

**RULES AND REGULATIONS
FOR
VILLA SERENA ASSOCIATION
AMENDED & ADOPTED 6/10/24**

CONTENTS

Part 1. RESIDENCY

Part 2. LEASING

Part 3. PETS

Part 4. PARKING & DRIVING

Part 5. SWIMMING POOL

Part 6. CLUBHOUSE

Part 7. PRIVATE PARTIES

These rules were originally adopted on June 8, 1973. Certain changes, corrections and additions were made while preparing this compilation. This document replaces all prior Rules and Regulations, modifications to which were made in 1991, 1999, 2009, 2016, 2018, and 2019.

If there has been no substantial change in a prior rule, the effective date of the prior version still applies. Where an original rule was amended, the amended version appears.

Failure by the Board of Directors to require compliance with a Rule or Regulation or to enforce the same in any given instance shall not be deemed to repeal or waive such Rule or Regulation nor prejudice the right of the Board to take whatever action it sees fit with respect thereto or as to other violations.

Any consent or approval given under these Rules and Regulations may be added to or amended at any time by the resolution of the Board of Directors.

Members' complaints, criticisms or suggestions must be submitted in writing to the Board and signed by the complainant. All complaints will be formally addressed by the Board at their next regular meeting, and a response will be returned to the member submitting the complaint or suggestion.

1. RESIDENCY

- 1.1.** No use shall be made of any townhouse unit, nor any material stored therein, that would increase the applicable residential rate of insurance on that townhouse, or contents thereof, or which would result in the denial or cancellation of insurance, or which would be in violation of the law. Smoke detectors or fire alarms shall be installed in each unit as required by Arizona and Scottsdale laws.
- 1.2.** No industry, business, trade, occupation, or profession of any kind, commercial, religious, educational, or otherwise, designed for profit, altruism, or otherwise, shall be conducted, maintained, or permitted on any part of the common property.
- 1.3.** No noxious, disturbing or offensive activity shall be carried on in any townhouse, or in the common areas or recreational facilities, either willfully or negligently by any owner/lessee, family, servants, employees, visitors or guests, which may be an annoyance or nuisance to other owners or that will interfere with the rights, comforts and convenience of other owners.
- 1.4.** Trash and recycling containers are for the personal use of the residents of Villa Serena only. Trash from a resident's business or from any other source outside of what is normally generated in residents' daily lives should not be deposited in the community waste containers. Boxes and large items should be broken down flat before being put in the container to allow room for others' trash and recycling. Residents should use the containers closest to their homes unless they are full, then should use the next available container with room. All garbage shall be placed in a plastic bag, tied, and placed into a trash container. All trash container lids shall be kept closed. Recycling is restricted to bottles, cans, paper, and cardboard, and must be free of food or waste residue. No plastic bags of any kind are acceptable in recycling containers.
- 1.5.** "For Sale" signs may be installed in front of a homeowner's property in accordance with the rules of the City of Scottsdale. "Open House" signs may be placed in front of an owner's property while an open house is in progress, but such sign shall be in place only during such hours between 6 AM and 8 PM and the owner and/or agent must be on the premises for the purpose of conducting such an open house.

- 1.6.** Political signs may be placed in the windows of properties in accordance with Arizona and the City of Scottsdale laws.
- 1.7.** Estate sales for purposes of moving, are allowed at the homeowner's property on three consecutive days and limited to the hours between 7 AM and 5 PM. An estate sale must sell items that are related to residential use of that property and goods or items must not be brought in from a commercial enterprise or business for the specific purpose of selling or auction. No signs are to be placed on medians or sidewalks. No balloons or flags should be attached to the signs. All signs must be removed at the end of the daily allowed hours. Estate sales not associated with the sale of an owner's property are not allowed. Yard and garage sales are not allowed.
- 1.8.** If any key or keys are entrusted by a co-owner or occupant or by any member of their family or by an agent, servant, employee, licensee or visitor to an employee of the Association, whether for such townhouse or an automobile, or other items of personal property, the acceptance of the key shall be at the sole risk of such co-owner or occupant. The Board of Directors shall not be liable for injury, loss or damage of any nature whatsoever directly or indirectly resulting therefrom or connected therewith.
- 1.9.** If anything that requires prior written approval by the Board of Directors or the Architectural Committee is done to a townhouse without such approval, the owner of such unit shall remove or correct the violation upon being notified in writing by the Board of Directors.
- 1.10.** Dues and/or assessments become due and payable on the first day of January, April, July, and October each year. If a homeowner is delinquent for more than 30 days, the following penalties shall be imposed: \$50 for any payment more than 30 days past due, and the principal balance shall bear interest at the rate of 18% per annum. Delinquent accounts past one quarter shall result in a lien upon the property of the delinquent owner. All liens will be enforced immediately. The delinquent owner shall be responsible for all assessments and legal fees incurred by the Association.
- 1.11.** Homeowners are responsible for any damage to Association property that may come from a spill, leakage or any source that was generated by the homeowner, from the home itself or from anyone in their household. It is also the responsibility of the homeowner to ensure that anything draining from their roof

does not stain or deteriorate the walls or grounds. Anything that may cause deterioration, either visible or structural, of Association property, whether done intentionally or not, is the responsibility of the homeowner to repair or the Association may fix the problem and the homeowner will be responsible to reimburse the Association for the cost to return the damaged area to proper condition.

2. LEASES

- 2.1.** No more than 15% (9) lots may be placed for lease at any given time and any member in good standing may submit an application to the Board prior to leasing. All leases must be for a minimum of 12 months. A new tenant must be secured within 3 months of a vacancy or the homeowner must reapply to lease their property. All required information and fees must be submitted and paid prior to occupancy. See CC&R's Amendment to Article 3, Section 3.8, dated 5/13/24 for complete information.
- 2.2.** The use of a home for friends or family, without compensation, requires notification to the Board and management company prior to their arrival. The information provided must include dates, name, address, phone, email, vehicle description and license plate number of anyone staying as a guest while the owner is absent. The homeowner is responsible for the actions of their guests at all times and must make their guests aware of the requirements of the Rules and governing documents of this community.

3. PETS

- 3.1.** Residents as of the effective date of these Rules, with pets that do not conform to these rules, shall be given grandfathered rights for those pets, per approval of the Board of Directors. This does NOT absolve such pets and their resident owners from meeting the behavioral requirements below.
- 3.2** Pet owners have a responsibility for the care and the behavior of their pet. Any member who cannot control the behavior of their pet will be warned, fined or will have to remove their pet from the premises.
- 3.3** Forbidden pets: Wild animals, farm animals, and reptiles. An aggressive animal that could threaten the residents of the community in any way will be required to be removed from the premises. The determination of this threat will be at the sole judgment of the Board of Directors.
- 3.4.** There is a limit of two pets per household with respect to dogs and cats.

- 3.5. Licensure: Collars and ID tags or chips are recommended on all dogs and cats. Any animal found on Villa Serena property without any identification may be deemed a stray and turned over to the Humane Society. Identification tags must have the owner's name, and either address or phone number.
- 3.6. Each member is responsible for complying with all applicable State, City and County requirements with respect to licensing and vaccinations.
- 3.7. Pets shall be confined within the owner's property. When not on the owner's property, the owner or custodian of a pet must always restrain and control the pet by securing it with a leash of no longer than six feet as required by Scottsdale law. Pet owners must pick up after their pet. All fecal matter must be disposed of immediately in a closed or sealed container. No pet shall be permitted to be at large and may not be tied up or left outside a unit. Any resident pet reported wandering the property will be considered in violation of pet rules, resulting in a notice of violation. Any damage to Association property from a dog from digging or killing of grass or plants is the responsibility of offending dog owner.
- 3.8. Animals are not allowed in the pool or clubhouse area.
- 3.9. Breeding pets is forbidden.
- 3.10. Prolonged dog barking will not be allowed. Pets shall not be left on unenclosed patios when no one is home. Pet doors are prohibited in the front door but may be used for pet indoor/outdoor access in other locations.
- 3.11. Food should never be left outside of units. Doing so attracts roaches, crickets, rodents, and other animals, and constitutes a nuisance. Enclosed bird feeders, including hummingbird feeders, are permitted on private enclosed patios only.
- 3.12. Pets visiting members must abide by Villa Serena rules. Complaints against visiting pets will result in a notice of violation.

4. PARKING & DRIVING

- 4.1. Parking on the Inner Drive, that being the private roadway that passes in front of entrances to homes and behind garages of 7139, 7141, 7143, 7147, 7151, and 7153 E. McDonald Drive:
 - 4.1.1. There shall be no parking whatsoever of bicycles, boats, campers, motor

homes, trailers, or other such vehicles on the Inner Drive, except for the temporary curbside parking of owners' and guests' passenger automobiles, light trucks or medium-duty passenger vehicles and authorized service and delivery vehicles that must access the front entrance of a Villa Serena townhouse in order to accomplish their tasks. All service vehicles shall access townhouses through the garage entrances to do any construction or repair work whenever possible.

4.1.2. Parking of such vehicles is restricted to the outside curb of the Inner Drive only, by order of the Scottsdale Fire Marshal, to provide emergency vehicle access.

4.1.3. Vehicles shall not be parked in front of any walkways.

4.1.4. There shall be no overnight parking (between the hours of Midnight and 6 AM) of any vehicles on the Inner Drive. Requests for temporary exceptions may be made in writing to the Association Board of Directors, by email or U.S. Mail. In no case will an exception be granted to park on the inner curb of the Inner Drive.

4.1.5. The Scottsdale Fire Marshal has an easement that grants the authority to post "Restricted Parking" signage on Villa Serena roadways. Violation of these parking restrictions could result in signage installations visually unbecoming to the subdivision.

4.2 Parking on the Outer Drive, that being the private roadway that passes along the outer boundary walls of the subdivision:

4.2.1. The parking of bicycles, passenger automobiles, boats, campers, and other vehicles for more than forty-eight (48) hours on the Outer Drive is prohibited, except for the parking of owners' and guests' passenger automobiles, non-commercial light trucks, or passenger vans. Temporary vehicles and authorized service and delivery vehicles that must access the rear entrance of a townhouse to accomplish their tasks will be allowed but may not be left overnight.

4.2.2. Parking of such authorized vehicles is restricted to the inside perimeter of the Outer Drive only (against the homes) and is not to obstruct access to any fire hydrant or in front of any trash container. Service and delivery vehicles may not remain on the subdivision premises between 6 PM and 7 AM. The outer perimeter of the outer drive is considered a fire lane by the Scottsdale Fire Marshall and cannot be blocked at any time.

4.2.3. Parked vehicles must display current registration, or they will be considered abandoned and may be towed by the association.

4.3 Homeowners requiring temporary exceptions to the Parking Rules may make a written request to the Association Board of Directors by email or U.S. Mail. In no case will there be an exception granted to parking regulated by the Scottsdale Fire Marshall.

4.4 Garage doors should not be left open for prolonged periods.

5. SWIMMING POOL

5.1. All persons using the pool or recreation area do so solely at their own risk. There is no lifeguard or supervision.

5.2. Gates at the pool and doors of the clubhouse **MUST** be locked at all times and never propped open. It is imperative that the gates and doors be locked in order to protect our investments and to comply with the Maricopa County ordinance.

5.3. Children under age 14 must be accompanied by and always be under the supervision of an adult while in the pool area. Children under age 5 are not permitted to use the hot tub.

5.4. Persons with open cuts, sores, bandages, etc., shall not enter the swimming pool or hot tub.

5.5. No glassware of any kind shall be used in the pool area. The Scottsdale city commercial pool inspector will regularly inspect our pool for compliance and may shut down the pool and fine the community if glass is found in the trash or anywhere in the pool area. It is very dangerous to have glass in an area where children and adults are barefoot.

5.6. Vehicles, bicycles, or self-propelled devices of any kind are prohibited within the pool area.

5.7. Pets are not allowed in the pool or recreational area.

5.8. Members or their guests may not leave drinking cups or other trash in the pool or recreation area. Containers are provided for the disposal of such debris.

- 5.9. The pool area should be left in clean and orderly condition. Furniture should be returned to original locations and umbrellas closed and tied before leaving the pool area. **Smoking is not permitted in the pool area.**
- 5.10. No one, except individuals authorized by the Board, may adjust the temperature for the pool or the hot tub.
- 5.11. The hot tub must be turned off after use.
- 5.12. Good order shall prevail at all times in the pool and recreational area. No diving, running, pushing, splashing, or other boisterous or unbecoming conduct will be permitted.
- 5.13. Compliance and cooperation in the observance of these rules and regulations and careful maintenance of our recreational areas will allow the pool and facilities to be used and enjoyed in the best way possible for all concerned.

6. CLUBHOUSE

- 6.1. Members or authorized guests are responsible for turning off all lights, returning furniture to original position, and removing any personal items or trash. **Smoking is not permitted in the clubhouse.**
- 6.2. After sunset, the hanging light fixture outside the clubhouse, on the pool side, shall be left on all night but turned off in the daytime. (A photocell always controls the operation of this light.)
- 6.3. Doors must be locked at all times, and never propped open.
- 6.4. The sauna is to be turned off after use.
- 6.6. Users of the microwave, refrigerator, counters, and other equipment must thoroughly clean all such equipment immediately after use.
- 6.7. People using exercise facilities and equipment do so at their own risk. Children under fourteen are not permitted to use equipment without adult supervision.

7. PRIVATE PARTIES

7.1. Any townhouse owner, resident or tenant may reserve the recreational pool and/or clubhouse area for private parties, during which time they and their guests may use the facilities exclusively, subject to the following:

7.1.1. Reservations must be made in writing by notice to the Association Board of Directors and management company.

7.1.2. Reservations cannot be made for more than 50 persons due to fire code.

7.1.3. Reservations must specify which area(s) will be occupied during the event.

7.1.4. The area must be thoroughly cleaned by the person making the reservation immediately following private use. Upon inspection, if the area is not cleaned sufficiently, the homeowner will be billed for the use of a cleaning service.

7.2 The right to reserve pertains only to owners, residents or tenants and cannot be extended to relatives, friends associates, or guests. The owner, resident or tenant must be in attendance at the private party to ensure that Association Rules & Regulations are followed, including traffic and parking.

7.2. The right to reserve pertains only to owners, residents, and tenants and cannot be extended to relatives, friends, associates, or guests.

The above Rules and Regulations for Villa Serena Association were duly adopted and amended by a vote of the Board of Directors for the Villa Serena Association on

June 10, 2024.

VILLA SERENA ASSOCIATION

By:  _____

Greg Sternberg, President

Dated: 6/10/24