

**CAPE TERRACE
HOMEOWNERS ASSOCIATION
RULES AND REGULATIONS**

and a section of

HELPFUL INFORMATION

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Approved by the Board of Directors and initially distributed to all owners and tenants December, 2008; *Updated and distributed to all owners February, 2021.*

CAPE TERRACE HOMEOWNERS ASSOCIATION

Rules and Regulations

I. GENERAL/APPLICABILITY

These Rules and Regulations are established by the Board of Directors of Cape Terrace Homeowners Association for the mutual benefit and protection of all homeowners and residents of Cape Terrace.

Ownership or residency constitutes acceptance of responsibility for compliance with the Declaration of Restrictions (CC&Rs), By-Laws, and Rules and Regulations of Cape Terrace Homeowners Association.

The Rules and Regulations contained herein apply to all homeowners, their family members, occupants and guests and are published under the provisions of the CC&Rs. It is the intent of the Board of Directors that these rules shall not be in conflict with or diminish the effect of the CC&Rs or By-Laws of the Association. These rules shall be considered as supplementary to those documents. These rules may be amended or replaced by action of the Board of Directors upon notification to the homeowners. Written suggestions are welcomed from homeowners and occupants.

Each owner is responsible for the actions and behavior of the Occupants of his unit, defined for the purposes of this document as Owner(s), Resident, Guest, Invitee, Tenant, Lessee, or Sublessee. **Owners are responsible for providing their Occupants copies of these Rules and Regulations,** and for ensuring that the Rules and Regulations, CC&Rs and By-Laws are observed by all Occupants and their guests. The Owner is liable for any property damage or injuries occurring in the common area as a result of actions by his family, occupants or by any guest to his/her unit.

II. VIOLATIONS

Owners normally will be notified in writing of violations. Such notification will serve as a demand that the owner immediately correct the reported violation. In recognition of the need for a reasonable means of encouraging and insisting upon compliance with the provisions of the governing documents without resorting to suits for injunctive relief, failure to correct the violation may result in the imposition of a fine against the owner of the unit for each occurrence. Each failure to comply with written notice will be considered a separate occurrence. A schedule of fines and penalties is published separately.

Fines imposed by the Association for violations are charged against the property and are payable by the owner. Said fines shall be added to the Association dues and are collectable in accordance with provisions of the Association's governing documents and California law.

An owner who may be fined is entitled to a hearing before the Board. Hearings will normally be scheduled at the next regular meeting at which time the owner may contest the validity of the grounds upon which the fine was imposed. An owner desiring to schedule a hearing should contact So Cal Property Enterprises in order to be placed on the agenda.

III. EXCESSIVE NOISE AND/OR ACTIONS DISTURBING OTHER RESIDENTS/SMOKING

Residents of Cape Terrace live in close proximity to one another and to the streets and the pool area. All residents are expected to practice common courtesy and respect the rights of others to enjoy their homes free of unwarranted noise and commotion. Late night parties, street gatherings, loud music, domestic disturbances and the like will not be tolerated. Illegal, offensive or obnoxious actions that interfere with an owner's quiet enjoyment are not permitted in the complex. Smoking is not allowed in the common areas of Cape Terrace. It may be considered a violation as well if smoking in the backyard or within the unit affects neighbors. Smoking includes all tobacco products, electric cigarettes and marijuana as well.

IV. PET CONTROL

The City of Grand Terrace leash law applies in Cape Terrace. Dogs must be walked on a leash attended by a person capable of handling and restraining the animal. Dogs are not allowed in the fenced pool area or Recreation Center.

Pet owners are responsible for the actions and behavior of their animals and should see that such action and behavior is not disturbing to others. Unit owners are liable for damage caused by their animals or those of their tenants or guests.

Pets may not be tied or left unattended in the common area.

Pet owners are required to clean up droppings immediately and are encouraged to walk their pets outside the Cape Terrace complex rather than in the landscaped areas within the complex. Doggy Doo pickup bags are available near the mailboxes and near the southwestern corner of the complex.

Residents may keep no more than two cats and two dogs.

V. TRASH DISPOSAL

Trash dumpsters are provided for your use in disposing of household trash. Please do not have small children dump your trash unless they are capable of doing it properly. Large items such as appliances and furniture are not to be placed in or near the dumpsters and must be disposed of properly by the resident. Construction debris is prohibited in the dumpsters. Your agreement with home improvement contractors should require that they move all debris off-site. Please don't litter the dumpster areas; close dumpster lids and close the dumpster enclosure gate when you leave. For disposal of large items, call Burrtec Trash Disposal at 909-880-1969.

VI. VEHICLE CONTROL, PARKING AND GARAGES

Parking is allowed only in garages and marked areas. Never park within 15 feet of a fire hydrant. Park at least one vehicle in your assigned garage. No resident should park a vehicle in the common area if his garage space is not being used for at least one vehicle. Households with three or more vehicles should park two vehicles in their assigned garage. Parking in front of garages is prohibited except for the washing of or temporary loading or unloading of vehicles *while attended by a resident*. Vehicles parked in common areas must be currently licensed, clean and of good appearance. Serious or extended parking violations may result in towing of the offending vehicle at the owner's expense.

Advise your guests where to park. Do not allow guests to park in the "No Parking" zones, in front of your garage, or in other restricted areas as described above. Use of marked parking spaces is on a first-come, first-served basis.

Only registered and operable vehicles are permitted in the complex. Unregistered, inoperative or unused vehicles may not be left in Cape Terrace more than 96 hours. Vehicles not the property of residents may not be left in the complex. A vehicle must be moved at least once every four days to be considered "in use" Violators may be fined or vehicles towed at the owner's expense.

Only private passenger vehicles and small commercially registered vehicles used primarily as private passenger vehicles (not for utility, hauling or trade purposes) are allowed. Vehicles, with all installed accessories, must fit in one stall of the assigned garage. Vehicles may have only two axles and two wheels per axle. Unconventional, flatbed, utility box-type or special-purpose vehicles are not allowed. The intent of these restrictions is to maintain the residential environment of Cape Terrace.

The CC&Rs forbid campers and RV-type vehicles. Residents or their guests may bring in their camper/RV/boat or other trailer the night before departing on a trip. Such oversized vehicles may remain only the night before departure and the night of return. In all cases, such vehicles must not block streets or impede traffic. Sleeping in parked vehicles is prohibited.

Garage structures should be maintained in a safe, clean condition. Garage doors must be kept closed when not in use as access to the garage. Owners are responsible for maintenance and repair of all interior components such as door openers, and the garage doors themselves (door replacement is subject to Board approval). Repair of damage to garage doors is also the responsibility of the owner.

Parking areas are for parking only and not for maintenance, dismantling, painting or the long-term storage of vehicles. Do not perform vehicle maintenance or repairs in the parking areas or street. Do not allow liquids to drain into common areas or roadways. Do not permit vehicles to drip oil or grease onto streets or parking areas. Asphalt is easily damaged by leaking fluids. Unit owners are responsible for such damage.

Motor bikes or motorcycles may be used only to enter and leave the complex. Pleasure riding is prohibited in the complex.

Maximum speed limit in Cape Terrace is 10 mph. However, drive slower if conditions warrant.

No skateboards, scooters, roller-skates or bicycles are to be used on the walkways, sidewalks or common grass areas within the Cape Terrace complex for the safety of all concerned.

VII. ARCHITECTURAL CONTROL: APPEARANCE OF PATIOS, WINDOWS, EXTERIOR OF STRUCTURES, ETC.

Owners must maintain their property in a neat, sanitary and attractive condition and in good repair.

Construction or alterations to the structures, gates and patios (including screen/security doors, new doors, garage doors, patio covers, exterior lights, etc.) **require prior written approval by the Board** of Directors. Request forms are available from So Cal Property Enterprises.

Visible clotheslines and draping of clothes over fences or shrubbery are prohibited. The hanging of bedding, towels, clothing, rugs and/or other materials on fencing or shrubbery isn't permitted.

Patios will be maintained in a neat condition free of trash and weeds. Pet droppings must be cleaned up in a timely manner.

Nothing stored or built in the patio should be visible over the top of the wall with the exception of table umbrellas and approved rear patio covers. **Only white alum-a-wood covers will be allowed.** Submit an architectural form, available from TLC, to seek approval.

Patio gates, if any, should be kept closed.

All window coverings visible from the street and walks must be of a conventional nature such as drapes, curtains, decorator blinds, shutters and shades. Any color other than white or off-white must be approved by the Board. Foil, paper, bedsheets, towels and other makeshift materials are not permitted.

Awnings, covers or roll-down shades on the outside of windows are prohibited.

Signs may not be placed on the exterior of buildings, on landscaping, or on common areas. As an exception a small sign not to exceed 12 inches by 12 inches may be placed near the ground next to the side walk entrance into a unit identifying alarm or other protection services contracted with by the owner. One "for sale" or "for rent" sign of standard dimensions may be placed inside of a window. No other sign or advertising device may be placed on the property without the prior written consent of the Board.

Holiday Decorations in good taste are encouraged. However, decorations should generally be installed not more than 30 days prior to the holiday and should be removed within seven days after the holiday. Persons not specifically authorized by the Board of Directors may not be on the roofs for any purpose, including installation of holiday decorations.

VIII. LANDSCAPE

Plantings inside rear patios are the responsibility of the owner/occupant. Plantings on patios must be kept neatly trimmed and not touch or cause damage to the exterior of the structure, **fences** or roofs. Plantings or vegetation must not cause damage to fences or plantings in the common area. Vines are permitted only inside and below the top of patio fences, and not on siding or stucco walls.

Weeding and minor trimming by occupants in the front area of residence is encouraged. However, new planting, major trimming or any plant removal **requires the Board's prior written approval.** Landscape change request forms are available from So Cal Property Enterprises.

IX. POOL, SPAS AND OPEN AREAS

No lifeguard service is provided at any time. Pool rules and safety information are posted in each area for the protection of everyone. Please read carefully and observe at all times. Anyone using the spa or pool alone does so at his/her own risk. The "buddy system" is recommended.

Lifesaving equipment is for emergency use only.

The pool area is open between 7:00 am and 10:00 pm Sunday through Thursday and 7:00 am until midnight Fridays and Saturdays. Persons using the facilities must do so as quietly as possible, especially in the evenings. Common sense and the good-neighbor policy are good practices.

Children under 14 years of age must be under direct supervision of a parent or a resident adult (18 or over) at all times in the pool area.

Running, roughhousing, horseplay and excessive noise are prohibited in the pool area. Audio devices should be audible only to the user.

Bathing suits and swim trunks are the only attire allowed for pool use and are required at all times for all ages and sexes. Use by nude or diapered infants and children not toilet trained is forbidden for health reasons.

Suntan oil and lotions clog the filtering systems. Shower before using the swimming pool or spa when using these products. Soaps and additives in either pool or spas are prohibited.

Clean up after yourself and dispose of cigarette butts and trash in proper containers.

Glass containers of any type are not permitted in the pool area. Canned drinks or drinks in plastic containers are acceptable.

Cooking or barbecuing of meals within the pool areas is prohibited. Snack-type foods are allowed but all residue and refuse must be cleaned up and returned to the residence or dumpster.

Dogs are not permitted in the pool area.

Guests are normally limited to four on weekdays and two on weekends per residence at any one time in the pool area. Guests must be accompanied by a resident adult when in the pool or spa area. Exception: Bonafide adult houseguests or prior approval by the Board.

Use of bicycles, skateboards, roller-skates, tricycles and/or any other wheeled toys/devices is not allowed on the walks, pool area or lawns. Surfboards, boogie boards and oversized rafts are prohibited in the pools. Floating lounges and chairs are permitted as long as they don't interfere with others in the pool.

Recreational vehicles, powered toys and action games (i.e., golf, batting and kicking balls, contact sports, etc.) which may cause personal injury or damage to the lawns, gardens, shrubbery or property are forbidden.

Enter and exit the pool area only through designated gates. Entering or leaving over the walls or gates is forbidden.

X. RECREATION CENTER

Racquetball Court and Gym - These facilities are for the use of residents and their guests. Guests must be accompanied by an adult resident. No children under 14 are allowed in racquetball courts and gym unless accompanied by an adult resident because of safety considerations. No pets allowed in racquetball courts and gym.

Playing time is limited to one hour for singles, 1-1/2 hours for doubles if others are waiting. One player "practicing" must give up court to two or more players.

Players must wear regulation non-marring tennis or court shoes on court. Black soles, clogs and street shoes are prohibited as they may mar the surface.

Courts are for racquetball only - no other activities allowed without the Board's approval. Spectators must remain outside the court area.

No food, drinks or chewing gum are allowed in the gym or court area.

Courts are to be used on a first come, first served basis.

XI. MISCELLANEOUS

Nobody is allowed on the roofs unless expressly authorized by the management company or the Board of Directors. This includes for placement of holiday decorations or any other purpose. Anyone violating this rule is liable for any damage done as a result of the violation, as well as for the cost of any inspections necessary to determine if damage has occurred.

Soliciting, commercial activity, garage or yard sales (except those sponsored by the Board of Directors) are not permitted.

XII. SUMMARY

When in doubt, please refer to your CC&Rs, call the management company or attend a Board of Directors meeting. Decisions of the Board are final and conclusive. The Board welcomes owners' suggestions for improvements of these Rules and Regulations. Make sure tenants have a copy of the Rules.

Approved by the Board of Directors December 2008, updated and distributed to all owners and tenants February, 2021.

Cape Terrace Homeowners Association Rules and Regulations

Supplement- HELPFUL INFORMATION

Maintenance Problems in Common Areas. Your Board of Directors contracts with So Cal Property Enterprises, Inc. to monitor the maintenance of the complex. However, there is no on-site manager. If you observe something wrong such as a broken irrigation sprinkler head, a gate not working, graffiti or other vandalism, please contact So Cal Property Enterprises immediately either by telephone (951-270-3700) or e-mail (frontdesk@socalenterprise.com) so the problem can be dealt with. Please do not contact Board members except at Board meetings.

Insurance. The Association has insurance to protect its interests and to provide protection in the event of fire or earthquake loss to the structures. Owners and renters should have their own insurance to protect their interests as well. See your insurance agent for advice. The Association provides an insurance disclosure statement to owners each year describing the insurance covering the Association. If your bank requests proof of the Association's insurance, contact the Agent listed on the disclosure statement.

Gates and Fences surrounding the complex are essential to enhance the security of residents in the complex. Mistreatment of these items can create expensive maintenance problems. Bending the vertical bars, forcing gates open or closed, hitting the gates with vehicles, and climbing over the gates and fences are considered to be serious violations of the rules and regulations. Damages caused by owners, family members, tenants and guests will be charged to unit owners. See below for further details about gates and their operations.

Operation of Vehicular Gates. There are three drive-through gates: (1) The first is actually a pair of gates (separate entrance and exit gates) at the main /southern entrance on Mt. Vernon Avenue. At that location, the exit gate automatically opens when a vehicle approaches from inside the complex to a point near the gate. The entrance gate is operated in one of two ways. First, gate transmitters are available to owners so that you can open the gates as you approach from Mt. Vernon Avenue. (The internal codes for these transmitters are changed periodically. You will be notified exactly how to reset the transmitters and the dates of any such changes.) Second, the main entrance gate on Mt. Vernon may also be opened by entering a code in the gate directory box beside the gate. Call TLC Management to have your name entered on the gate and obtain your personal code. Visitors may also find your name on the directory and push a button that calls your home phone. You may then push "9" on your phone to let them enter. (2)The north entrance gate of Mt. Vernon Avenue is basically the same except there is no gate directory. This gate works exclusively through use of a transmitting device. (3)There is another vehicle gate near the southwest corner of the complex. This gate also works only by use of a transmitter. If you need a transmitter contact TLC Management. Transmitters are for sale to owners at rates established by the Board of Directors.

Walk-through Gates. There are walk-through gates next to each of the drive-through gates on Mt. Vernon Ave. They are operated by use of the pool key or by entering a secret code into the box at each gate. After entering the appropriate five digits you will hear a buzz, which is the sound of the gate unlatching so that you may enter or exit. Do not disclose the code to non-residents.

Bulletin Board. A lighted bulletin board is provided in the area next to the mailboxes for the use of all residents. Items posted on the bulletin board must be of reasonable size and of good taste and should be removed promptly when no longer pertinent. The Board of Directors is the final authority on what constitutes reasonable size and good taste.

Keys. Each residence should have at least one Association key. That key will open the gate to swimming pool area, the pedestrian gates, and the Recreation Center. If you need additional or replacement key contact So Cal Property Enterprises. Keys are for sale to owners (\$100 price established by the Board of Directors).

Mailboxes. A mailbox is provided for each unit in the complex. If you have problems with the mailbox locks you can buy a new lock at a hardware store such as Home Depot or Lowes, or at any locksmith shop. Installation of the locks is a do-it-yourself process but requires that you coordinate the installation with the serving post office or the route carrier. The USPS employee must open the mailbox so that you can remove the old lock and insert a new one, clipping it from behind.

Recreation Center. The Rec Center has an assortment of exercise equipment for use of residents and their accompanied adult guests. Access is by use of the pool key.

Architectural Requests. Anything that owners might wish to do to their unit which would affect drainage, the structural integrity of the building or would affect the appearance of the unit or its immediate area as seen by neighbors or passersby must be approved by the Board of Directors. Requests must be in writing. Forms for this purpose are available from So Cal Property Enterprises.

Replacement of Light Fixtures. Maintenance of the light fixtures on the front of most garages is the Association's responsibility, although the electricity for this lighting comes from the owner's unit. The light fixtures near each unit's front door are the owner's responsibility to maintain, but as with other exterior features, modifications or changes must be approved by the Board.

Paint Color Codes. Exterior colors are Vista Paint (there's a Vista store on Redlands Blvd just east of Waterman Ave.) Trim is white 00, the light gray is Wintermist 14, and the dark gray is Titanic gray 8305.

Board and Annual Meetings. The Board of Directors usually meets once each month, usually on the second Monday. The date, time and agenda are posted on the bulletin board by the mailboxes. Meetings are open to attendance by all Homeowners. An open forum is held near the beginning of each meeting so that owners may speak on pertinent subjects. There is an Annual Meeting and Election usually held in February.

Dues (Assessments) Payment Policy. Association dues are payable by the 15th of each month. Late dues are subject to a \$25.00 late charge. Statements are mailed monthly as a courtesy. The Board has an aggressive procedure for collecting delinquent dues. By state law, all collection costs are the responsibility of the delinquent owner. Delinquency will also cause revocation of use of the recreational facilities. See the Delinquent Collection Policy distributed separately for more details.

Termites. The Board currently contracts with Northstar Pest Control to conduct annual inspections and provide certain services. If you suspect the presence of termites at any time, call Northstar at 909-8771810 or So Cal Property Enterprises. Northstar will treat to eradicate the termites, but owners are responsible for any damage to their unit per the CC&Rs. You will receive notice each summer of a termite inspection. It is imperative that you call Northstar for an interior inspection. If you have tenants, please make certain that they cooperate with the notice.

Changes of Phone Numbers or Address. Please keep So Cal Property Enterprises advised of your phone number, email address, and proper mailing address.

Garage Doors. If you have problems with them, we recommend that you call the installer, Security Garage Doors at 909-981-3300.