



## KIMBERLY PLACE COMMUNITY ASSOCIATION

### FOOTPRINTS ON THE BAY COMPLEX

#### Appendix A: Rules, Regulations and Restrictions

The following rules and regulations are intended as a supplement to the Association's CC&Rs and are not a substitute for that document. The CC&Rs should also be read thoroughly.

#### **1. PATIOS and DECKS**

Only outdoor furniture, gas grills and bicycles shall be permitted on patios and decks without the approval of the Architectural Review Committee. Enclosures for the decks must closely match the railing color and must be attached with Zip Ties so as not to damage the wood balusters. No items are allowed on the railing caps (including plants, or wet clothing items). No items higher than the railing is allowed on the balcony (e.g. ladders, kayaks etc, unless placed horizontally on the balcony). Tall plants placed on the balcony floor are the exception even if they are higher than the railing. Other items of outdoor and water proof nature that are out of view may be permitted, provided they are safe in nature, and they do not occupy more than 50% of the balcony floor. Bird feeders are only allowed within the balcony sq. ft. and not over the railing caps. No trash, waste or any hazardous material is allowed on the balcony (including pet waste). No heavy items are allowed on the balcony. Only lighting made for outside is allowed on the balconies. In order to have additional items on the decks and patios, it must be approved by the Architectural Review Committee. An ARC request must be submitted to the Committee for approval/denial. Patios and decks must be kept in an orderly condition at all times. No clutter will be permitted and shall be deemed so at the discretion of the Board of Directors or its representative. NO OPEN FLAMES OF ANY KIND WILL BE ALLOWED. The only exception is gas BBQ grills.

#### **2. ENTRYWAYS**

Potted plants and decorative garden items may be placed below the stairs or along the entryways. Any items that interfere with the ingress or egress will not be permitted. All garden items must be in an acceptable manner. The Board of Directors and/or its Representative has the right to determine the appropriate size and acceptability.

#### **3. WINDOW COVERINGS**

Window coverings are required and the exterior side of any drape, window shade or other window covering visible within the property must be white, off-white or natural wood tones, unless otherwise approved by the Architectural Review Committee. All window coverings shall be installed within thirty (30) days after the conveyance of the unit.

#### 4. PARKING SPACES

As a result of limited parking facilities and to minimize vehicle congestion the following rules apply:

- Parking spaces shall be used for the parking of motor vehicles only, unless the Board of Directors approves another use in writing. No other items to be in the spaces.
- Residents are assigned one covered parking space. This is private property and deeded to the homeowner.
- Covered space is to be utilized FIRST. Second vehicle can be parked in an uncovered parking space.
- If there are no open uncovered parking spaces available, second vehicle must be parked off property. DO NOT park in fire lanes, emergency spaces, or red zone areas.
- Residents with more than (2) vehicles must park the additional vehicles off the premises.
- All vehicles must have a valid registration and be in operating condition or covered.

#### 5. OPEN PARKING

Open parking spaces are identified as spaces that are uncovered and are not numbered. Open parking spaces are for use for residents' second vehicle and/or their guests only. Vehicles in the open parking must have valid registration. No automobile or any other motor driven vehicle is to occupy the same open parking space for more than two (2) consecutive days or more than seven (7) days during a calendar month, or the vehicle is subject to being towed at the owner's expense.

#### 6. EXTERIOR STORAGE

No storage of items of an indoor nature will be permitted to be stored on the decks/patios/entryways or in the parking areas/spaces. For example, no cardboard boxes, trash cans, mops or brooms, kitty litter, car seats, bed frames. No items are allowed near or under all fire extinguishers (on all 1st and 2nd floors)

#### 7. HOBBY SHOPS AND POWER EQUIPMENT

No industrial equipment, hobby shops or vehicle maintenance (other than emergency) shall be permitted on the property except with prior written approval of the Board of Directors. Use of portable power tools or yard maintenance equipment shall be permitted during the following times only:

Monday – Friday	7:00 AM – 7:00 PM
Saturday	8:00 AM – 6:00 PM
Sunday	10:00 AM – 5:00 PM

These hours are in accordance with the City of Monterey Ordinance 38-112.2.

Use of said tools or equipment shall be conducted in a manner as to avoid any unreasonable noise, dust, fumes or hazard adversely impacting neighboring properties.

#### 8. WASTE AND RECYCLING MATERIALS

Please take all waste and recycling materials to the garbage containers. Place waste and recycling materials in the proper provided container. Breakdown boxes and place in the recycle containers. Do not place on the ground or on top of the containers. Garbage and waste materials may not be placed outside the entry doors.

**9. SMOKING**

Smoking is permitted in your residence and on your deck/patio **ONLY**.

**10. HOLIDAY DECORATIONS**

Holiday decorations may be displayed provided they are mounted in a manner that does not involve penetration of any common area surface or any other damage to a common area component. Holiday decorations may be displayed no more than thirty (30) days prior to the applicable holiday and must be removed within fifteen (15) days after said holiday.

**11. POOL RULES**

Please follow all posted regulations and warnings posted in the pool area, including the following:

- Residents and their guests may only use the pool during posted hours
- Children under **age 14** must be accompanied by an adult
- No Diving
- No rough play or running permitted in the pool area
- No large inflatable tubes/rafts
- No glass in the pool area
- No consumption of food or beverages allowed within five (5) feet of the water
- No alcohol is permitted in the pool area
- Residents must accompany their guests
- **ANIMALS ARE NOT PERMITTED IN OR NEAR THE POOL**

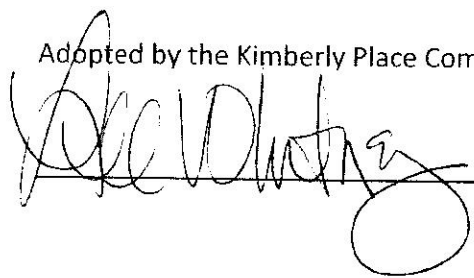
**12. OUTDOOR AND COMMON AREA ACTIVITIES (BBQ Area Closes at DUSK)**

Only gas BBQ grills are permitted on the property, with the exception of the charcoal grills in the established picnic areas. All outdoor cooking **MUST** be attended to at all times by an adult. **NO** personal charcoal grills are permitted on the common area property. **NO** alcoholic beverages are to be consumed in any common area of the property.

**13. NO NOXIOUS ACTIVITIES**

No nuisance activities, or noxious behavior that would pose a threat or increase insurance rates.

Adopted by the Kimberly Place Community Association Board of Directors on September 5<sup>th</sup>, 2018



Lee Whitney, President

date 12 September 2018

## **FINE SCHEDULE POLICY**

Imposition of fines, reimbursement assessments and other discipline action for remedy of violations.

### **Fine Schedule – Minor Infractions & Violations**

1 <sup>st</sup> Offense	\$ 50.00
2 <sup>nd</sup> Offense	\$100.00
3 <sup>rd</sup> Offense	\$150.00
4 <sup>th</sup> Offense	\$200.00
Each Offense thereafter	\$200.00 plus administrative costs & expenses

### **Fine Schedule – Major Infractions & Violations**

1 <sup>st</sup> Offense	\$100.00
2 <sup>nd</sup> Offense	\$175.00
3 <sup>rd</sup> Offense	\$250.00
Each Offense thereafter	\$250.00 plus administrative costs & expenses

### **Fine Schedule – Parking Infractions**

Each Offense	\$500.00
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#### **Minor Infractions: Minor Infractions & Violations:**

Issues which do not pose a threat to the health, safety and well being of our members, property or country.

#### **Major Infractions: Major Infractions & Violations:**

Issues which cause or pose immediate threat of health, safety and being of our members, property and/or violation of any federal, state law or city ordinance.