

Monterey Park Association Villa Monterey Units 5 and 5A
7816 E. Highland
Scottsdale, AZ 85251

RULES AND REGULATIONS ADOPTED JANUARY 17, 1989

(Amended Apr 17, 2007; Sept 9, 2008; Oct 22, 2012; June 1, 2015; Mar 12, 2022; May 5, 2025; Oct 13, 2025)

POOL

1. Shareholder: A shareholder is the person(s) named on the Monterey Park Association stock certificate.
2. Guest: A guest is anyone that is not a shareholder.
3. Guests temporarily visiting or residing with a shareholder must be accompanied by the shareholder when visiting the pool/recreation area or have a Monterey Park Association Pool Pass, which can be obtained from any Board member. The only exception to the Pool Pass requirement is a family member living in the shareholder's Villa Monterey 5/5A home.
4. A Pool Pass is intended only for the guest(s) named thereon. Any additional non-residents must be accompanied by a shareholder.
5. A non-resident guest under age 17 must be accompanied by a shareholder or an adult guest Pool Pass holder.
6. Pool hours are 7:00 a.m. to 10:00 p.m. The pool is cleaned on Monday and Friday.
7. Maricopa County dictates that our pool is a non-diving pool. Failure to adhere to this regulation could result in suspension of our permits and closure of the pool.
8. Glassware is not allowed on the pool deck area.
9. All bathers using sunscreen must use a towel to protect the pool furniture.
10. Use caution on sidewalks/pool deck during winter months, as moisture may become icy due to freezing.

RAMADA/PICNIC AREA

1. Smoking is only allowed in the designated smoking area where specifically indicated by signage. Per Arizona law, smoking is allowed outdoors as long as it occurs at least 20 feet away from entrances, open windows, and ventilation systems.
2. Radios/audio equipment are not to be used on the pool deck area without a headset/personal listening device rendering them inaudible. Music is allowed in the Ramada/pool area during a party or coordinated event as long as the volume level does not disturb residents living in proximity to the Ramada/pool area.
3. Non-permanent audiovisual equipment such as computers, televisions, screens, projectors, etc. may be used in the Ramada or pool deck area for special events such as movie nights, meetings, etc. without permanent modification to the Ramada or pool area. Equipment must be removed after the event. Monterey Park Association will not assume any liability nor incur any cost related to equipment usage.

4. A shareholder should be present with any and all groups using the Ramada area. Shareholders wishing to reserve the Ramada must make a prior reservation with the designated committee chair. A reservation allows exclusive use of the Ramada. The pool and pool deck area must be open at all times and cannot be reserved for private functions and events. The event host must supply all paper products/utensils. The reservation request must specify any planned audiovisual equipment. The reservation must specify the anticipated number of attendees. A \$100 deposit is required to secure the reservation prior to the event. After the event, the \$100 deposit will be returned if the area is in the same condition as it was prior to the event. If not, a portion of the deposit will be retained to cover the cost of cleaning. Casual or drop in use of the Ramada for small groups is allowed at any time the Ramada is not otherwise reserved.

GATES AND FURNITURE

1. When entering or leaving the pool/Ramada area be sure all gates are closed firmly behind you. Failure to adhere to this government regulation may result in financial liability and/or pool closure.
2. No Ramada/pool furniture may leave the grounds.

PETS

1. Pets are not permitted in the pool/Ramada area.
2. All dogs must be on a leash when outside the home, per Scottsdale city ordinances.
3. Do not allow pets on private lawns.
4. Always clean up after your pet when walking the neighborhood.
5. Be considerate of neighbors by not allowing pets to make excessive noise.

PARKING

1. All streets in Villa Monterey 5/5A area owned by the City of Scottsdale. Accordingly, all street parking rules are dictated by City ordinances.
2. The rules for parking in carports and driveways are specified in Article II, Section 8 of the Villa Monterey 5/5A CC and R's.

CARPORTS

1. Carports are intended for the parking of passenger vehicles.
2. A maximum of two bicycles may be stored in the carport.
3. Garbage and recycle containers, ladders, and other extraneous objects should not be stored in carports.

STORAGE CONTAINERS

1. Storage containers or dumpsters will be allowed in driveways when construction, remodeling, or moving is actively in progress. If the shareholder has an active City of Scottsdale Building Permit, a roll-off, dumpster, or storage container is permitted without HOA approval. If there is no Building Permit, the maximum storage time is 90 days and requires prior Board approval. No item is allowed on the sidewalk or street.

GARBAGE AND TRASH

1. Garbage is picked up by the City of Scottsdale on Monday and recycle items on Thursday.
2. Do not block streets or sidewalks with refuse containers.
3. Refuse should not be placed out before 4:00 p.m. the day before pickup.

TREES, SHRUBS, AND YARDS

1. No tree, hedge, shrub, or plant may be placed or maintained on property that interferes with public use and safety conditions on the sidewalk.
2. Proper maintenance includes mowing and trimming of plants and trees, weeding, and removal of dead plants and trees.
3. Shareholders with street sign(s) in a corner of their front yard need to maintain an unobstructed view of the sign(s).
4. Shareholders and/or lawn maintenance services must not blow dirt or other debris onto the street. Violators may be penalized by the Scottsdale Police Department.
5. Olive-bearing trees need to be sprayed annually in early spring/summer.
6. Citrus trees must have fruit picked and hauled away by April 30.
7. Palm trees must be trimmed annually by July 15.

EXTERNAL BUILDINGS, FENCES, AND PAINT

1. No unattached structure higher than any wall or fence can be placed on your property.
2. Any structural change to the front exterior of a property must be approved by the Board's Architectural Committee and be in compliance with the City of Scottsdale Historic Preservation Plan and Guidelines.
3. A front yard patio wall can be no higher than 36 inches and must be 6 feet in from the sidewalk.
4. All changes in paint color to the exterior of the home must be approved by the Board's Architectural Committee. Approval is automatic when using the same color as before and the color is on the palette located on the website.
5. Shareholders are responsible to maintain the appearance of their lamp posts. Lamp posts are only to be painted black. Sensors and light bulbs are provided by the Association.

VILLA MONTEREY 5/SA
MONTEREY PARK ASSOCIATION HOMEOWNERS ASSOCIATION
FINE AND APPEALS POLICY

The following Fine & Appeals policy is in effect for Monterey Park Association, Villa Monterey 5/SA, for all violations of the Declaration of Restrictions (CC&R'S), Bylaws, and Rules except for Architectural violations (which are subject to final determination by the City of Scottsdale Historical Preservation Commission).

FIRST NOTICE: A Notice of Violation shall be delivered to the Owner of record by U.S. mail and/or by email. The violation is to be remedied (cured) within 30 days of the date of the First Notice. During this time, the Owner has the right to request a special hearing, closed session or open meeting, via written request or by email, to discuss the violation and remedy.

SECOND NOTICE: If the Owner does not respond or cure the violation within 30 days of the First Notice, a Second Notice requesting compliance within 21 days of the date of the Second Notice will be sent via U.S. mail and/or by email. During this time, the Owner has the right to request a special hearing, closed session or open meeting, via written request or by email, to discuss the violation and remedy.

THIRD NOTICE (\$150.00 FINE): If the Owner does not respond or cure the violation within 21 days of the Second Notice, a Third Notice requesting compliance within 15 days of the Third Notice will be sent by U.S. mail and/or by email. During this time, the Owner has the right to request a special hearing, closed session or open meeting, via written request or email, to discuss the violation and remedy. After the Third Notice and an opportunity for the Owner to be heard, **a \$150.00 one-time fine may be assessed by the Board of Directors.**

Per the CC&R's, failure to remedy the violation permits the Association to intercede and cure the violation at a potential added cost to the Owner.

A violation involving home ownership or home occupancy may necessitate legal action.

A formal recording of the Third Notice, fine, and any added cost will be entered in the minutes of the Board of Directors monthly meeting when assessed. If unpaid, the violation and monetary obligation will be disclosed on the Demand Request sent to the Title Company when the residence is sold or there is a recorded change of ownership.