

**LA JOLLA CLASSIC HOMEOWNERS
ASSOCIATION
RULES AND REGULATIONS**

**Written, approved and adopted by:
The La Jolla Classic Board of Directors on
June 20, 2013 and will be
effective 30 days after the July 25, 2013 mailing.**

LA JOLLA CLASSIC HOMEOWNERS ASSOCIATION, INC.

RULES AND REGULATIONS

PREAMBLE

These Rules and Regulations have been established to enhance the beauty and quality of life in this community as well as the safety and enjoyment of its Owners and residents. The Covenants, Conditions and Restrictions (CC&Rs) and Bylaws, which are legal binding documents and deed restrictions accompanying Ownership of property in La Jolla Classic (LJC), give the elected Board of Directors the responsibility and authority to establish Rules and Regulations. However, it is the responsibility of all Owners to uphold the CC&Rs and Rules for the preservation of our community.

These Rules and Regulations are meant as an addendum to clarify and support the CC&Rs and Bylaws, not to replace them. Each property owner in LJC should have a current and complete copy of the CC&Rs and Bylaws. It is strongly recommended that Owners read and understand those documents in order to understand their rights and obligations as property owners and members in the Association. Questions and concerns regarding these Rules and Regulations, as well as the CC&Rs and Bylaws are welcomed and encouraged and may be addressed either to Management or the Board of Directors.

Our desire is to have a community of neighbors who work together to support our common goal of maintaining the integrity, curb appeal and property values that ownership and membership in this Association affords. We welcome and salute the efforts, concern and cooperation of all our neighbors.

GENERAL PROVISIONS

All Owners and residing occupants of the property are bound by these Rules and Regulations. Violations of these Rules and Regulations and/or damage to LJC Common Area by Owners, family members, visitors, guests, vendors or tenants shall be viewed as a violation by the Owner and enforcement actions undertaken by the Association will be applied to the Owner.

Owners leasing their property are responsible for providing a copy of these Rules and Regulations to their tenants and notifying Management of the tenant's occupancy.

EMERGENCIES

Contact Management at 933-1829 in the event of any emergency involving LJC Common Areas, such as, but not limited to, broken water pipes, problems with the gates or common area landscaping. After hours, the number is answered by a recorder, and forwarded to management's 24-hour emergency cell phone.

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I. RESPONSIBILITIES

A. Responsibilities of Owners

The Owners are responsible for maintaining an attractive and pleasant living environment. Each Owner shall be accountable to the Association and other Owners for the conduct and behavior of persons residing in or visiting LJC.

All Owners are required to comply with and should have a current copy of and be familiar with the legal documents of LJC - the CC&Rs, Bylaws and Rules and Regulations and the CC&Rs, Bylaws and Rules and Regulations of Desert Shores.

Nevada state statute requires that all Owners provide a current copy of these documents to their new buyers upon the sale of LJC property.

Owners are responsible for providing a copy of the Rules and Regulations to their tenants upon signing of a lease.

B. Responsibilities of the Board of Directors

The elected Board of Directors is charged with the duty, responsibility and authority to enforce the CC&Rs and Bylaws, adopt Rules and Regulations and assess penalties for violations of the CC&Rs and these Rules. The Board is the only spokesman for the Association. No individual Owner or group of Owners shall represent themselves as speaking for the Association.

II. COMMON AREA USE

A. Definition

Common Area shall mean all the real property and improvements, including without limitation, the private streets, sidewalks, street lights, traffic and pedestrian gates and entrance landscape areas, which are owned by the Association for the common use and enjoyment of all the Owners. Common Walls which abut the Common Areas shall be maintained by the Association. (Refer to the CC&Rs Article 1, Section 1.17 for further clarification.)

B. Damage to the Common Area

Owners will be held directly responsible for the cost of any maintenance, repair or replacement within the Common Area necessitated by damage which is caused by the Owner, family members, vendors, invited guests or tenants. Damage assessment, after notice and hearing, will be levied by the Board as a special assessment based on the actual cost of labor, repairs, and/or replacement. This includes repair and maintenance of the Common Walls when such damage is caused by water seepage from the Owner properties adjacent to these walls.

Climbing on any property wall or gate is prohibited and may be considered trespass and subject to a fine plus any necessary repairs.

III. RESTRICTIONS

A. Animal Restriction

To the maximum possible, each animal owner shall control and prevent their animal from trespassing onto, urinating and/or defecating on another Owner's property or the Common Area. Animal owners are responsible for the immediate clean up of their animal's debris should a trespass occur. Animal owners are responsible for thoroughly cleaning up their animal's defecation on their own property in order to prevent nuisance odors.

No animal is permitted to run free in any part of LJC or Desert Shores properties. Cats, dogs and all other animals must be contained in their owner's backyard or under constant supervision by a responsible person capable of controlling the animal. Dogs must be on a leash when taken for a walk. Cats are not allowed to run free. Dogs must be licensed, spayed and/or neutered, to comply with City ordinances.

No dogs are to be tied to trees, shrubs, stakes or any exterior building structure.

Dogs which exhibit constant or repetitive barking shall be considered a nuisance by the Board and their owners will be subject to fine. Threatening animals, as determined by observed behavior, may be declared a nuisance by the Board and are subject to a fine.

"Exotic" pets, including but not limited to snakes, pot-bellied pigs and other livestock, are prohibited anywhere on the premises.

LJC Owners, who bring any animal into LJC or whose family members, invited guests or tenants bring any animal into LJC, shall indemnify and hold harmless the Association from any and all damage and/or injury caused by an animal.

B. Basketball Hoops, Bicycles & other Obstructive Paraphernalia

Portable basketball backstops and other obstructive recreational equipment may be used in driveways at the front of the residence only. They must be stored out of sight in the garage or the rear of the property when not in use.

Bicycles, skates and skateboards may be used with caution on the streets and sidewalks, provided they do not obstruct or become a hazard to pedestrians or vehicles.

C. Blocking of Streets & Sidewalks

Closing off any portion of the Common Area to pedestrian or vehicular traffic for any activity (i.e. delivery vans, construction vehicles & equipment or supplies) is prohibited without the express permission of the Board of Directors.

Verbal permission for block parties may be granted by any three members of the Board of Directors. All Owners within the immediate vicinity of the block party must receive written notice from the Owners planning the event. Management must be informed of time, date and place prior to the event. Owners will be responsible for any Common Area damage resulting from such activity.

D. Floodlights

Flood lights may be installed however; the beams must be focused, shielded or oriented so as to directly illuminate the confines of the Owner's property and/or abutting Common Area only. Continuous floodlight illumination of another Owner's property is prohibited. Motion detector activated security lighting is allowed, provided it automatically shuts off after a period of time.

E. Garage Conversion

One third of a three-car garage may be converted to a bonus room provided that the exterior of the garage is not altered in any way. All conversions are subject to prior architectural review and approval.

F. Garage Doors

With the exception of work being done within the garage on a temporary basis, garage doors are to remain closed in order to shield contents from view. Garage doors may be left in a raised position for a reasonable length of time, solely for ventilation purposes.

G. Garage Sales

Garage sales are permitted when they coincide with the twice a year garage sale by Desert Shores. Signage and advertising are provided by Desert Shores, as are the hours of the sale. Management will arrange for the gates to be opened when the sale starts and promptly closed when the sale is over.

H. Home Business

Owners conducting business within their homes must be in conformance with all applicable governmental ordinances and licenses, and may not create additional vehicular traffic within LJC. Traffic which interferes with parking of other Owners or their visitors is prohibited. Business activities must be invisible to all neighbors; otherwise, these activities are prohibited.

I. Nuisances

- **Noise** - Noises which can be heard by immediately adjacent neighbors must cease after 10:00 p.m. Sunday through Thursday, and 11:00 p.m. on Fridays and Saturdays. Loud music, and/or unruly parties are not permitted. Such noises which constitute destruction of a resident's peace and quiet may be declared a nuisance by the Board.
- **Lawn Mowing** - Lawn mowing operations which create noise may not begin before 7:00 a.m. or after 9:00 p.m. on weekdays and before 8:00 a.m. or after 5:00 p.m. on weekends.

J. Satellite Dishes

Satellite dish installation must be Association approved and must be installed in the rear of the property, and screened from view from the streets or lake. The maximum allowable diameter of the dish is three (3) feet. They cannot be attached to any structure other than a pole designed specifically for that purpose. Neither the

pole nor the dish may protrude above, or in front of, the surrounding property fence. Shrouded 'umbrella style' satellite dishes are prohibited.

K. Signs

No signs are allowed on lawns, porches or in windows, other than a 'For Sale' sign. Contractors who are constructing an improvement to an Owner's property may not place their business signs in the Owner's front yard. No signs are to be placed on the entrance gates or on any of the LJC Common Area unless so authorized by the Board of Directors.

"Open House" signs are available through the Desert Shores Management office and placement is permitted only in the landscape island at the Breakwater entrance. Care is to be taken when installing and removing the signs. Any damage incurred to the signs or the Common Area will be the responsibility of the Owner.

L. Structures

Free -standing outdoor storage structures are prohibited within LJC. Recreational equipment (swings, gymnastic sets, climbing apparatus, trampolines, etc.) must be placed a minimum of five (5) feet from any property wall and may not protrude above any property wall to ensure privacy for surrounding neighbors.

M. Trash Pickup and Handling

Trash containers are allowed out on the Common Area streets only on the designated day of pickup. Containers are to be removed from the streets and stored out of sight after being emptied. Containers may not be put out more than twelve (12) hours before pickup or left out more than twelve (12) hours after pickup. Owners are cautioned not to over fill recycling containers on windy days to avoid trash from blowing into other neighbor's property. Violations of this rule will be deemed a nuisance and subject to a fine.

Dumping of trash, soil, building materials, etc., anywhere on the Common Area is prohibited. Violations of this rule will result in a fine. Such dumped items must be retrieved and disposed of properly by the responsible party as soon as notified. Any expense incurred by the Association to clean up trash or repair damage caused by dumping will be charged to the Owner responsible for the incident.

N. Vehicles

General - Motor vehicles, recreational vehicles (RV's), motorcycles and boats may be stored in the side or backyard of an Owner's property only when they are screened from view from another Owner's property and the Common Area streets. Plans for such storage are subject to architectural review. Unlicensed or inoperable motor vehicles may not be driven or parked on the Common Area streets or in driveways. Such vehicles may be subject to fine after 24 hours. Motor vehicles may not be driven on the Common Area streets by unlicensed individuals. Vehicle registration and licensing may comply with the requirements of the State of Nevada.

Construction and/or Contractors Vehicles - May not block any Common Area street during operation and may not be parked overnight in the Common Area streets.

Driveways - Must be kept clean and free of debris, trash containers, vehicle parts or accessories, household items and stored building materials. (**Note:** It has been determined that a mild solution of muriatic acid is effective in removing oil stains from concrete.)

Parking - On-street parking is for the use of guests only. All on-street parking shall be parallel parking. Vehicles owned or otherwise under the control of Owners and/or residents may not be parked anywhere on the Common Area streets except for short duration loading/unloading operation. No overnight parking of boats or RV's is allowed.

Right of Way - Drivers shall yield right-of-way to pedestrians and bicyclists in the Common Area streets. However, pedestrians and bicyclists shall not unreasonably delay passage of vehicles.

Speed Limit - The maximum allowable speed that vehicles may be driven in the Common Area is 25 miles per hour, as on all residential streets in the City of Las Vegas. Residents are encouraged to drive at an even slower pace in order to increase the safety of our narrow streets and blind corners. All streets within the Common Area are designated for two-way travel and drivers must keep their vehicles on the right side of all roadways, except when accessing a driveway.

Street cleaning - Street cleaning is scheduled on a monthly basis by the Board of Directors.

IV. HOME IMPROVEMENTS **REQUIRE PRIOR SUBMITTAL AND ARCHITECTURAL REVIEW**

The Board establishes an Architectural Review Committee per LJC CC&Rs (Article VIII), Section 8.1). Homeowners may pick up a package at Desert Shores offices, and after completion of the forms, submit it to LJC ARC for approval. Payment of the ARC fee is payable to DSCA at receipt of application package. Upon approval, it will be forwarded to Desert Shores for their review. All submittals must be approved by the LJC ARC and Desert Shores ARC prior to commencement of the project.

A. Exterior Alterations

No construction, alteration, removal, relocation, repainting, demolition, addition, installation, modification, decoration, redecoration or reconstruction of a property improvement, including front yard landscaping, shall be commenced within LJC without prior Architectural Review. No improvement shall be constructed, planted or maintained that interferes and/or obstructs the view from any other Lot in the vicinity thereof.

B. Maintenance & Repair of Property

- It shall be the duty of each Owner, to maintain, repair, replace and restore all improvements, including landscaping, located on his lot in a neat, sanitary and attractive condition. Failure to do so may result in a fine being levied at the discretion of the Board of Directors.
- Repainting and touch up of painted surfaces does not require architectural review if the color used is already on the residence.
- Grass which has a normal dormant season will be allowed, provided that the yard is kept clean and free of weeds and debris.
- The Association shall provide for the maintenance, painting, repair and replacement of the Common Area maintenance areas and all improvements thereon in a safe, sanitary and attractive condition and

shall likewise provide for the utilities serving the Common Area. The Common Area landscaping shall be maintained free of weeds and diseased plant material.

V. GATE ACCESS

The front and rear automatic vehicle and pedestrian traffic control gates shall remain closed at all times except when persons and/or vehicles are entering or leaving the LJC property, or as directed by the Board of Directors. Malfunctions of these gates should be reported to management immediately. Forcing the gates or stopping their opening and closing functions will cause severe and expensive damage to the gate operation motors. Any expense incurred by the Association to repair such damage will be the responsibility of the property owner involved. (See Section II B)

A. Pedestrian Gates

These gates are to be closed and locked at all times. They are accessible to Owners by the use of a digital pass code which is to remain **secure and confidential** and is meant for the use of **LJC Owners only**. This pass code will be changed annually and Owners will receive advanced notice of the date and the new code.

B. Vehicle Gates

These gates are programmed to remain closed at all times. They are operable by remote control openers which are available for purchase through the Management office. They are operable also by four digit personal pass codes. To operate the gates with your pass code at the front gate control station, simply press the # sign and enter the four digits, separately and slowly. Visitors can locate residents' names on the screen at the entrance gate control station by following the instructions (#1111). When they press the code next to the name, the resident's phone is called and the visitors can voice announce themselves. Pressing the numeral 9 on your touch-tone hard-wired phone activates the gate opener.

C. Pass Codes

These four digit codes also are changed annually and are programmed to operate the gates 24 hours a day, 7 days a week. They are intended **only for the use of the Owners and residents.** Other special codes which are programmed to work shorter hours and specific days are available to give out to vendors and real estate personnel. These special codes can be obtained through the Management office. Violations of this code procedure will result in a fine and the immediate changing of the compromised codes.

PLEASE DO NOT COMPROMISE THE SECURITY OF YOUR PERSONAL PASS CODE BY GIVING IT OUT TO VENDORS, GARDENERS, DELIVERY PEOPLE OR CASUAL ACQUAINTANCES.

ENFORCEMENT POLICY

Living in a planned community affords property Owners a certain peace of mind regarding how their neighborhood will be maintained and how their investment will be protected. Accompanying this peace of mind are certain restrictions designed to assure that protection. It is the intent of the La Jolla Classic Board of Directors and its contracted management staff to provide fair and consistent enforcement of the binding legal documents which govern this association. This policy is dependent upon the willing participation of owners and residents by reporting deficiencies as they are detected.

Management shall carry out the administrative process of enforcing La Jolla CC&Rs, Bylaws and Rules and Regulations at the direction of the Board of Directors. Violations may result in a fine in the form of a special assessment billed on the Owner's Association assessment statement. Prior to the severity of levying a fine, the CC&Rs provide for Due Process, which consists of prior notice of the violation and the opportunity for a hearing with the Board of Directors. This process is explained more fully in the following paragraphs.

Violations are reported by two methods.

- They are noted by Management either in the daily course of business or during inspection drives made through the property.
- They are reported to Management in writing on a Member Concern form. These forms may be submitted anonymously, without signature, if preferred.

In either case, for legal purposes, Management must confirm the violation prior to proceeding with the Due Process steps noted below. All Due Process procedures are conducted in writing with the property Owner of record, who is the party legally responsible to LJC. Information copies are sent to any tenants if the Owner is not in residence and the property is leased.

DUE PROCESS PROCEDURE

1. An "Awareness Letter" is mailed to the Owner, advising of the violation and requesting correction resolution within 10 calendar days of the date of the Letter.
2. If no response is received and the violation still exists after 10 days, a "Notice of Violation" is mailed to the Owner via Certified Mail. The "Notice of Violation" requires response within 15 calendar days of the date of the Notice. The owner may request a hearing meeting with the Board of Directors to resolve the problem by responding within the 15 days.
3. If no response is received within the time allotted and the violation still exists, the Board will proceed with the hearing meeting to determine how to resolve the situation.
4. The only punitive options open to the Board are to fine the Owner by Special Assessment and/or to suspend the Owner's voting privileges.
5. The Owner will be notified in writing of the Board's decision.

FINE STRUCTURE

1. By state statute, the maximum allowable fine per violation is currently \$100.00 and is subject to change with the Nevada Legislature. The La Jolla Classic Homeowners Association reserves the right to define, on a case by case basis, what circumstances constitute a violation of its CC&Rs and Rules, and reserves the right to levy fines to the maximum extent allowed by law.
2. Depending on the effect upon the health and welfare of the Association, the Board of Directors may levy the fine at a lower amount as long as it does not discriminate against another Owner.
3. If the violation poses a threat to the health and welfare of the Association and/ its Owners, the Board of Directors may elect to use legal measures such as filing an Injunction or Temporary Restraining Order against the Owner.
4. In the event that the services of an attorney are utilized by the Board to remedy any violation issue, the Owner will be responsible for any and all resultant attorney fees, legal costs and court costs.
5. Fines and costs will be charged to the Owner's Association assessment account in the form of a Special Assessment and will appear as such on the next billing statement.
6. The Association has the power to place a lien against an Owner's property for non-payment of fines, and may result in foreclosure proceedings in the future.