

COSTA BRAVA
HOMEOWNERS
ASSOCIATION

RULES
AND
REGULATIONS

ADOPTED
JANUARY 29, 1996

**COSTA BRAVA HOMEOWNERS' ASSOCIATION
RULES AND REGULATIONS**

**ADOPTED BY THE BOARD OF DIRECTORS OF THE
COSTA BRAVA HOMEOWNERS' ASSOCIATION ON
JANUARY 29, 1996**

PURPOSE AND SCOPE OF THESE RULES

These Rules and Regulations were developed to maintain our property values, to enhance our neighborhoods, and to promote harmonious living in the Costa Brava Association.

The Costa Brava Association Board of Directors shall determine the definition of any terms or conditions herein, which are subject to interpretation.

For more information regarding the basis for these Rules and Regulations, please refer to the *Costa Brava Association Covenants, Conditions, and Restrictions (CC&Rs)*. Articles are given in parentheses at the beginning of each section.

Owners with Tenant/Renter Occupants: Owners are accountable and responsible for the consequences of their tenants' activities. Owners shall provide copies of the Costa Brava 1) CC&Rs, 2) Rules and Regulations, and 3) Architectural and Landscape Guidelines to tenants. Lease and rental agreements shall include a requirement that tenants must comply with all Association regulatory documents.

SWIMMING POOL AREA RULES

Entrance Control: The Costa Brava Pool Area is private, not public property. All Pool Area users must have a valid proof of Costa Brava residency. No person will be admitted to the Pool Area without such proof of residency.

Any resident, Board Member, or Community Staff may request identification of anyone on Association property including the Pool Area. Failure to present proof of residency, or to immediately obtain it from a home, will be cause for a request to leave the premises. Failure to comply with such request may result in a call for assistance to the Community Security Department or the City of Alameda Police Department.

NO LIFEGUARD IS ON DUTY - Use of the Pool Area is at the risk of the user. The Costa Brava Association assumes no responsibility or liability for accidents occurring as a result of the use of these amenities.

To report pool rule violations of an urgent nature, call the Community's Security Department at 510-865-0417.

Operating Hours: The Costa Brava Board of Directors shall determine the months and day of the year the pool will be open with notification to all owners. When open, the Pool Area operating hours are:

6 a.m. to 10 p.m., Sunday through Saturday

Use Restrictions: Children under age 14 years of age must be accompanied at all times by an adult 18 years or older, who is responsible for the child's safety and rules compliance. Adults who are not parents of the children in the Pool Area accept responsibility and hold the Costa Brava Association harmless for any accidents involving their charges.

Persons under 14 years of age are prohibited by California law from the pool area without constant adult supervision.

Persons under 18 years of age are prohibited from the pool complex from 8 p.m. until closing unless accompanied by an adult responsible for that minor's behavior.

Because the pool area is private property and because this is a family-oriented environment, appropriate swim attire is required. Swimsuits must be manufactured as swim wear. Thong bikinis or G-string suits on either women or men are inappropriate in this setting.

Guests: We do not have facilities for private pool parties and such parties are not permitted. No more than three (3) guests per household, only two of which may be under 18 years. **Residents must accompany guests and are responsible for the conduct and rule compliance of their guests.**

Pool Gate: Pool users are responsible for closing (and locking) the gate after each entry and departure. **Climbing the fence/gate is absolutely prohibited at all times.**

Prohibitions & Conditions: Several prohibitions and conditions are necessary for safety reasons, consideration of neighbors, and property protection. If something appears hazardous, please notify the Association Manager during Community office hours or the Security Department at other times.

For health and safety reasons, any item that is inconsistent with safe pool use is prohibited. Such prohibited items include, but are not limited to:

- Glass containers and food. All refuse must be placed in trash receptacles.

- Floating hair, which can create health and aesthetic problems and damage the pool filter. Swimmers with long hair must secure it with braids or rubber bands or use bathing caps.
- Cut-off clothing, which might unravel into the pool filter, including sweatshirts or other outer clothing.
- Scuba gear, sports equipment, toys, skates, skateboards.
- All pets.
- Pool flotation devices (rafts, inflated mats, etc.) are permitted only when the pool is not crowded.
- Radios, C/D or tape decks, and TVs are not permitted unless used with earphones.
- Suntan or sunscreen lotions, which must be removed by showering before entering or re-entering the spa or pool, in order to prevent damage to the pool filter.

Pool Furniture: Pool furniture is not to be removed from the gated pool area and shall not be abused.

Spa: Persons using the spa are responsible for turning it off and for covering it after each use.

Pool Gate Keys: The Association will charge \$25.00 to replace a lost or stolen pool key. Upon the sale of a home, the owner shall provide the purchaser with the pool key, or the new owner may purchase a key for \$25.00 from the Community Offices.

Pool Rules are posted on the outside of the bathroom/shower cabana. All Pool Area users are responsible for reading, understanding and knowing these rules **before** using the Pool Area. Of particular note are the following:

- Infants must wear rubber or plastic pants while in the pool or spa.
- Disturbing or hazardous behavior, including running and diving, will be cause for a request to leave the premises. Pool area users shall conduct themselves in a manner that will not disturb the quiet enjoyment of others.

Owners with Tenant/Renter Occupants: Owners shall be responsible for the consequences of any violations of the Pool Area Rules and Regulations by their tenant Residents or their guests.

MAINTENANCE STANDARDS

Owners shall maintain their dwelling and any ancillary structures in good condition. Good condition shall be defined as including, but not being limited to, the following:

- Exterior trim and wrought-iron fences must be repainted as needed to maintain an attractive appearance.
- Caulking around window trip shall be maintained in watertight condition to avoid stucco staining from water leaks.
- Gutters and downspouts shall be periodically cleared of debris clogging that could lead to overflows and subsequent stucco staining.
- Fogged thermal pane windows or doors shall be replaced.
- Landscape shall be maintained good condition by (1) removing all weeds, (2) watering and fertilizing and trimming as necessary to maintain an attractive appearance, and (3) not permitting front, rear or side yard grass to grow beyond five (5) inches in height.
- Trees or shrubs visible to neighboring property, common areas or commonly maintained areas or public areas shall be appropriately pruned and maintained in an appropriate and healthy condition with attention to containment of tree roots when necessary.

Businesses (in-home): In-home businesses are not allowed.

Common Area Use: Common Areas may not be permanently reserved for the exclusive use of any resident or group of residents.

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 for a hearing 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 Board shall consider the petition at its next regular meeting, take all facts into consideration and shall render its written decision to the petitioner within three working days of the meeting. The petitioner need not attend the Board meeting.

Drains And Toilets: The Association is responsible for the maintenance of its own sewage system and pump station, which is installed below and feeds into the City of Alameda's system. To avoid unnecessary additional expense to all owners, the following types of materials shall not be emptied into drains or toilets:

- Kitchen grease or cooking oil.
- Hazardous materials: Auto oil and other fluids, solvents, insecticides, paint/stain.
- Stringy materials: Nylon hosiery, diapers, sanitary napkins, plastic bags, mops, rags, and paper towels.
- Hard objects: Toys, tennis balls, leather, and plastic tampon inserter tubes.

Firewood storage is permitted in rear and side yards only and shall be stacked in an orderly manner. Firewood shall not come in contact with fences or houses, shall not be stored on zero lot line easements, and shall be kept out of neighboring views as much as possible. Care should be taken to avoid and control the spread of insect pests brought in firewood brought on to the property.

Flags and Banners are permitted for temporary display (up to two weeks) in a house-mounted wall bracket. Flags must be maintained in an appropriate condition and must comply with commonly accepted flag rules. Flags shall be hung so as not to obstruct walkways or other maintained common areas.

Furniture (outdoor) used in conjunction with the landscape/hardscape of a residence shall be designed specifically for exterior gardens and patios. The color and style of these exterior furnishings shall harmonize or coordinate with the appearance and finish of the residence.

Garage Use: Garages shall not be remodeled or used for any purpose that would permanently interfere with the accommodation of two full-sized passenger vehicles. Garage use shall be limited to storage of vehicles and typical household items only.

Residents shall keep their garage doors closed except during entering and leaving the garage to maintain the attractive appearance of the neighborhood and to reduce the likelihood of unlawful entry and theft.

Garbage & Recycling Containers: Garbage containers must be covered at all times to avoid odor and loose trash. The container shall be black, brown or dark green 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. The size, type and use of recycling containers shall be dictated by the agencies collecting recycled materials.

Homeowners may leave garbage or recycling containers at the street curb on the night before the day of scheduled pickup. 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. Residents are responsible for removing litter from their property.

Hoses and Hose Reels shall not be stored anywhere in a Common Area. (In the front yards of most Costa Brava Homes the Common Area begins immediately outside the front courtyard.) Storage of hoses and hose reels is permitted in front courtyards or in front yards immediately adjacent to water faucets if adequately screened from public view.

Insect Traps (electronic) may be installed in rear yards, but they shall not create a nuisance to neighboring properties.

Lights (seasonal): Seasonal celebratory lights are allowed only during the specific holiday season and may be installed for no more than one month before, and must be taken down by one month after, the celebrated event. Homeowners should take care in installing these lights as they represent significant fire hazards.

Noise Restrictions: In general, residents shall not create noise of any kind that is discernable on other property that interferes with concentration or sleep.

Homeowners or their agents may install landscape or hardscape only between 7:00 A.M. and 7:00 P.M. in accordance with the City of Alameda Noise Ordinance #2177.

Outdoor amplified speaker system installations are not permitted.

Wind chimes are discouraged, but are permitted only if the sound level does not intrude into neighboring property.

Pets: No unreasonably noisy, destructive or aggressive pets are permitted at Costa Brava. The Board of Directors has the sole and final authority to determine if a pet is unreasonably noisy, destructive or aggressive.

The CC&Rs require that pets shall be kept under reasonable restraint when outside of a resident's property either by leash, cage or hand-held. Owners must clean up after their pets that have soiled the Common Areas, streets, sidewalks or private property. Dog and cat owners must comply with Alameda's Pet Ordinances. i.e. dogs on leashes, cats not allowed to roam.

Birds may be kept outside a house provided the birds do not disturb neighbors.

Pet Complaint Procedures: When the Board of Directors or the Manager receives one verbal or 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 owner within three working days following the hearing. The Board may require the owner to remove the pet permanently from the Costa Brava Association property.

Signs: No signs whatsoever shall be erected or maintained on any lot within the Community and Costa Brava properties except:

- Signs required by legal proceedings;
- Residential identification signs subject to the approval of the Community Architectural Committee as to suitability;
- Signs required by the Community or Costa Brava Homeowners' Associations;

- Real estate signs (see limitations below);
- Political campaign signs (see limitations below).

Real Estate Signs: Signs may be displayed only when there is an active and serious attempt to rent or sell the home. A maximum of one sign per home may be may be displayed in a window or in the ground.

For Rent/For Sale signs shall be a maximum of 18” x 24” displaying the words “For Rent” or “For Sale”. A maximum of two additional hook-on signs of 6” x 24” each are permitted for the agent’s name and telephone number and other information for a total sign area of 30” x 24”.

No “For Sale” or “For Rent” signs shall be located upon any of the common area properties, or within the areas and jurisdiction of the Planned Development Permit issued by the City of Alameda pertaining to the properties of the Community of Harbor Bay Isle.

Political Campaign Signs: Political campaign signs are permitted on homeowner’s properties but must be removed within five days following the election date. Posting political signs in the Community or Costa Brava Association common areas is prohibited.

Contractor Signs: Posting contractor signs for installation work is prohibited. Homeowners are responsible for complying with the prohibition against posting contractor’s signs within private property or Association common areas.

Business Signs: In-home businesses signs are prohibited.

Enforcement: The Community or Costa Brava Association Board of Directors shall have the authority to hold an enforcement hearing for alleged violations of this Sign Resolution by property owners and/or their tenants. The Boards may require immediate removal of the violating sign and assess the property owner \$5.00 per day following the failure to remove the sign as ordered.

Sports Apparatus & Recreational Uses: Temporary sports and/or recreational equipment higher than the developer-installed fence, as seen from ground level, may be used, but must be stored in an area not visible from neighboring homes overnight or when not in use. Temporary basketball standards must comply with the requirements stated in the Community’s Architectural Rules and Standards. Permanent basketball standards are not permitted. Other types of permanent sports or recreational equipment are covered by the Costa Brava Architectural Guidelines and require an architectural application.

Window Coverings: Window coverings are defined as any covering of a window or glass door that may be seen from outside of the house. Interior window treatments (e.g. draperies, blinds, etc.) must be installed within ninety (90) days of the first and subsequent closures of escrow.

Reflective material window covering is prohibited, except for film installed by the developer, as stated in the Costa Brava Architectural and Landscape Guidelines. The prior written approval of the Board of Directors may permit window tinting of non-reflective, dark charcoal color material.