters the exterior appearance, including but without limitation, the exterior color scheme of any Lot may not be made without the prior written approval of the Architectural Committee.
- G. Submit all architectural requests, in detail, including dimensions, materials, color and purpose to the Architectural Committee. All requests submitted for approval will be handled as soon as possible. Architectural request forms may be obtained from the Management Company. (See Article 4, Section 20)
- H. Water leaks from the mainline to the home must be repaired in a timely manner. Failure to repair leaks timely may result in a penalty assessed against the unit, as well as nay cost incurred due to damaged landscaping and streets.

**VIII. LEASING OR RENTING**

- A. It is the direct responsibility of the owner to provide their tenants with copies of the CC&R's, the Bylaws and the Rules and Regulations and instill in them a comprehensive knowledge of the rules, and the consequences should they not comply with the rules of the Association. However, the owner shall still be the responsible party. Communications between the Unit and the Association will be with the Owner of the Unit. Tenants must communicate with their landlord regarding Association matters.
- B. Owner must have all adult tenants understand and sign the Crime Free Lease Addendum. All activities performed by tenants and/or their guests and invitees that is considered a criminal violation of the City of Mesa, Maricopa County or State Law as interpreted by the Crime Free Lease Addendum is grounds for immediate eviction. The landlord must enforce the Crime Free Lease Addendum by timely evicting all tenants/occupants of the property in question when said tenants and/or guests or tenants are in violation. Failure to have all adult tenants sign the Crime Free Lease Addendum will result in assessment of fines as per XI. Assessment of Penalties.
- C. During the period that a tenant, other than the owner occupies a property, both owner and the tenant are granted the rights to the use of the facilities.
- D. The owner must supply the Association with a copy of current lease agreements and a completed lease/rental form as well as a \$75.00 registration fee with each completed lease.
- E. The owner maintains the voting rights within the Association.

**IX. COLLECTIONS**

NOTE: Refer to the Collection Policy adopted 1/28/2016.

**X. ASSESSMENT OF PENALTIES**

NOTE: Refer to the CC&R Violation and Enforcement Policy adopted 12/3/2015.

*These Rules and Regulations are enforceable under Windsor Shadows Homeowner's Association Enforcement Rule Recorded and filed with the County of Maricopa.*