

# CHANTARELLE

Homeowners' Association

## RULES AND REGULATIONS

Revised March 30, 2018



*Chantarelle HOA Rules and Regulations*

**Table of Contents**

<u>Page</u>	<u>Content</u>
1.	Table of Contents
2.	Introduction General Pets
3.	Bulletin Boards Architectural Control Guidelines
4.	Clubhouse Rules and Regulations
5.	Continuation of Clubhouse Rules
6.	Pool Rules
7.	Landscape Committee Responsibilities and Rules
8.	Lot Maintenance Front Yard Decorations and Fixtures
9.	Leasing of Homes
10.	Application to Lease
11.	Vehicles and Parking Conclusion

## Chantarelle HOA Rules and Regulations

Chantarelle Residents have a shared responsibility for common areas including the clubhouse and the swimming pool. We also share responsibility for the security and comfort of our neighbors.

The following rules are summarized from the Covenants, Conditions and Restrictions (CC&Rs) to which all homeowners agreed when they purchased their property, and from subsequent actions of the Board of Directors. Compliance is expected from every Chantarelle resident.

If this document contains any restriction based on race, color, religion, sex, familial status, marital status, disability, national origin, or ancestry, that restriction violates state and federal fair housing laws and is void. Any person holding an interest in this property may request that the county recorder remove the restrictive covenant language pursuant to Section 12956.1 of the Government Code.

### GENERAL

1. Chantarelle is a community for senior citizens. At least one full-time resident of each household unit must be 55 years old. Both homeowners and renters are subject to Chantarelle's rules.
2. Owners and renters must obtain an Age Verification form from our Management Company and return it with proof of age.
3. Monthly assessments are due on the first of each month and delinquent on the 15<sup>th</sup> of that month. Checks should be made payable to Chantarelle HOA and mailed to the HOA's CPA (whose name and address can be found in the most current Chantarelle directory, latest monthly newsletter, or by contacting any board member). Assessments may also be paid through ACH (automatic clearing house auto pay) by signing an authorization form to have them deducted from your checking account by the 14<sup>th</sup> of each month.
4. All committee meetings and Board meetings are open to all residents, except for Executive Board sessions. Dates and times with agendas are mailed to each resident.
5. Residents should follow the system for garden debris in the provided container, recyclables in the blue container, and garbage in the green container.
6. No activity shall be conducted in any Lot or Common Area that constitutes a nuisance or unreasonably interferes with the use or quiet enjoyment of the occupants of any other Lot.

### PETS

1. Whenever they are not in their own yard, dogs must be on a leash and accompanied by their owner or another responsible person.
2. Pet owners or attendants are responsible for removal and disposal of any waste produced in a common area or on a neighbor's property by animals under their control.
3. Pets are not allowed in the clubhouse or pool area, which includes all of the common area within the gates around the pool.

## BULLETIN BOARDS

There are two bulletin boards in the Clubhouse. The one next to the thermostat is for Association information such as notices of meetings, meeting agendas, etc. The other bulletin board is for commercial but non-political announcements of general interest to residents.

## ARCHITECTURAL CONTROL GUIDELINES

1. Additions, exterior changes or alterations to homes, fences, garage doors, paint, gates or roofs must be approved by the Architectural Control Committee (ACC) BEFORE work begins. Request forms for architectural alterations are available in the Clubhouse in the plastic holder or may be obtained from the Management Company. When completed, these forms should be submitted to the ACC, which will forward an approved copy to the Management Company.
2. Before making any improvements or alterations, an owner has the responsibility to make sure that all appropriate and relevant government laws and regulations will be observed in completion of the project. This may require inquiries to Sonoma County administrative offices.
3. Rear and side yard improvements below the top of an existing fence do not need ACC approval, but they may be subject to County codes. Improvements may not obstruct existing drainage patterns or prevent access to an adjacent house by maintenance workers.
4. Permission to paint the house is required from the ACC unless the colors are the same as when the house was built. The proposed color palette cannot exceed two colors (i.e., one color for the walls and a different color for the trim). Front doors, however, may be painted a third, contrasting color.
5. Roll-up garage doors with or without windows are permitted subject to ACC approval and must be painted the same color as the body or trim of the house within ninety (90) days of installation.
6. Gates which have been approved for Chantarelle are either:
  - a) Wrought iron gates similar to those already installed and painted black or the color of the house; or
  - b) Wooden gates of the same design, height, and material as the short fence between a garage and archway. Wooden gates may be painted the color of the house or left unpainted.
7. Archway lattice may be installed on each side of the archway that does not face the street. It may be left unpainted or painted the color of the house.
8. Homeowners considering replacement of an existing roof must conform to new materials Class "A" ratings and applicable County regulations. Samples of roofing must be submitted with the application and the color must conform with roof colors already existing in Chantarelle. When "patching" roofs, the tiles should match the existing colors.
9. All garages must be able to house two cars.

## CLUBHOUSE RULES AND REGULATIONS

(other than Association Sponsored Events)

You will find some items in the clubhouse and shed that are the property of the Social Committee and used ONLY FOR CHANTARELLE SPONSORED EVENTS. Some of these items are butter, coffee, sugar/creamers, paper plates, napkins, plastic glasses, plus food items. Please do not leave any of your food items in the refrigerator after your event.

A Chantarelle homeowner is invited to make personal use of the clubhouse subject to approval by the Clubhouse Committee Chairperson and the conditions listed below. Per section 7.12(e) of the CC&Rs, homeowners who rent or lease their lot lose their right to use and enjoy the common areas, including the clubhouse and pool.

1. The Clubhouse may be reserved by a homeowner for private use at any time except when it is scheduled for an Association sponsored event or on the following holidays: Memorial Day, the 4<sup>th</sup> of July and Labor Day.
2. Reservations may be made up to the end of the calendar year in advance. Applications received for times beyond the end of the calendar year will be held (in order) for creating the calendar after the Association-sponsored events are adopted for the New Year.
3. Clubhouse use is for non-profit activities only (no sales promotions). Any charges must cover the cost of the event only. Selling of any items, including alcoholic beverages, is NOT permitted.
4. Clubhouse events are limited to 60 persons. No larger group will be allowed.
5. All guests must be relatives or friends of the homeowner. The homeowner must be present at all times while the guests are in the clubhouse.
6. Neither smoking nor pets are allowed in the clubhouse.
7. All posted instructions for use of the building and equipment shall be observed without exception.
8. The homeowner shall assume full responsibility for the Clubhouse use, including cleanup.
9. All activities at the Clubhouse will be concluded by 11:00 p.m., Sunday through Thursday, and by 12 midnight on Friday and Saturday.
10. At the time a reservation is made, the homeowner will fill out a Clubhouse Reservation Form and forward it to the Clubhouse Committee Chairperson with the appropriate fee, deposit checks and proof of liability insurance as stated in the rental agreement. The Reservation Form provides the current amount of both the USE and the BREAKAGE/CLEAN-UP FEES.
11. Decorations may ONLY be attached to the walls with masking tape. Nails, thumbtacks, staples or scotch tape may not be used. All decorations, tape, etc. must be removed at the conclusion of the event.
12. No pool furniture may be taken into the Clubhouse, nor any upholstered furniture taken outside the clubhouse. Glass, including beer and wine bottles or other breakables, are not allowed outside the clubhouse.
13. The homeowner and his/her guests have use of the pool and pool area, but not exclusive use of said area. Do not leave pool gates open.

14. The homeowner and his/her guests must abide by the pool rules as posted in the Clubhouse and in the pool area.
15. PLEASE! Wet towels, bathing suits, or wet apparel are not allowed in the clubhouse.
16. Post "Private Party" signs at the doors, and remove them when the event is over.
17. The Clubhouse and all equipment must be left clean and in good order. A Clubhouse Committee Member will perform an inspection at 9 a.m. the following day unless other arrangements are made at the time of the reservation. If these conditions are met, the breakage/clean-up fee will be refunded. If not, the homeowner will be responsible for the full amount of any breakage, clean-up costs, or other expense resulting from use. Any charges will be deducted from the deposit and the balance refunded. If the charges are higher, the deposit will be forfeited and the homeowner will be responsible for any amount over the deposited fee. The homeowner must sign the Clubhouse check-off list.
18. All trash must be removed from the building after use and placed in the containers outside the kitchen door.
19. All furniture is to be returned to its original place after use.
20. Any Clubhouse items that are used must be returned clean to their original locations. Dishes, pots, pans, silverware, etc. must be clean and dry before storage. Table covers, cloth or plastic, must be returned clean. Cloth covers must also be ironed. All cookware removed from the storage shed should be left out for committee inspection.
21. Feel free to use any cleaning materials that are stored under the sink and in the closet to help clean up. A vacuum cleaner, broom and mop may also be found in the closet.
22. Return heating/air-conditioning thermostat to setting for vacant room. See instructions at the thermostat.
23. Please inform guests not to park in front of mailboxes (except on Sundays).
24. There are two bulletin boards in the Clubhouse. The one next to the thermostat is for the Association information such as notices of meetings, meeting agendas, etc. The other bulletin board is for commercial but non-political announcements of general interest to the residents.
25. Use of the barbecue equipment (as specified by the Valley of the Moon Fire Department District):
  - a. Barbecuing is permitted only in the designated area.
  - b. The barbecue unit must be at least three feet from an existing building.
  - c. The barbecue unit may not be left unattended while in use.
  - d. All persons using the barbecue equipment must be thoroughly familiar with how the equipment works and how to turn the propane gas valves on and off and what action to be taken for an emergency shut down. A booklet with complete operating instructions is located in the drawer of the barbecue unit.
  - e. When cooking is finished, shut off the units and close the propane tank valves.
  - f. After barbecuing, clean the unit and area, and then cover the barbecue unit.

## POOL RULES

1. Persons using the pool and pool area assume all liability for such use and agree to hold harmless the Chantarelle Homeowners' Association, its members, directors, officers and employees in case of accident, injury, theft or loss of personal property, or other calamities. Per section 7.12(e) of the CC&Rs, homeowners who rent or lease their lot lose their right to use and enjoy the common areas, including the clubhouse and pool.
2. Pool hours are 6 a.m. to 10 p.m. The pool is heated May 1<sup>st</sup> through October 31<sup>st</sup>.
3. There is no lifeguard on duty at any time.
4. For purposes of maintaining pool hygiene, all persons must shower before entering the pool.
5. Diving and jumping into the pool and running or pushing in the pool area is prohibited.
6. No glass of any kind is allowed in the clubhouse common area, which includes the pool itself, the concrete area around the pool, and the rest of the common area within the gates.
7. Flotation devices shall be limited to kick boards, water wings, and "noodles." In effect, larger devices like air mattresses, inflatable boats, etc. are prohibited.
8. To avoid littering, trashcans must be used.
9. Neither smoking nor pets are allowed in the pool area, which includes all of the common area within the gates around the pool.
10. Unnecessary noise is not allowed at any time.
11. Before leaving the pool area, please remove debris, clean the tables, and close the umbrellas.
12. Children in the pool area who are less than 18 years of age must be accompanied by an adult.
13. A homeowner's guest may use the pool without the homeowner being present, provided the guests obey all the pool area rules. Homeowners are responsible for the conduct of their guests and must see that rules are obeyed.
14. Children using the pool must be at least three (3) years old, potty trained, and may not be in diapers.
15. Lap swimming hours are from 9 a.m. to 11 a.m. on weekdays.
16. Hours for guests under 18 years of age: Weekdays – noon to 2 p.m. and 4 p.m. to 6 p.m. Weekends – Noon to 6 p.m.

## LANDSCAPE COMMITTEE RESPONSIBILITIES AND RULES

### Definitions:

Common Area: For the purpose of this document, the Common Areas comprise the Common Area as defined in Article I of the CC&Rs plus the open areas between Lot Owners' fences and the streets.

Landscaping Contractor: An experienced licensed landscaping contractor hired by the Board based on the recommendations of the Landscape Committee.

Arborist: A qualified licensed tree specialist hired by the Board based on the recommendations of the Landscape Committee.

Recommended Plants List: A list of plants recommended by the Landscape Committee as being suitable for the common areas based on climate, soil, shading, and aesthetics. Homeowners may obtain information about recommended plants from the Landscape Committee.

### Landscape Committee Duties and Responsibilities

1. Act as the Chantarelle Homeowners Association Board of Directors' principal advisor on all matters concerning landscaping.
2. Develop and maintain a Planting Plan for the common areas subject to approval by the Board.
3. Supervise the execution of the Planting Plan.
4. Monitor the performance of, and conduct regular on-site inspections with, the Landscaping Contractor.
5. Conduct on-site inspections with the Arborist annually or as may be necessary.
6. Work with the Landscaping Contractor to maintain the Recommended Plants list.
7. Maintain the Chantarelle HOA Landscaping Rules.
8. Keep a supply of Request for Landscape Alteration forms in the clubhouse.

### Landscaping Rules

1. The Chantarelle Homeowners Association shall maintain the landscaping in the Common Areas (as defined above) including the regular fertilization, irrigation and other garden management practices, and reasonably prompt removal and replacement of any dying or dead vegetation necessary to promote a healthy, weed-free environment for optimum plant growth.
2. Individual homeowners may not make any landscape changes in the common areas, including the perimeter of the community, and around the pool or Clubhouse.
3. All requests for plant and tree removal and changes within the unfenced areas of the front yards shall be submitted on a Request for Landscape Alteration form and given to the Landscape Committee. Any landscaping changes must be approved by the Landscape Committee and be performed by the Landscaping Contractor.



4. By signing the Request for Landscape Alteration form the Homeowner agrees to pay the costs of new plants requested by them. The Homeowner pays for the cost of the plants, not the labor involved. Alternatively, the Homeowner may purchase plants themselves (although the Landscape Contractor may be able to purchase plants at wholesale cost). In either case, the plants must be approved by the Landscape Committee and be planted and maintained by the Landscaping Contractor.
5. If payment is due, a check payable to the Chantarelle Homeowners Association must be submitted to the Landscape Committee at the time the request is approved.
6. Homeowners will not be charged for replacement plants in case of plant failure since they are planted and maintained by the Landscaping Contractor.
7. Homeowners may spread small amounts of mulching materials or small river rocks (2” to 4”), which have been approved by the Landscape Committee, in the planted area directly in front of their houses and fences.
8. All problems with front yard and common area landscaping or irrigation systems should be reported to the Landscape Committee first. If a committee member is not available, then the report should be made to the Management Company.

#### LOT MAINTENANCE

1. Homeowners have a responsibility to maintain their property in good condition by performing routine maintenance and repairs. Doing so will keep the appearance of Chantarelle up-to-date and maintain stable property values.
2. Homes must be kept free of mold, mildew, spider webs, and dirt by occasionally having the residence power washed or cleaned.
3. Houses obviously needing painting, i.e. paint that is chipped, cracked, peeling or faded, must be repainted following ACC guidelines.
4. Mailboxes must be in good condition and free of peeling paint, be in accordance with existing US Postal regulations, and have an appearance that is appropriate for our community.
5. Fences facing the streets of South Temelec Circle, St. James Drive, Hermosa Parkway, St. Mathew Court, St. Patrick Court, and Avenida Sebastiani are the homeowner’s responsibility. As such, they must be maintained in good repair with a redwood stain suitable for our community.
6. Because of the endemic presence of pests and vermin in our area, homeowners are encouraged to have their properties inspected and treated accordingly for such pests, to refrain from leaving food outside for feral animals, and to pick up dropped fruit from fruit trees if present on their property.

#### FRONT YARD DECORATIONS AND FIXTURES

Any variance from established rules regarding Architectural, Design, Landscaping, or other community standards, as detailed in the Chantarelle CC&R's and Rules and Regulations, must be approved by the Board or committee specific to the issue in question. In addition,

homeowners and occupants must adhere to the general appearance that is appropriate to the Chantarelle community.

1. The Chantarelle HOA is responsible for, and maintains the “common areas,” which includes the landscaped and hardscaped areas outside of each home’s entrance gate. No modifications, structures, gardens, statuary or decorations of any kind are permitted in these common areas unless otherwise approved by the Board or committee specific to the issue.
2. Planter boxes and pots are allowed on the front ledges of home (the ones under the garage windows), but the use of live plants is preferred and the style and color of the planter boxes and pots must be consistent with the look of the neighborhood.
3. Flags and other attachments to the fronts of houses, garages and fences must conform to community standards and is subject to ACC approval.
4. Garbage cans must be hidden from view, i.e. behind shrubs, fencing or in the garage.
5. Holiday decorations shall not be displayed more than 30 days prior to nor 15 days after the holiday has occurred, and must not interfere with common area landscaping operations.
6. Construction related portable toilets are permitted for up to 30 days. Lattice or fencing “covers” are recommended to screen them from view. Additional time past 30 days requires architectural and design committee approval.

#### LEASING OF HOMES

1. Leasing of homes is not automatic and must be approved by the HOA board (in accordance with the CC&Rs). Home owners must comply with the requirements stipulated in the CC&Rs to lease their property. Failure to comply with these rules will result in the revocation of HOA board approval to lease your home. The request form to lease a home is located on the following page and on the Chantarelle website, [www.chararelle.org](http://www.chararelle.org). The completed form should be sent to the Property Manager who will submit the application to the board for consideration.
2. As stated in the CC&Rs (paragraph 7.12), only 20% (24 homes of the 120 total) may be leased at any given time in Chantarelle. In the event that the number of requests to lease homes exceeds the 24-home limit, a waiting list will be established and homeowner applications to lease their homes will be reviewed in the order they are received by the HOA board.
3. All leases must include the following verbiage:
  - a) Sub-leasing is not permitted.
  - b) The renter understands that they must abide by the CC&Rs and Rules and Regulations established by the Chantarelle HOA.
4. Copies of leases and proof of the occupant’s age will be provided to the Property Manager who will maintain a list of all approved leased units.
5. The homeowner is responsible for ensuring that their renters are aware of all the rules and regulations associated with living in the Chantarelle community. In the event that renters are not compliant with these rule and regulations, the Property Manager will make contact with the homeowner in order to promptly resolve any issues.

**CHANTARELLE HOA APPLICATION TO LEASE**

Date: \_\_\_\_\_

Proposed Rental Property Address:

\_\_\_\_\_

Property Owner(s) Name(s):

\_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

When will the property be rented if approved?

\_\_\_\_\_

Please read and sign the following:

I have read the Chantarelle Homeowners Association Covenants, Conditions and Restrictions (CCRs) as well as the Rules and Regulations. I will provide this same information to my renters so that they will understand our Community's Regulations. If approved by the Board to lease my property, I will submit a copy of the lease that includes the stipulation that the renter cannot sublease the property. I will also submit proof of age for all persons residing in the property within 30 days of commencement of the lease, per age requirements as stated in the CC&Rs. I understand that as owners of this property, I am responsible for said property as per regulations cited in the CC&Rs.

\_\_\_\_\_  
Signature(s)

\_\_\_\_\_  
Date

### VEHICLES AND PARKING

1. No trailer, camper, recreational vehicle, commercial vehicle, boat, truck (other than standard size pickup truck or standard size van) or inoperative or unregistered automobile shall be parked in the community unless parked within an enclosed garage or for the temporary purposes of cleaning, loading or unloading. Electrical and water connections may not be left unattended across sidewalks.
2. A garage may not be converted to any use that would prevent its use as a parking space for the number of vehicles it was designed to contain. They also should be maintained in an orderly and neat fashion so as to prevent the harboring of pests and vermin.
3. Parking in the Club House parking lot is intended for Club House activities only. Overnight parking is prohibited.
4. Storage containers, trailers, dumpsters, and other debris haulers may be allowed in driveways and in front of properties for no more than 30 days during remodeling and other construction projects.
5. Parking is not allowed in front of mailboxes on any day except Sunday. Blocking garbage cans on trash day is also prohibited.

### CONCLUSION

1. For more information, homeowners should refer to the Chantarelle Homeowners Association Declaration of Covenants, Conditions and Restrictions, the Bylaws, these Rules and Regulations, or to the Management Company
2. Homeowners are responsible and liable for any damage to the common property of the Association caused by them, their tenants or their guests.
3. Responsibility for enforcement of Chantarelle's Rules and Regulations resides with the Board of Directors of the Chantarelle Homeowners Association.