

**WYNDGATE VILLAGE HOMEOWNERS
ASSOCIATION**

**SUPPLEMENTAL
RULES
AND
REGULATIONS**

Adopted by the Board Directors on July 15, 2009

VIOLATION FINE SCHEDULE

In accordance with the revisions of Chapter 116 of the Nevada Revised Statutes of the law governing common interest communities in Nevada, the following fines may be imposed upon Wyndgate' homeowners where a continuing violation of the Association's governing documents occurs. For uncorrected violations, the initial fine will be imposed at the hearing described in Phase 3 of the current Violation Policy. Following the initial fine, if the violation is not corrected within 14 days, a continuing violation fine may be imposed, without notice or opportunity to be heard. Additional fines may also be imposed for each 7-day period, or portion thereof, that the violation is not corrected, without notice or opportunity to be heard.

Note: The fine schedule for Wyndgate includes, but is not limited to, the following violations. The Board of Directors has the right to impose fines for violations not listed herein provided the Violation Policy is followed. Fines for violations that directly affect the health and safety of Wyndgate residents are not subject to the same time and notice requirements.

CC&R Sec 6.1.3 <u>Nuisances</u>	\$25.00
CC&R Sec 6.1.7 <u>Refuse Collection/Absence of Unsightly Articles</u>	\$25.00
CC&R Sec 6.2.2 <u>Household Pets</u>	\$25.00
CC&R Sec 6.2.3 <u>Business Activities</u>	\$75.00
CC&R Sec 6.2.8 <u>Parking and Vehicle Restrictions</u>	\$25.00*

*Certain approved exceptions may apply

LATE FEE AND COLLECTION POLICY

The following fine and collection policy as adopted by The Wyndgate Village Homeowners Association.

Assessments are an obligation of each member. Assessments for the calendar year are collected in monthly installments, payments in advance, due on the first day of each month and are delinquent if not received by the 15th of the month. Delinquent assessments are subject to a monthly late fee of \$10.00. Statement will be sent indicating your account has been assessed a late fee. Payments received for delinquent accounts will be credited to the month in which they first became due.

After 30 days from the date that the dues were declared delinquent, the member will receive a 10-day notice of the association's intent to file a Notice of Delinquent Assessment and Claim of Lien against the member's property. At this time, the member's account will be declared due and payable immediately.

All costs associated with the preparation, notarization and recording of liens and notices will be assessed to the delinquent member and must be paid in full before a Release of Lien will be granted and recorded.

Members should also be aware that the recording of such liens and encumbrances might be a violation of the terms of their Deeds of Trust or Mortgages. Most lenders will be notified if the association files such liens. Therefore, lenders may declare the member in default under that security instrument and begin their own foreclosure. Only lenders holding "first rights" have lien rights superior to that of the association.

WINDOW DRESSINGS

Window dressings (drapes or blinds) that are within the public's view must be either white, off-white, or match the color of the home and must be in place within 90 days of the homeowner's close of escrow.

PORCH / FRONT YARD FURNITURE

Front yard/porch furniture should be non-offensive in color and style. The offensive determination will be complaint driven; in which case, there will be a review of the item in question by the Architectural Review

Committee (ARC). If the ARC agrees with the complaint, the homeowner will be instructed to remove the furniture item.

SWAMP COOLER AND AIR CONDITIONERS

Swamp coolers and air conditioners cannot be roof mounted and must not be visible from the street or above the fence line in the back of the home. Additionally, these units must not create any more noise than the standard conditioner compressor unit.

STORAGE SHEDS

Storage sheds will not be allowed in The Wyndgate Village Homeowners Association at any residence.

DRIVEWAYS

No oil or other soil will be allowed to remain on driveways.

STREET PARKING

Due to the narrow streets in Wyndgate Village any vehicle parked in the street for more than 72 hours will be subject to towing, a courtesy notice will be placed on vehicles of first time violators.

DRIVEWAY PARKING

Owners may utilize their driveways as additional parking so long as their garages are full of vehicles or other similar items of personal property. i.e. boat, motorcycle, etc. Owners may use the driveway if they have an oversized vehicle that will not fit in the garage.

POOL POLICY

- Clubhouse is reserved for use by members in good standing only.
- Guests of members must be accompanied by the member.
- State law does not allow children under the age of 14 years of age to be within the pool enclosure without an adult member. Children under 13 years of age must not use the spa without an adult member in the water with the child.
- Hours of operation 8AM – 10PM. Subject to seasonal schedule.
 - **EXCEPTION TO POOL HOURS:**
 1. Pool can be closed in the morning hours for servicing.
 2. Board has authority to temporarily change hours as it deems necessary
- No food, drink (except water), smoking or glass containers allowed in the pool enclosure.
- Tenants may use the facility if the owner assigns his/her rights to tenants.
- The pool is an unsupervised facility. The safety and security of the pool ultimately lies with the member that uses it.
- The pool and spa areas are monitored by Video Surveillance and security patrol.
- Cost to replace pool key is \$25.00

EXERCISE ROOM POLICY

- Exercise equipment is reserved for use by members in good standing only.
- Guests of members must be accompanied by the member.
- An adult member must accompany children under 16 years of age.
- Hours of operation are 24 hours.
- Members should limit their workouts if people are waiting.
- Members are responsible for all damage caused by themselves, their family and guests.
- Members are responsible for cleaning up after themselves.
- Tenants may use the facility if the owner assigns his /her rights to the tenants. The owner may then not use the facilities. Owners are responsible for the actions of their tenants.
- Keys to the facilities will be issued one per lot at no cost. Additional keys re \$5.00. When an owner or tenant is not longer eligible to have a key to the facilities, they must return to the Wyndgate Homeowners Association or their agent within 10 days.

- Doors should remain locked at all times. The clubhouse is an unsupervised facility. The safety and security of the clubhouse ultimately lies with the member that uses it.
- The exercise room area is protected by Video Surveillance

CLUBHOUSE USE POLICY

- Clubhouse is reserved for use by member in good standing only.
- Guests of members must be accompanied by the member.
The clubhouse or any association facility may NOT be used for commercial purposes. The Board has defined commercial purposes as “any use by a professional in a manner typical of the profession, whether for free or for a fee.” This includes, but is not limited to, Physical Fitness Training, Swim Lessons, Tax Preparation, Legal Advice, Financial Planning, Sales, Marketing and/or Religious Training.
- An adult member must accompany children under 16.
- Hours of operation 10AM – 10PM.
- Reservations for use may be made in advance through the Management Company. A \$100.00 security deposit will be required from which the actual cost of cleaning will be subtracted. If cleaning is not required then the entire \$100.00 will be refunded. Offsite parking may be required for large groups.
- Members are responsible for all damage caused by themselves, their family and guests.
- Tenants may use the facility if the owner assigns his/her rights to the tenants. The owner may then not use the facilities. Owners are responsible for the actions of their tenants.
- Keys to the facility are different from that of the pool and exercise room to protect the homeowner’s investment. Once a reservation and deposit is made keys may be picked up at our office the day before the event. Keys must be returned the day following the party.
- The clubhouse is an unsupervised facility. The safety and security of the clubhouse ultimately lies with the member that uses it.

Guest and Visitor Parking Policy

1. Guests and visitors are to park in the guest parking area, or at the homeowner’s invitation, in the homeowner’s driveway.
2. Guest Parking shall be restricted to the use of visitors and guests. Guest Parking is not to be used as supplemental parking by residents, except on occasional infrequent basis not to exceed six hours and not for overnight parking.
3. Vehicles parked in guest parking in violation of the CC&Rs are subject to towing at any time, at the vehicle owner’s expense.
4. Residents with **overnight guests** who desire their guests to use guest parking overnight must obtain an **Overnight Guest Parking Permit Card** from management. The card shall be displayed on the interior rear view mirror of the vehicle at all times it is parked in guest parking. To be valid, the card shall include specific dates not to exceed seven consecutive days. In the event of an emergency need for longer parking by a guest, the Resident may apply to Management for one additional card allowing an additional date specific seven-day period of parking in Guest parking.
5. In the event the Management office is closed (evenings/weekends) Residents should call and leave a voice mail message with their name, address, telephone number where they may be reached, guest vehicle make and license number. Any citation for that night will be cancelled. Contact the office on the next business day to obtain the required pass for continuing Guest Parking permission.
6. Vehicles parked overnight in guest parking, without the Overnight Guest Parking Permit Card, shall be assumed to be in violation and shall be subject to violation notices and immediate towing at the vehicle owner’s expense.
7. Whenever management/security is notified of a “first time” violation, management shall cause to have a “first time courtesy notice” posted on the vehicle advising that said vehicle is subject to towing.

8. Any vehicles parked in violation in guest parking six hours after having received a "first time" violation notice shall be subject to towing immediately, at the owner's expense.

9. Management is hereby directed to place signs at all guest parking locations noting they are for "Guest/Visitor Parking only".

10. Signs at the Club House Guest Parking areas shall state "Guest/Visitor/Club House Parking Only". Residents may park their vehicles in the Clubhouse guest/visitor parking areas

ONLY WHILE THEY ARE USING CLUBHOUSE/POOL FACILITIES.

11. Management shall maintain detailed records of all requests for Over Night Guest Parking Permit cards, parking violations, notices and towing.

Guest Parking Area Variance Policy

1. Residents of Wyndgate Village (property owners and/or tenants) are not permitted to use the Guest Parking areas at any time, except when the Board of Directors authorizes a variance to this policy.

2. The Board shall grant a variance of this Policy only in the event that a resident or tenant owns a vehicle that will not fit in the garage or driveway of the residence due to excessive length.

3. In this case the Resident shall submit a request for variance to the Management Company for submission to the Board for approval. The Board may request the Covenants Committee to review such request and inspect the vehicle and residence driveway.

4 The variance will require that the vehicle be parked in a specific parking space, which may be close to the applicant's residence for the purpose of their convenience, but not directly opposite other residences as a consideration to the neighboring residents.

5. On approval by the Board, the Management Company will issue a Variance Parking Pass to the resident that may be used only for the specific vehicle for which the variance is approved and which must be displayed at all times the vehicle is parked in this location.

6. Variances shall not be granted for any other purpose. In the event that a resident has short term needs for their garage space during move-in or move-out or during the construction of improvements to the residence they should contact the Management Company and request a temporary Guest Parking Permit.

7. Management shall maintain detailed records of all requests for variances in the Guest Parking Policy and a record of Board approval/disapproval of such variances.

Front Yard Lighting

Pathway decorative lighting may be installed to illuminate the sidewalk leading up to the front of the home. Lighting may not be installed in the lawn area. All lighting must be approved by the Architectural Review Committee prior to installation.