

CANTAMAR

RULES & REGULATIONS

**ADOPTED: 12/03/91 & AMENDED,
AS APPROVED BY
THE BOARD OF DIRECTORS**

Created as a guideline for the use and benefit of the
Cantamar Homeowners' Association.

CANTAMAR HOMEOWNERS' ASSOCIATION RULES AND REGULATIONS

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**CANTAMAR HOMEOWNERS' ASSOCIATION
RULES & REGULATIONS - ADOPTED 12/03/91**

These Rules & Regulations were developed to maintain our property values and to enhance Cantamar Homeowners' Association. The Cantamar Board of Directors shall determine the definition of any terms or conditions herein, which are subject to interpretation.

The Declarant (the developer) is exempt from these Rules & Regulations as specified in CC&R Article XIV, Declarant's Development Rights, Section 14.1, Limitations of Restrictions on Declarant.

For more information regarding the basis for these Rules & Regulations, please refer to the Cantamar Homeowners' Association Covenants, Conditions, and Restrictions (CC&R's) Sections specified in parenthesis at the beginning of each section.

CLOTHES DRYING FACILITIES (Art. III, Sec. 3.14)

Outside clotheslines or other drying structures are permitted only if they are adequately concealed from the neighboring property, Public/Private Street, sidewalk, or pathway. Clotheslines shall not be attached to fences, common or commonly maintained area structures.

COMMON AREA USE (Art. IV, Sec. 4.8)

Should a resident wish to use a common area for an exclusive use social or recreational function, the resident must petition the Board of Directors in writing/or by calling the Association office a minimum of ten (10) days prior to the next regular Board meeting. The petition shall include the resident's name, address and telephone number; the date and purpose of the event and the number of people to be in attendance. The petitioner need not attend the Board meeting. The Board shall consider the petition at its next regular meeting, take all facts into consideration and shall render its written decision to the petitioner.

PRIVATE DOCK USE (for lots adjacent to the lagoon - Art. V, Sec. 5.10)

Construction Guidelines: Compliance with the Community of Harbor Bay Isle's Private Dock Installation Guidelines, including the Maximum Building Envelope for Lagoon Decks, is required for the construction of private docks on the lagoon lots. Private docks must be maintained in good condition and repaired when needed.

Dock Use Limitations: Dock use shall be limited to the launching and enjoyment of small non-motorized boats. No barbecues, lighting, garbage cans, or sport/recreational apparatus (including boats) and other objects specified in the CAC Rules and Standards shall be installed, kept or stored on private docks.

Small Boat Storage: Small, portable, non-motorized boats may be stored on the homeowner's property in an area that is not visible to neighboring homes. The Board of Directors shall determine the definition of a "small, portable, non-motorized boat." Small boats must be maintained in good and useful condition. Boat repairs may be performed on the owner's property, but the boat must be stored in an area not visible to neighboring homes between the hours of 5:00 PM and 8:00 AM.

GARAGE USE (Art. III, Sec., 3.15)

Storage Limitations: Garage use shall be limited to storage of vehicles and typical household items only.

Garage Use Limitations: Garages shall not be remodeled or used for any purpose, which would interfere with the accommodation of two, or three full sized passenger vehicles, or one, if a one vehicle household.

Garage Doors: Residents are encouraged to keep their garage doors closed except during entering and leaving the garage to maintain the attractive appearance of the neighborhood and to reduce the possibility of unlawful entry and theft.

GARBAGE AND RECYCLING CONTAINERS (Art. III, Sec., 3.23)

Container Collection: Garbage or recycling containers may be left at the street curb for pickup on the day scheduled in the area by the City. At all other times, containers must be stored inside a resident's garage or side yard. Containers may not be stored in the Association's landscaped Common Area.

Garbage Containers: Garbage containers must be covered at all times to avoid odor and loose trash. The container shall be black, brown, dark green, pale blue, or gray plastic or metal, in sizes from 15 to 35 gallon capacity. If the City of Alameda offers an approved garbage container in the future, it will be acceptable.

Recycling Containers: The container size, type, and use shall be dictated by the agencies collecting recycled materials.

HOUSEHOLD PETS (Art. III, Sec., 3.21)

Pet Limitations: A maximum of three pets per home is permitted. A resident may petition the Board of Directors, in writing, a minimum of ten working days prior to the next regular Board meeting to request a hearing before the Board to consider a petition for an exception to the three pet limitation. The Board shall hear the petition, take all facts into consideration, and render its decision in writing to the owner.

Pet Behavior: No unreasonably noisy, destructive and/or aggressive pets are permitted at Cantamar. The Board of Directors has the final authority to determine if a pet is unreasonably noisy, destructive and/or aggressive.

Pet Control: The CC&R's require that pets shall be kept under reasonable restraint when outside of a resident's property either by leash, cage or hand-held. Per City of Alameda Ordinance #9-122, residents must clean up after their pets that have soiled the common areas, streets and sidewalks.

Domestic Birds: Birds may be kept inside or outside a house provided the birds do not disturb neighbors or damage common areas or commonly maintained areas.

Pet Complaint Procedures: When the Board of Directors or the Manager receives a written complaint regarding a pet, a First Notice will be sent to the pet owner. The Notice shall contain the specific nature of the complaint and the remedy sought. If two or more complaints are received

regarding the same pet, or the Board determines the pet to be a nuisance, the pet owner will be called before the Board for a hearing regarding the complaints. The Board shall consider all facts and render its decision in writing to the opener. The Board may require the owner to remove the pet permanently from the Cantamar property.

NOISE (Art. III, Sec., 3.24)

Noise Limitations: Residents shall not create a noise of any kind that is discernable on other property that interferes with concentration or sleep. As a noise nuisance is often ambiguous, the Board may require the owner utilize the services of the Alameda Police Department.

Landscape Installation and/or Construction Exceptions; Individual homeowners may install landscape or hardscape between 7:00 AM and 7:00 PM in accordance with the City of Alameda Noise Ordinance #2177.

PARKING RULES AND ENFORCEMENT (Art. III, Sec., 3.16)

1. No parking shall be allowed in driveways other than for loading, unloading and washing of vehicles. This includes no parking in driveway aprons or on sidewalks. **There are no exceptions.**

2. Street parking is for **Guests only**. Guest parking is permitted only on the side of the street designated.

a. Guest parking is on a first come first serve basis regardless of individual dwelling proximity to available parking.

b. A guest vehicle is defined as any vehicle not the property of or under the direct control of a resident, tenant, or property owner of the Cantamar Homeowners' Association. Additional persons entering into a household will not be considered guests if the length of their stay exceeds 14 days. Any persons visiting longer than 14 days will be required to abide by all regular resident rules and CC&R's, especially in the area of parking regulations.

3. Overnight guests parking in Cantamar must first be registered with Harbor Bay Security. Guest registration is available 24 hours per day, 7 days per week. All guest vehicles are required to display a security PARKING PASS on the dashboard face up in their vehicle during their stay at Cantamar.

a. PARKING PASSES will be issued on request of a resident for no more than 14 consecutive days. No resident can request more than 14 days guest parking in the given calendar quarter (90-day period), regardless of number of vehicles.

b. Guest parking for more than 14 days is not permitted without the express approval of the Cantamar Board. The Board reserves the right to exercise parking refusal on any or all parking extension requests.

4. Guest parking is designed only for motor vehicles used as normal transportation. NO BOAT, TRAILER CAMPER, GOLF CART, COMMERCIAL VEHICLE, MOTOR HOME OR RV

shall be parked in any guest parking areas. This type of vehicle will be subject to tow without prior warning with manager or Board approval.

5. No part of the street, parking strips, or common areas shall be used for repair, storage, construction or reconstruction of any vehicle.

PARKING ENFORCEMENT:

1. The Association through Harbor Bay Isle Security operation on an "On Call" basis and/or a designated parking control company will issue a courtesy warning notice on the first vehicle violation on any of the above rules, excluding immediate hazard or unforeseen circumstances as they arise. Between the hours of 8:00 AM to 8:00 PM in the case of fire lane, driveway or commercial vehicles in the area, an attempt within a 4 house radius, (2 houses each side of street) will be made to determine and identify the violating vehicle owner to solicit his/her cooperation in moving the vehicle. This action will constitute the FIRST COURTESY NOTICE WARNING.

2. If the violation reoccurs, the Association through it's designated agent shall leave a second courtesy warning notice and additionally request, in the case of NO PARKING ZONE AND FIRE LANE VIOLATORS, that APD/AFD respond to issue the appropriate citation to the violating vehicle under section 17-217 of the Alameda Municipal Code.

3. Subsequent violations shall result in the removal of the offending vehicle without attempt to locate the owner. Prior to removal, an additional citation may be issued as circumstances dictate.

a. Vehicle towing will be authorized by proof of at least 2 prior courtesy warning notices on file at the security office or the Association's designated agent and issued within a 6-month period and will be confirmed by the security officer investigation that specific parking violation.

b. Vehicle owners will be responsible for all towing charges.

PRIVATE STREETS (Art. III, Sec., 3.16 and 3.17)

Private streets shall be used for driving and limited duration parking. Recreations activities are not permitted on private streets.

SPEED LIMIT - THE SPEED LIMIT WITHIN CANTAMAR HOMEOWNERS ASSOCIATION PRIVATE STREETS IS 15 MILES PER HOUR.

SIGNS (Art. III, Sec., 3.13)

Sign Placement Locations: Signs are permitted to be placed either in windows, or in the ground on private property upon the condition that it "... does not adversely affect public safety,

including traffic safety, as determined by the City, County or City and County (CA Civil Code 713)." No sign is permitted in the Association Common Area. Traffic regulation signs or other signs approved by the Developer or the Board of Directors are accepted.

Sign Categories: Two types of signs are permitted to be displayed:

a. For Rent/For Sale signs shall be the dimensions as stated above and display the words "for rent" or "for sale", with the agent's name and telephone number. A maximum of two window signs may be displayed or one yard sign.

If the signs are placed in the owner's private property the sign must be of reasonable design and dimension. The owner shall repair any damage caused to the landscape. Damage caused to the irrigation shall be repaired by the Association and billed back to the homeowner.

b. Campaign/Political signs are permitted, but must be removed within five (5) days following the election date.

SPORT APPARATUS & RECREATIONAL USES (Art. III, Sec., 3.19)

Temporary installations: Temporary sports and/or recreational equipment higher than the Declarant-installed fence, as seen from ground level, may be used, but must be stored in an area not visible from the neighboring homes overnight or when not in use.

Exception Petitions: A resident may petition the Board of Directors for an exception to the permanent or temporary sports or recreational equipment structure, as described above, which exceeds the fence height. The petition must be submitted a minimum of ten (10) days prior to the next regular Board meeting. The Board shall hear the petition, consider all of the facts, and shall render its written decision to the petitioner. The Board has the option to prohibit a temporary or permanent sports/recreational structure or apparatus remaining in the Cantamar Homeowners' Association project.

WINDOW COVERINGS

Owners must install interior window coverings (e.g. draperies) within ninety-(90) days of the close of escrow.

Definition: Window coverings are defined as any covering of a window or glass door that may be seen from outside the house.

Color Uses: The exterior appearance of window coverings shall be white, off-white or natural wood color.

Window Covering Restrictions: Reflective material window covering is prohibited. The prior written approval of the Board of Directors may permit window tinting of non-reflective, dark charcoal color material.

