

RESORT PARK ASSOCIATION, INC.
VILLA MONTEREY IV
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RULES & REGULATIONS

INTRODUCTION

In order for Villa Monterey IV to operate effectively, as a 501c4 Planned Community where the Association owns the common space, for the full benefit, safety and well-being of its owners, lessees/renters and guests, the board of directors has established the following rules and regulations to be observed by owners, lessees/renters and, where applicable, guests.

These rules and regulations outline important standards for our 55+ community. They are designed to keep our properties in the best possible condition to help protect and enhance property values; preserve key elements of the original architectural design of our Scottsdale Historic District; and protect against disturbances which may interfere with the quiet enjoyment of our individual and common properties.

Any questions about these Rules and Regulations will be answered by members of the VMIV Board of Directors.

SECTION A. RESIDENTIAL AREAS

1. Owners must notify the Villa Monterey IV HOA board in writing for any of the following changes:

- Contact information including cell phone & email
- Occupancy of any and all residents on the property
- Ownership changes
- Intent to sell the property

Changes must be submitted in writing to the HOA board either by email at **info@resortpark.org** or via US mail (address listed above).

A “Notice to Sell” form * can be found on the website and in the Clubhouse on the Resident Information Table. The required form must be completed and submitted in writing at least 30 days prior to listing or intent to sell.

2. **At least one (1) occupant residing in the home must be 55 years of age or older.** The home buyer or owner does not need to be 55+. Please refer to the Covenants, Conditions and Restrictions (CC&Rs), Article III, Section B for details on age restrictions. Buyers must agree to abide by the VMIV CC&Rs and the Rules and Regulations listed here. Both documents can be found on the HOA website: <http://www.resortpark.org>
3. **Leasing or renting is only allowable after the Owner owns the home for eighteen (18) consecutive months after the close of escrow on the property.** Lessees/renters must meet the age restrictions as outlined in the CC&Rs, Article III, Section B. Owners must provide lessees/renters with a copy of, or access to, the CC&Rs and the Rules and Regulations. The required "Rental Verification" form* must be completed and submitted by the owner to the HOA board prior to leasing/renting. This form can be found in the Clubhouse on the Resident Information Table or on the website. Please refer to the CC&Rs Article III, Section E for details on leasing/renting.
4. **The only signs allowed on the property are those listed below. No advertising signs are permitted.** Please refer to the CC&Rs, Article III, Section F for details.
 - One (1) For Sale sign
 - One (1) For Lease or Rent sign
 - One (1) Open House sign
 - Political signs per applicable laws
5. **Homes are for residential use.** No business activities may be conducted on the lot unless the business activity is not detectible by others; conforms to all zoning ordinances; does not involve people coming to the home except on an infrequent basis; does not include door-to-door solicitation of residents; and does not constitute a nuisance or threaten the safety and security of residents, as determined by the HOA board. Refer to the CC&Rs, Article III, Section C for details.
6. **Carports are to be used for vehicle parking.** Noncommercial vehicles used for regular transportation are allowed in the carport including cars, sport utility vehicles (SUVs), pickup trucks and vans. These vehicles must fit inside the carport or within the driveway.

7. **Properly licensed vehicles may only be parked in the designated carport or driveway.** Vehicles parked in the driveway must not obstruct sidewalks and must allow pedestrians to have a safe walking path. Vehicles may not be parked in the front yard of any property. City of Scottsdale parking ordinances apply.
8. **If an allowed vehicle is under cover, it must be parked in the carport or garage, not on the driveway.**
9. **The following vehicles may be parked in the driveway for a maximum of 72 hours: recreational vehicles (RVs), camper trailers, campers, boats, boat trailers and motor homes.** This generally applies for the purpose of loading or unloading. City of Scottsdale ordinances apply.
10. **Vehicles, including those defined above, may be parked on the street for up to 72 hours. However, no commercial vehicles (e.g. pedicabs) or inoperable vehicles may be parked overnight on any VMIV street.** Vehicles must not block any sidewalk or driveway or obstruct the view of a neighbor's ability to pull in and out of adjacent driveways or traveling around any corners in VMIV. City of Scottsdale ordinances apply.
11. **No repair, body work or disassembly of any part of a vehicle is permitted in carports, driveways, or front yards.** Exceptions are made for short-term emergency repairs including, but not limited to, charging or replacing batteries and changing tires.
12. **Electric vehicle charging stations must be professionally installed inside the carport or garage.** Charging stations must meet all City of Scottsdale building and electrical codes. Ideally, charging stations are minimally noticeable from the street.
13. **A limited set of items, in addition to vehicles, are allowed in carports.** The limited set of items may include a small, outdoor table with 1 - 2 chairs or a single bench for sitting (not storage); hung artwork and pots with plants or flowers. Storage furniture is not allowed in the carport.
14. **Garbage and recycling containers are not allowed to be stored in the carport.** Containers must not be visible from the street.

15. **Garbage cans/bags or recycling bins are to be placed in front of the home no earlier than 5:00 PM the night before each designated garbage or recycling collection.** All containers are to be removed from the street as soon as possible after each pickup.
16. **City of Scottsdale Brush & Bulk collection is scheduled during one (1) week each month.** Check <https://www.scottsdaleaz.gov/solid-waste> for the schedule and for the allowable collection materials. The schedule is subject to changes. Place your brush and bulk piles out no later than 5 am on Monday of your collection week. Material may not be placed for collection any earlier than three (3) days prior to Monday of the week the area is scheduled for collection. NOTE: If brush and bulk does not adhere to city guidelines, the owner or resident is responsible for arranging private pick-up and disposal.
17. **Owners are expected to keep all areas of their property well maintained, free from trash, garbage, unsightly objects, equipment, yard debris, etc.** This includes any objects visible from the street or neighboring properties. Note: Scottsdale's Anti-blight Ordinances allow City of Scottsdale inspectors to view all unscreened exterior areas at any time, with or without the permission of the property owner or occupant. Under certain circumstances, the HOA board has the right to enter an individual lot and perform maintenance as required. If maintenance is required by the HOA, the cost will be charged to the owner. See the CCR's, Article VI, Section C. Unresolved complaints in VMIV covered by Scottsdale ordinances will be referred to Scottsdale Zoning Enforcement for action.
18. **All landscaping must be maintained by the owner of the property.** This includes lawns, shrubs and trees. Per City of Scottsdale ordinances, yards should be kept weed-free and well maintained. Weeds, dead and dried vegetation, grass clippings and yard debris need to be cleared and disposed of properly. The storage of equipment, supplies, tools, unused pots or landscape materials are not allowed in the front yard. When not in use, garden hoses must be stored out of site or neatly rolled up near the hose bib/ water spigot. Electric cords can not be visible for front yard lighting except for holiday lighting.
19. **External dumpsters and/or storage pods must be approved in advance by the HOA board and may only be placed in driveways.** The dumpster or pod must be removed within 6 months. This includes a dumpster or pod used for moving, interior remodels, back yard landscape work or exterior front work.

20. **Approved times if excessive noise is necessary.** This includes the use of power equipment or other loud work activity. Owners must advise neighbors, in advance, if work with excessive noise is planned. Owners and lessees, including outside contractors, are not allowed to engage in excessive noise for construction, landscaping or other activities before or after the following hours:
- | | |
|-------------------|-------------------------------------|
| November - March: | not before 7:00 AM or after 5:00 PM |
| April - October: | not before 6:00 AM or after 7:00 PM |
21. **All citrus tree fruit must be picked and removed by April 1.** This is very important due the possibility of roof rat infestation. The HOA has the authority to levy a per-tree fine for each month after April 1 for trees with unpicked fruit.
22. **All palm trees must be trimmed, and debris removed by July 1.** This is due to the safety and damage risks associated with falling fronds. The HOA has the authority to levy a per-tree fine each month after July 1 for untrimmed palms.
23. **Storage units, clothes lines, all types of equipment, wood piles, garbage cans etc. must be kept at the rear the house and below back yard walls so as to conceal them from the view of neighboring lots and streets.** Any exceptions to this rule would require approval, in writing (e-mail or letter), from immediate neighbors and the HOA board. *Thus includes any plans to increase the height of your adjoining back yard cement block walls on any or all sides.*
24. **Front yard furniture must be designed and intended for regular, longterm patio use.** No folding, camping or stadium chairs, or furniture intended for indoor use, are allowed. Patio furniture must be maintained in good condition with periodic cleaning, free of rust, peeling paint, deterioration or damage. Sitting areas must be on a continuous, defined hard surface and approved by the Architectural Review Committee (ARC). See Section C2 of this document for allowed surfaces. Portable fire pits, grills, heaters, or similar are not permitted on any portion of the property visible from the sidewalk or street, when not in use.
25. **All holiday lights and decorations must be removed within two (2) weeks after the end of each holiday period.**

- 26. Individual yard, garage, or carport sales are not allowed unless sponsored by the HOA board.** The HOA board will designate and support community-wide Spring and Fall sales on pre-determined dates. The approved months and specific Friday - Sunday dates will be communicated in advance via the VMIV e-mail newsletter. Private estate and moving sales are allowed for owners only, on a one-time basis for a maximum of three (3) days.
- 27. All pets must be on a leash when outside the confines of a residence.** Seasonal “Yappy Hours” are posted at the Clubhouse and are subject to change. Pet owners are responsible for control of their dog at all times during “Yappy Hours”. If a dog is aggressive towards other dogs during “Yappy Hours”, then the dog must be kept on a leash and cannot run uncontrolled with other dogs. Aggressive dogs will be restricted from the grounds. Pet owners are responsible for cleaning up your pet’s waste in the neighborhood and during “Yappy Hours” on the clubhouse grounds. Bagged dog waste from “Yappy Hour” is to be taken to the owner’s home for disposal or if that’s not possible, placed in the dog waste container located in the southwest corner of the common grounds. Dog waste is not to be placed in any other container within the Clubhouse or common grounds.
- 28. Drone-type apparatus is not allowed and is not to be used at or above any VMIV HOA common area or individual lot.**
- 29. The entry gates to the Clubhouse grounds operate on a key card system.** The door locks to enter the Clubhouse, exercise room and restrooms have coded locks. Entry gate key cards and door codes are issued to owners by the HOA. Owners are responsible for coordinating cards and codes with lessees/renters. Owners are responsible for all persons including lessees/renters who enter the grounds with a key card issued to the owner's property. Owners are allowed up to 2 key cards and there is a per card administrative fee to issue and maintain each card. If a key card is lost or stolen, the original key card will be deactivated and a replacement key card plus the fee will be reassigned to the owner. When a property is sold, the seller's key card(s) are deactivated and no longer valid. Owners must complete a “Key Card Request” form* and submit to the HOA key card administrator to get key card(s) and the door code. Please drop off the form at the Clubhouse or e-mail the form to info@resortpark.org, Attn: key card request. If an Owner is not in good standing with the HOA, the owner’s card(s) will be deactivated until the issue is resolved and a new date is agreed upon by the HOA board to re-activate the key card for access to the clubhouse and grounds.

SECTION B. CLUBHOUSE, POOL AND RECREATIONAL AREAS

Owners in good standing and their guests have the right to use the recreational areas, exercise room and pool areas. If an owner leases or rents their house, the Clubhouse and pool rights are extended to the lessees/renters and the following applies to both owner and lessees/renters.

- 1. Everyone using the VMIV facilities, including the pool, jacuzzi, exercise room and all common areas, does so at their own risk.** Resort Park Association is not responsible for accidents or injuries.
- 2. All owners, lessees/renters are responsible for their guests' conduct.**
- 3. All exterior entry & exit gates to the grounds must be locked at all times.**
- 4. In case of an emergency, personal cell phones are to be used to call 911.**
- 5. For safety reasons, diving into the pool is not allowed.** Additionally, no boisterous or unbecoming conduct is allowed in the pool or pool area, including running, pushing, or unwanted splashing.
- 6. Music needs to be kept at low levels as to not disturb nearby neighbors.**
- 7. Everyone using the VMIV facilities including the Clubhouse, adjacent patio, ramada, pergola, the pool and jacuzzi areas, exercise room, showers and restrooms responsible for leaving these areas in good condition.** This includes closing umbrellas, returning furniture to its original position, cleaning up after your groups, disposing of trash and recyclables in the appropriate containers, and ensuring the Clubhouse and restroom doors are closed and securely locked.
- 8. No glass containers are allowed on the entire pool and jacuzzi deck area, in the pool or in the jacuzzi.** Unbreakable beverage containers are allowed.
- 9. No smoking is allowed in the pool, jacuzzi or any enclosed area (e.g. Clubhouse).**
- 10. No pets are allowed in the Clubhouse or pool.** Supervised pets are allowed in designated common areas during identified times for Happy Hours as approved and posted by the board of directors. Pet owners must control dogs at all times.

11. **Children under 16 years of age must be supervised by an adult at all times.**
Children under 5 years of age are not allowed in the jacuzzi.
12. **Infants and toddlers must wear swim diapers when in the pool.**
13. **Appropriate attire, including shirts, shorts, cover-ups and shoes, must be worn in the Clubhouse and the exercise room.**
14. **Owners and residents in good standing may reserve the Clubhouse and adjoining covered patio for private use.** The “Clubhouse Rental Agreement and Rules” form* can be found on the website and in the Clubhouse on the Resident Information Table. The form provides complete details including rental and cleaning fees. The required form must be submitted in writing to the HOA Social Director, via regular mail, e-mail at info@resortpark.org or dropped off at Clubhouse, at least 7 days prior to the requested date. Reservations are accepted on a first-come, first-serve basis. Reserving the Clubhouse or the adjoining covered patio does not include exclusive use of the pool-side pergola, ramada, pool, jacuzzi or common grounds during a reservation time period. The pergola, ramada, pool, jacuzzi, rest rooms and exercise room are always open to all residents and are not available for exclusive use by private parties.

The HOA will notify the community in advance of private event rentals or HOA-sponsored events. As stated by the City of Scottsdale fire code, the number of guests in the Clubhouse is limited to 52 people. Music and noise must be maintained at reasonable levels as to not disturb nearby neighbors in accordance with City of Scottsdale noise ordinances. Children under 16 years of age must be accompanied by an adult. The maximum length of a rental is 8 hours including clean-up and events must be complete by 9:30PM. Both entry gates must be locked at all times during the event.

SECTION C. ARCHITECTURAL REGULATIONS

All renovations, improvements, modifications and additions require prior written approval from the Architectural Review Committee (ARC) before any work may commence on an individual property.

These include, but are not limited to: the exterior of the house including architectural elements; medallions, wall designs & insignias; doors, windows; shutters, awnings; front yard design, landscaping and lamp posts; carport or driveway changes and roofs.

*Forms can be found at <http://www.resortpark.org>

Requests must be completed and submitted by the owner on the “ARC Exterior/ Paint Application” form*. Complete details and specifications must be included as instructed on the application. An owner may be notified by ARC and the HOA if additional permits or levels of approval are required by the City of Scottsdale (COS) and/or the City’s Historic Preservation Commission (HPC). ARC is committed to a timely review and approval of applications; however, the complexity of the project will dictate the timeline.

No work may begin until written approval from ARC has been received and, if applicable, also from the COS and HPC. Once approved, the owner has 6 months to complete the project or reapplication will be required.

1. **Front Yard Landscaping, Landscape Lighting and Front Patios.**

Landscaping: Grass, decorative gravel, river rock, perennial ground cover, artificial turf and drought-tolerant plants (e.g. trees, shrubs, cacti and flowers) are permitted. Reference guides are listed on the HOA website. Xeriscaping and plants native to the area are preferred and all plantings, at mature height, should not conceal window or door openings or obstruct views of the front façade from the sidewalk or street.

Landscape Lighting: Colored bulbs are not permitted except during holidays.

Front Patios: All sitting areas must be on a continuous, defined hard surface, comprised of one of the following: decorative brick; concrete or stone pavers; stone slabs; flagstone; or poured concrete. The overall design and materials should complement the architectural structure and palette. A patio or seating area, including a wall, may not exceed 40% of the front yard, excluding the driveway.

2. **Exterior Paint Colors:** Exterior paint colors for VMIV homes including body color, trim, doors and architectural features must adhere to the designated color palette approved by ARC and the City of Scottsdale to maintain the integrity of our historic community. Current color options may be viewed on the HOA website or in the Clubhouse on the Resident Information Table. ARC will consider other proposed color options only if approved by the COS and HPC.

3. **Front Windows:** Due to energy efficiency requirements, COS approval is required for replacement windows. Windows are an important character defining feature of our historic district.

Replacement windows must retain the original dimensions and a two-window slider is the standard style for homes in the district. Permitted window frame colors include white, off-white and silver. Front window-to-door conversions are discouraged by the COS and HPC. Any changes must be approved by ARC.

4. **Window Awnings:** Window awnings are permitted with approval by ARC. The color, design and material need to complement the architectural style and color palette of the home.
5. **Front street lamp posts are maintained by each individual home owner.** A single lamp post with a consistent design is a unifying architectural feature of the Villa Monterey Historic District and is important for safety and visibility. The City of Scottsdale does not provide streetlights on some streets and the lamp post is a primary source of street lighting.

All homes are required to have a working lamp post and topper light fixture at the time of sale or by December 31, 2025, whichever comes first. A home sale will not be approved by the VMIV HOA without a working lamp post/topper in place or with plans confirmed and funded for installation by the homeowner or payment to the HOA for installation by the HOA at the homeowner's expense. The seller is responsible for working with and/or negotiating with the buyer on the expense and details of installation. A homeowner can install or replace a lamp post and/or topper at anytime. The seller must advise the HOA of an "Intent To Sell The Property" and submit the form* for HOA approval.

Newly-installed or renovated lamp posts must meet the following VMIV architectural guidelines for uniformity and approval. One black lamp post and black topper light fixture with a single, clear glass (no frosted or pattern design) is required. The light fixture may have 1 to 3 bulbs and the height of the post, including light fixture topper, must be 72 - 83 inches. The lamp post can be hard-wired or solar with dusk-to-dawn sensor capabilities. The lamp post position must align with the other posts on your street. All materials including installation and maintenance are at the expense of the owner. Colored bulbs are not permitted except during holidays. If a homeowner is unable to change a bulb, a board member may be called for assistance. Lamp posts must be operational whether the home is occupied or not.

By December 31, 2025, a working lamp post with topper in the front yard is a mandatory requirement for all VMIV homes.

6. Driveways and Carports: Flooring, Awnings/Screens, Carport Conversions

Flooring. Decorative brick or stone pavers, stone slabs and poured concrete are permitted. Not permitted for use as a carport or driveway surface include asphalt; gravel; epoxy coating with flecks; pool deck coating; artificial turf or plantings (e.g. grass, ground cover); and dark paint colors. Colors, design and material need to complement the architectural style and color palette of the home.

Carport awnings, curtains, blinds, screens and roll-a-shields are not permitted except for owners with an east/west exposure or by approval from the HOA board.

Carport-to-garage conversions require the HOA board and COS permit approval. Carports are considered a character-defining feature of a 1960's Scottsdale townhouse and carport-to-garage conversions are discouraged.

7. **Front Entry and Front Utility Room Doors:** Only single doors are permitted. The color, design and materials should keep with the context of the architectural style of the façade and/or historic time frame. Solid doors or doors with glass panel inserts are permitted. Doors with sidelights are not permitted.
8. **Roofs:** Owners must maintain the style of the existing roof, particularly parapets, crickets and any other architectural features. Roof materials should be clay or composite tile, asphalt roll material, shingles or foam-roof coatings that are similar in size and texture to those traditionally used in VMIV. Any changes require the approval of the COS and ARC.

Please note:

Owner suggestions and concerns pertaining to Villa Monterey IV common areas or private lots can be submitted in writing to the board of directors either by e-mail to info@resortpark.org, through the U.S. Mail, using the address at the beginning of this document, or dropped off at the Clubhouse. Additionally, an owner may petition the HOA board for an exception to a rule/regulation based on a hardship or other circumstances, using the same process.

The HOA board has the authority to levy fines on an owner if an owner, lessee or guest violates any of the VMIV HOA Rules and Regulations. Fines can be levied until a violation is corrected.

REVISED AND APPROVED BY THE VMIV BOARD ON 11/20/2024