

RULES AND REGULATIONS OF VILLAGE GREEN HOMEOWNERS ASSOCIATION

The Board of Directors, acting in accordance with Article VII, Section IC of the By-laws of Village Green Homeowners Association, and in the best interest of all Village Green residents, has adopted the following rules and regulations to govern: the use of its common areas and facilities; the personal conduct of members and their guests thereon; and to establish penalties for the infraction thereof. A written copy of said rules and regulations shall be made available to all members of the Association. These rules and regulations may be amended or revoked by the vote of a majority of a quorum of directors present in person or by proxy at a regular or special meeting of the Board of Directors. Pursuant to Articles II and V of the Revised Declaration of Covenants, Conditions, and Restrictions for Village Green, the voting rights and the use of the common areas and facilities, including the recreational facilities, is automatically withdrawn when the homeowner's monthly assessment is two (2) months in arrears. The withdrawal will continue until sixty (60) days after the homeowner's assessment is brought current.

RULES:

1. All suggestions, complaints and/or requests for action shall be prepared in writing, signed by the submitting owner and brought to the attention of the Board of Directors. Telephone calls can receive **NO** consideration.

2. **NO** building, fence, wall, landscaping or other structure shall be commenced, erected, or maintained upon the Properties, nor shall any exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, color, shape, height, materials, and locations of same shall have been submitted to and approved in writing as to the harmony of external design and location in relation to surrounding structures and topography by the Board of Directors of the Association or by the architectural committee composed of three (3) or more representatives appointed by the Board. In the event said Board, or its designated committee, fails to approve or disapprove such design and location within thirty (30) days after said plans have been submitted to it, approval will not be required, and this regulation will be deemed to have been fully complied with. The Board of Directors may direct the renovation or renewal of structures erected in violation of the rule, in addition to the remedies described in Rule 19. The four types of approved driveway construction material are concrete (2500 psi rated), asphalt, chip seal, and concrete pavers. All four types of construction materials are to be installed by licensed contractors. Concrete pavers must be purchased from an approved source of supply and must be installed by an ICPI (Interlocking Concrete Paver Institute) certified contractor. Concrete paver color and installation pattern shall be the choice of the homeowner and must be in keeping with the overall appearance of the area architectural scheme with project review by the 'ARC' and approval of the Board of Directors of VGHOA.
 - A. Fence Repair and/or Replacement
All wood and metal fence repair and replacements shall be constructed with the finish side facing the outside of the homeowner's property and visible from Village Green

VILLAGE GREEN HOMEOWNERS ASSOCIATION

Rules and Regulations

Approved February 2021

streets regardless of previous fence construction, (no grandfather clause allowed). For example, the posts (wood or metal) and cross members shall be facing to the inside of the homeowner's property, except as noted. The finished and framing side choice shall be optional on lot lines which are not visible from Village Green streets and on lot lines between adjacent homeowners for which the choice shall be decided between the adjacent homeowners. All rules of the Architectural Project and review Form apply. This is applicable to new fence replacements and repairs regardless of the prior orientation of the fence.

3. Water treatment equipment located in front of a member's unit or on common property must be screened from street view by a wall or by landscaping. Permission, as laid out in Rule 2 above, of the Association, must be obtained before installation of such equipment in the above mentioned areas. In no case shall any discharge from the water treatment equipment run onto Association common property or onto a neighbor's property.
 4. Acts of Trespass or Vandalism: Homeowners shall be expected to instruct minor children living in their homes regarding the responsibility of acts of trespass, vandalism, destruction or defacement of homes, walls, plantings, or property of homeowners, Including common property and facilities. Furthermore, parents or legal guardians of said minor children shall be responsible for all damages which shall be done by said minor children to their own homes or to homes or property of other member homeowners, or to common areas or facilities. In order to preserve the ecology of our common areas, operation of motorized vehicles upon said common property shall be considered trespassing.
 5. All homeowners and members of their families and guests shall conduct themselves in such a manner as not to interfere with the privacy or enjoyment of any other homeowner. This shall include keeping noise levels and offensive odors emitted from residence, carports, or patios at such a level as not to disturb adjacent homeowners.
 6. No livestock, poultry, or other animals, other than household pets, shall be kept on the premises of any unit or on common property. Dogs and other household pets must be securely confined to the owner's premises, or on a leash, or under direct, personal control of an accompanying family member at all times. All droppings shall be cleaned up immediately. Pets are not allowed in the pool area at any time. Pets must not be allowed to trespass on other homeowners' properties, or to disturb the neighborhood with their noise.
 7. Vehicle noise, including, but not limited to, automobiles, trucks, jeeps, or four-wheel drive vehicles, motorcycles, minibikes, or adaptations thereof, shall be held to a minimum at all times. Movement of such vehicles through the community shall be limited to improved streets and private streets belonging to the Association, and shall be kept to reasonable and prudent limits, but not to exceed fifteen miles per hour (15 MPH).
- B. Only current highway-licensed motorized equipment operated by highway- licensed operators may be operated on our privately owned Village Green streets. This rule applies to all motorized equipment, including, but not limited to, automobiles, trucks, motor homes, all-terrain vehicles, dune buggies, motorized scooters, or motorized skateboards.

8. VEHICLE PARKING RULES:

- A. Parking is defined as a vehicle placed in the same location for no more than 24 hours on any weekday, with weekend and holiday parking not to exceed 72 hours. Any use of parking facilities within the Association that exceeds the time limitations as stated above will be deemed to be storage of the vehicle in its location.
- B. Parking of automobiles and pickup sized trucks on Village Green streets is permitted if done so as not to block or impede the passage of other vehicles through the streets, impair safety, interfere with an emergency vehicle or another resident's access to or use of their property. **Parking on Village Green streets is prohibited between the hours of 2:00 AM and 6:00 AM.**
- C. Parking of any vehicle for any reason on unimproved common area, inclusive of the area designated as "front yard", is strictly prohibited.
- D. Parking is permitted in the carport and driveway of each home so long as the vehicle does not extend into the roadway. No oversized vehicles, such as semi-tractors, dump trucks, portable moving/storage containers, or other similar vehicles may be parked in the carport or driveway. Large commercial or commercial-type trucks or vehicles may not be parked in driveways, but may be parked in the carport. Service vehicles such as moving vans or cement trucks are permitted temporary access to driveway areas.
- E. **Paved Parking Pads Use:**
 - 1. Parking pads are provided throughout Village Green for guest, visitor, or resident use.
 - 2. Types of vehicles permitted to use the parking pads are automobiles and pickup trucks without campers. All other vehicles are prohibited from using parking pads unless the Board of Directors has given specific permission waving this restriction.
 - 3. Vehicles occupying parking pads shall be operative, licensed and used for daily transportation. At no time will the parking pads be used for the storage of any vehicle, trailer, or recreational unit (see 8-A for definition of parking).
- F. At no time shall a resident or guest of such resident park or occupy another resident's property without the specific permission of the other resident.
- G. **Parking of Recreation Type Vehicles:**
 - 1. Carports shall, in principle and with few minor exceptions, be used solely to park motorized vehicles. This means "personal automobiles, trucks, vans, pickup truck campers, motor bikes, travel trailers, boats on trailers and other trailers of any kind", provided they fit under the cover of the carport and in the driveway proper or on a parking pad. Camper type vans, pickup truck campers, travel trailers, boats on trailers, other trailers of any kind, motor homes or vehicles falling into this category, owned by Village Green residents, may be stored in the resident's carport provided the vehicle remains currently licensed, operable, and neat in appearance. Storage of these types of vehicles in driveways or any other location is prohibited unless approved by the Board of Directors. Recreational vehicles are not permitted to be permanently parked in carports. However, temporary parking for the purpose of loading and unloading only is allowed for a maximum of two days (48 hours). After 48 hours, the recreational vehicle is not to be parked in the carport for the next five days. In no case may any of these vehicles be used for living quarters while they are

VILLAGE GREEN HOMEOWNERS ASSOCIATION
Rules and Regulations
Approved February 2021

parked in Village Green.

2. The above described motorized vehicles may be placed in the driveway of the residents home or in the street in front of the resident's home for the purpose of loading and unloading. Packing for this purpose is permitted for a maximum of two days, so long as the presence of the vehicle does not impede passage through streets, impair safety, interfere with an emergency vehicle or another resident's access to their property. After two days of parking, the motorized or recreational vehicle is not to be parked in the driveway or street in front of the residents home for more than two hours a day for t he next five days. **The vehicle may not be parked on the street between the hours of 2:00 AM and 6:00 AM.**

3. Parking of a currently licensed camper type van, pickup truck camper, travel trailer, or motor home is permitted in the Village Green recreation area parking lot under the following conditions:
 - a. Parking is for temporary storage only.
 - b. The resident must obtain permission from the Board of Directors in advance of utilizing the facility.
 - c. The vehicle must not emit any fluid while parked in this area.
 - d. No materials may be stored outside of the vehicle.
 - e. Awnings must remain in their travel position.
 - f. The Association assumes no liability for vehicles parked in this area.
 - g. The vehicle will be parked as close to the basketball court area as possible so as not to interfere with the parking of other residents using the recreational facilities.
 - h. Any complaints by other residents about the condition of the vehicle or irregular activity near or in the vehicle will result in immediate termination of permission to use the facility.

H. Non-resident homeowners who have rental homes in Village Green relinquish the use of parking facilities within the community to their tenants.

I. Village Green homeowners and residents are responsible for the parking of their family members and guests. All residents are encourage to give special attention

VILLAGE GREEN HOMEOWNERS ASSOCIATION

Rules and Regulations

Approved February 2021

to the use of the parking facilities during all social gatherings as guests are not familiar with community policies.

J. **Parking Violations and Fines:**

- I. Each homeowner, his/her family members, guests or tenants who violate the aforementioned regulations can expect a written notice from the Board of Directors, stating the conditions of the violation and the resulting fine for said violation.
 2. An amount of \$25.00 is assessed for each violation and up to \$25.00 per day may be imposed if the violation continues to be of concern to the Association.
 3. The Association reserves the right to tag any illegally parked vehicle, notifying the owner of the violation. If the violation is not rectified within a 72 hour period, the Association may have the vehicle towed with all towing and storage costs at the owner's expense.
9. Pursuant to the Pima County Health code, all trash and discarded materials shall be placed in covered trash containers. As stated in Tucson City Ordinance 2702, Chapter 15, subsection 8 and Tucson's Automated Refuse Collection brochure, **all refuse containers MUST be removed from the street or curb on the same day as serviced.** The City of Tucson large refuse container may be stored in the carport. The only other place this container may be stored is in the resident's rear area, out of sight.
 10. Private social activities at the clubhouse are arranged through the social chairperson or his/her designee. The responsible homeowner must take written responsibility for the clubhouse and pay a fee for its use. The responsible homeowner shall be present and is responsible for all activities. Persons using the clubhouse shall be responsible for insuring that the clubhouse and surrounding areas are cleaned up within a reasonable time the day immediately following its use. The Board of Directors shall have the authority to cause the clubhouse area to be cleaned and to bill the responsible party for reasonable charges incurred in restoring the facility to the condition which it was prior to use by said responsible homeowner.
 11. Carports shall be kept in a neat and orderly fashion at all times, and shall be kept clear of anything which will cause the area of Village Green to appear in an unclean or untidy condition, or that will be obnoxious to the eye. Carports shall not be used for open storage. No clotheslines or drying of clothes shall be permitted in carports.

Exceptions as to what can be housed in carports, besides motorized vehicles, are:

Exception I Ladders, provided they are neatly attached to a wall or to the ceiling

VILLAGE GREEN HOMEOWNERS ASSOCIATION

Rules and Regulations

Approved February 2021

11. Ladders should not be kept standing open in the carport for long periods of time.

Exception 2 Firewood, with the condition that it be stored in a neat pile.

Exception 3 The City of Tucson garbage and trash container. No garbage and trash container of any other make can be stored in the carport.

Exception 4 Lawn furniture when in use and not just stacked for storage.

12. Major mechanical work is not permitted on vehicles in any carports, driveways, streets, or designated parking areas, other than temporary, minor adjustments and cleaning. Non-operative vehicles may not be stored in carports, driveways, streets, parking areas or common areas. The carport at no time shall be used as an automobile repair shop. Junked or partially dismantled cars are not allowed in the carport. Any motorized vehicle parked in a carport, driveway or parking pad shall be licensed and in running condition.

13. Reasonable activities shall be permitted residents and guests on common areas (such as temporary placement of lawn furniture, seating, visiting and the like) with due respect to neighbors' living habits and enjoyment. No loud, vulgar, dangerous or damaging activities will be allowed. Sales and carnivals must have permission of the Board of Directors. Immediately after activity in the common areas, those who have engaged therein shall be responsible for removal of all items (lawn chairs, equipment, blankets, litter, etc.) and clean up of the area.

14. Damage to the common areas, clubhouse, pool or pool area, whether accidental, negligent or willful acts of a homeowner, a member of his or her family, guests, or invitees shall be repaired and/or paid for by the responsible homeowner. Failure to take such action promptly will result in the cost of repairing such damages being added to and becoming a part of the assessment to which said homeowner's property shall be subject. The Board of Directors shall be empowered to act on behalf of the Corporation in enforcement of this rule.

15. **RECREATION AREA RULES:**

The following rules assure that use of our facilities is extended to all members in an equitable and courteous manner, the health and safety of the pool users is preserved, and our facilities and this Association are protected. Valid house guests may come to the pool unaccompanied by a member. Members are requested to accompany other guests. The Association does not provide a lifeguard or supervisor for the pool area. All owners/renters/house guests/guests are responsible for their children.

A. If their assessments are current, the owner/renter and/or their guests may utilize

15. A. the swimming pool and the surrounding fenced area. Guests are limited to four (4) per

VILLAGE GREEN HOMEOWNERS ASSOCIATION

Rules and Regulations

Approved February 2021

owner/renter unit at any one time. If no adult (18 years old or older) member of the owner/renter unit is present each child (14 through 17 years of age) of the owner/renter may bring in one guest who must be 14 or more years old. A child (less than 18 years old) of an owner/renter shall not supervise any child under the age of 14 years, whether a family member or guest, in the recreation area.

If requested by a member of the Board of Directors, any person utilizing the recreation area may be required to give his/her age and must show his/her recreation access card to validate his/her right to use the facilities. Those unable to show a valid recreation access card to the Director will be deemed to be trespassing and will be asked to leave the recreation area immediately. Refusal of an unauthorized person to leave the area may result in the involvement of law enforcement authorities with possible legal consequences, as well as penalties that may be imposed by Village Green Homeowners Association.

- B. Any child under the age of 14 years must be accompanied by a parent or person 18 years of age or older designated by the parents as the party responsible for the child. The parent or designated person shall remain in constant visual contact with the child in the pool so as to be able to render immediate aid to the child, as needed.
- C. Owners/renters using the clubhouse and/or recreation areas are to carry a recreation access card and keep gates locked at all times.
- D. Running around the pool, mischievous behavior, negligent or deliberate damage to the pool facilities or horseplay in or around the pool is not permitted. Such behavior reported to the Board of Directors will result in corrective action. Members are asked to calmly and politely approach the offender(s) and ask that he/she/they desist.
- E. No throwing of rocks or other objects is allowed in the fenced recreation area, fenced tennis court or the basketball court.
- F. No diving from or near the pool steps is allowed.
- G. Electronic devices, musical instruments, radios, cassette players and CD players used in the fenced recreational areas will not be used at a volume that will disturb others. It is strongly suggested that headphones be used unless one is monitoring children using the facility.
- H. Pursuant to the Pima County Health Code, no glass objects are permitted in the pool area. Before leaving the area, please remove your trash and dispose of it in an appropriate receptacle.
- I. Pursuant to the Pima County Health Code, no pets are allowed within the fenced recreational areas, including the clubhouse.

VILLAGE GREEN HOMEOWNERS ASSOCIATION

Rules and Regulations

Approved February 2021

- J. Only swimwear is to be worn in the pool. No raveling materials or diapers are permitted in the pool as they clog the pool filters.
- K. Tennis or basketball court players and those applying suntan oils or lotions should us the restroom showers before entering the pool.
- L. No wet swimsuits are allowed in the clubhouse.
- M. The recreation areas are closed at 9:00 PM to use by all persons under 18 years of age.
- N. The users of the pool area, as owners/renters, are responsible for their guests' behavior, as well as their own behavior, and are subject to the authority of the Board of Directors or a Board designee when questions about the rules arise. If complaints are brought to the attention of the Board of Directors, they may bar the offenders or levy fines. See Rule 19 of the Rules and Regulations for details concerning fines and remedies.
- O. Owners/renters or their guests with current recreation access cards will not admit parties who do not have a current access card into the recreational areas. This policy will assist the Association in meeting their responsibility to keep out unauthorized parties who are not permitted to use the facilities.
- P. The Association will not be responsible for lost or damaged personal articles.
- Q. When the gated recreation area is closed, that is when the two entry gates are closed with chains and padlocks, the area cannot be used by members, family members, and/or their guests or invitees unless permission to do so is given by the Board of Directors. Members, their families, guests or invitees who are in the closed gated recreational area, without permission, are violating the Association Rule and are subject to fines as described in section 19. Further, unlawful entering into or remaining on the closed gated recreational area without permission is criminal trespass under Arizona Revised Statutes (ARS) 13-1501 through 1504. The Association may press such charges against all trespassers.
- 15. R. Members of the Association, family members, and/or their guests or invitees shall not commit criminal damage (as defined by ARS 13-1601through1605) to the property of the Association. Violation of this rule, following the procedure in Section 19, will result in a fine to the member or members held responsible of up to \$100.00 dollars for each person involved in the criminal damage to the Association property plus the cost of restoring the property. Further, the Association may press criminal charges against the parties criminally damaging Association property.
- 16. **NO ADVERTISEMENTS or POSTERS** shall be posted in or on homes, in front yards, or

VILLAGE GREEN HOMEOWNERS ASSOCIATION

Rules and Regulations

Approved February 2021

on common areas of the community, except 'For Sale' or 'For Rent' signs. Such display is limited to ONE (1) sign on the property directly in front of the affected lot with a maximum size of 36" x 36", and further limited to name, address, telephone number and name of agent or representative, except by special permission of the Board of Directors.

17. **TENNIS COURT RULES:**

The following rules shall govern the use of the tennis courts owned by the Association:

- A. Use of the courts is limited to members and guests only.
- B. Members may use only one court at a time.
- C. Time limit of 2 sets or, if other members are waiting, 1 hour for singles and 1- 1/2 hours for doubles.
- D. Reservations may be made on the clipboard at the courts and will be held only until the scheduled time.
- E. Only tennis players with tennis shoes (soft, rubber soles) are permitted on the courts.
- F. The last group off the court must lock all gates, regardless of the time of day.
- G. Deposit all litter and cans in trash containers on the court.
- H. Tennis pros may give lessons to homeowners only.

18. The street light in front of each member's lot is a major factor as it concerns the safety of our neighborhood. It is vital that all possible lights be illuminated at night. The Association is responsible for the repair and/or replacement of the street light in front of each lot of an Association member. This responsibility includes replacing and controlling the type of bulb in the street light fixture. The Association is also responsible for the underground wiring from the street light to the Association member's lot line. The Association member is responsible for providing continuous residential 115 volt electrical service from his house to the lot line where connection is made to the Association line to the street light.

19. After notice and an opportunity to be heard, the Board of Directors may impose reasonable monetary penalties on a member for violation of the declaration, bylaws, and rules of the Association. A written notice that a monetary penalty for such violation may be imposed must be sent to the members at least ten (10) days before the penalty may be assessed. The hearing and decision on a penalty usually will be at the next available monthly meeting of the Board of Directors providing the notice requirement is satisfied. Imposition of a monetary penalty shall not prohibit any other legal remedy against the member by the Board of Directors, such as foreclosure of a lien, suit at common law, enjoin a nuisance, and/or enjoin a contract violation. The Board of Directors may assess an additional penalty of up to \$25.00 per day for each day

VILLAGE GREEN HOMEOWNERS ASSOCIATION

Rules and Regulations

Approved February 2021

that violation continues after the initial penalty is imposed: If the penalties are not paid promptly, they shall become an assessment against said member's property, which is then subject to possible lien and foreclosure.

Approved by the Board of Directors February 2021. These revised Rules and Regulations are effective starting February 2021.

VILLAGE GREEN HOMEOWNERS ASSOCIATION
Rules and Regulations
Revised Feb. 2021