

# **CLARK TERRACE RULES AND REGULATIONS – Rev. 2015**

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# CLARK TERRACE RULES AND REGULATIONS – Rev. 2015

## 1. INTRODUCTION

- 1.1. Your condominium offers all the benefits of home ownership without the burden of maintenance. Inside your condominium unit, living and work areas are organized for the most efficient use of space; and quality materials have been selected for easy upkeep. Outside your unit, the maintenance is performed by the Homeowners' Association, of which you are a member. Never again will you have to paint the exterior of your home, replace a roof, clean a pool or mow a lawn.
- 1.2. As a homeowner, you retain the right to sell, lease or will your unit and take advantage of all the income tax advantages relating to home ownership. You also have use of all common areas.
- 1.3. The term "**common areas**" is used to describe the landscaped areas, walkways, recreation areas, parking areas, swimming pool, Jacuzzi, sauna and tennis courts. Each owner has pedestrian rights in all of these areas in the development.
- 1.4. Your Homeowners' Association is a non-profit corporation governed by the Board of Directors elected by the homeowners to represent their interests. The Board is responsible for the operation and maintenance of the "**common areas**" as well as the exterior of the building. Complete details on the election of Director's, their responsibilities and obligations, etc., are stated in the CC&R's and By-Laws.
- 1.5. These documents are available for your inspection. You also received a copy of the documents upon purchasing your unit.

## 2. BOARD OF DIRECTORS

- 2.1. The **Board of Directors** of the condominium complex has the responsibility of carrying out the provisions contained in the CC&R's. In addition, the Board of Directors is the policy-making body of the Association. Major policies adopted by the Board have resulted from recommendations of key committees of homeowners, after many hours of deliberation.
- 2.2. The Board of Directors' authority includes, but is not limited to, approval of expenditures necessary for the operation of the Association, securing insurance coverage for the Association such as casualty and all-risk on the property, liability insurance and worker's compensation insurance, retaining the services of a management firm or property manager to manage the affairs of the Association, contracting with services for maintenance, repairs, landscaping, elevator, pool and other services required to maintain the common areas.

## 3. PROPERTY MANAGER

- 3.1. In larger condominium complexes, a property manager or management firm is often employed to manage the affairs of the Homeowners' Association. A management firm's duties include the following items.
- 3.2. **Financial:** Maintenance fee collection, delinquency follow-up, preparation of financial reports, payment of bills, checkbook reconciliation and preparation of budget.
- 3.3. **Maintenance:** Supervision of maintenance contractors and other service personnel, processing of resident complaints.

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- 3.4. **Organization:** Correspondence, processing insurance matters, handling any and all inquiries regarding the Homeowners' Association, ownership changes, preparation and mailing of Annual Meeting notices.

## **4. MAINTENANCE FEE**

- 4.1. The total cost of running the Homeowners' Association and the property for which it is responsible, is pro-rated among all of the homeowners and is billed monthly in the form of a "**maintenance fee**". The maintenance fee pays for the following items.
- 4.2. Electricity, gas and water for the common areas, including hot water for all units, swimming pool, sauna and Jacuzzi
- 4.3. Custodial
- 4.4. Landscape Maintenance
- 4.5. Disposal Service
- 4.6. Sweeping Driveways
- 4.7. Pest Control Service
- 4.8. Swimming Pool Services
- 4.9. Repairs
- 4.10. Insurance Coverage (Hazard, Liability, Flood, Workmen's Compensation)
- 4.11. Pool Furniture Replacement Reserve
- 4.12. Exterior Building Painting Reserve
- 4.13. Roof Replacement Reserve
- 4.14. Driveway Resurfacing Reserve
- 4.15. Pool Equipment Reserve
- 4.16. Recreation Facilities Reserve
- 4.17. Landscape and Irrigation Reserve
- 4.18. Professional Management, Legal, Auditing and Accounting Services
- 4.19. Delinquent maintenance fees, if left unpaid, become a lien against the unit of the delinquent party, and the Homeowners' Association can be given foreclosure rights on that unit.

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## **5. INSURANCE**

- 5.1. As is required by lenders, the Homeowners' Association is covered by a 'master" or "blanket' insurance policy equal to full replacement value (exclusive of land, foundation, excavation and other items normally excluded from coverage) of the condominium project, including all building service equipment and any fixtures or equipment within the common area. This insurance provides the Homeowners' Association with protection against the following: loss or damage by fire and other hazards covered by the standard extended coverage endorsement and by sprinkler leakage, debris removal, cost of demolition, vandalism, malicious mischief, windstorm, water damage and protection against other risks as are customarily covered in condominium communities.
- 5.2. "Blanket" insurance coverage is allocated in the Homeowners' Association operating and reserve budgets and is paid through your monthly maintenance fee. Lenders require evidence of insurance coverage before they will fund a loan on a condominium complex.
- 5.3. Any homeowner may, upon request and provision of reasonable notice, review the Association insurance policies and, upon request and payment of reasonable duplication charges, obtain copies of these policies. The Association's policies of insurance may not cover your unit, including personal property or real property improvements to or around your unit, or personal injuries or other losses that may occur within or around your unit. Even if a loss is covered, you may, nevertheless, be responsible for paying all or a portion of any deductible that applies.
- 5.4. Residents should insure their personal property and obtain personal liability coverage to protect against damage inside their units. Insurance adjusters advise condominium residents to keep on file an updated inventory of those items of a permanent nature, such as carpet, drapes, flooring, wallpaper, shelving and other valuable items, such as furniture, jewelry, artwork, and other collectibles for the purpose of proving loss should a mishap occur.

## **6. WHO MAKES WHAT REPAIRS**

- 6.1. Homeowners are responsible for making repairs inside their unit, including plumbing, electrical, wall and flooring damage.
- 6.2. Tenants should make requests for repair of their unit's interior to the owner of the condominium.
- 6.3. Please report any repairs in the common area of your complex to the Homeowners' Association or managing agent. Except in the event of an emergency, it is best to make all requests for repair work in writing to the management company.
- 6.4. Report any plumbing problem requiring the turn off of water to your unit to the Management Company. Also inform other residents of the date and time of the outage as their water supply will be affected.
- 6.5. Any plumber retained must be experienced with plumbing in multi-unit buildings. Shutting off the water supply to your unit may disrupt the boiler and fire suppression systems for your building. Repairing resulting outages will be billed to the homeowner.

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## **7. REPORTING EMERGENCIES AND OTHER REPAIRS**

- 7.1. In order that the administration of your condominium complex may run smoothly and efficiently in the event of any emergency involving the security, safety or preservation of any unit or units, it is necessary that the term "emergency" not be misused in the reporting of a repair or other service request.
- 7.2. Items of repair work for the common areas of your condominium are often scheduled to be done at the same time. Thus a delay which might inconvenience an individual does not give a routine repair job emergency status.
- 7.3. For quickest response, criminal emergencies should be reported directly to the police, and medical emergencies should be reported directly to the paramedics.
- 7.4. If a telephone is used to make any request for repairs, it is important that the caller state his or her name clearly and identify as specifically as possible the physical location where the repair is required.

## **8. COMMON AREAS**

- 8.1. Interior common area is any area within the residential structures that is maintained by the Association, thus excluding the individual residential units contained therein. The interior common area may include corridors, lobbies, recreation rooms, storage areas, janitorial and electrical rooms and mechanical equipment rooms.
- 8.2. Exterior common area is any area outside the residential structures that is maintained by the Association. The exterior common area may include sidewalks, roadways, parking areas, gardens, lawn areas, recreational buildings/facilities, water features and balconies.

## **9. RULES FOR USE OF COMMON AREAS**

### **9.1. BALCONIES:**

- 9.1.1. Balconies are not to be used for storage.
- 9.1.2. Outdoor furniture only.
- 9.1.3. Furniture pieces should be minimized.
- 9.1.4. No empty pots or pots with dead plants to be left on balconies.
- 9.1.5. Garden hoses are not to be left out when not in use.
- 9.1.6. Only potted plants with saucers are to be placed in planter boxes. Care should be taken when watering plants so as to not wet balconies below as well as to take care to not damage personal property below or to disrupt neighbors or guests in areas below the balconies (including pool areas).

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- 9.1.7. Absolutely no potted plants or other objects to be placed on ledges of planters due to insurance, fire and safety rules. Electric barbeque grills are acceptable, but must be kept at least two (2) feet from structure when in use. Absolutely NO propane barbeques allowed on balconies. Monitor the smoke from your barbeque. Please refer to Long Beach City Fire Code for complete rules / laws / regulations regarding the use of BBQ Grills.
- 9.1.8. No article shall be hung over railing or shaken from the doors or balconies.
- 9.1.9. No signage of any kind shall be attached to or displayed on balconies or balcony railings.
- 9.1.10. Dust on balconies should be swept into a dust pan rather than out onto the balcony below. All consideration should be given to neighbors below when washing balconies. Soaps and detergents kill plants.

## **9.2. PLANTED AREAS:**

- 9.2.1. Alterations or changes and/or additions to planted areas are prohibited.
- 9.2.2. Do not hang anything on shrubs or trees.
- 9.2.3. Use sidewalks and bridges. Do NOT walk across planted areas.
- 9.2.4. Residents are not to tamper with sprinkler system.

## **9.3. COMPLEX ENTRANCES AND SIDEWALKS:**

- 9.3.1. Bicycles, motorcycles, carts or other obstructions are not to be left at entrances or on sidewalks at any time.
- 9.3.2. Signs of any type are not to be placed on residents' doors.
- 9.3.3. For Sale and For Lease signs shall be limited to the sign tree at the Clark Avenue entrance of the complex.

## **9.4. UNIT ENTRYWAYS:**

- 9.4.1. Light fixtures above entryways, which are controlled from inside the units, are to be kept clean by each resident. Residents are also responsible for replacement of the bulbs with similar-type bulbs as well as maintaining the light fixture. In the event the fixture cannot be repaired, the unit owner is responsible for replacement with a similar light fixture.
- 9.4.2. Entryways are not to be used for storage. NO shoes, brooms, bicycles, strollers, pool toys, etc. are allowed on front entryways. Potted plants are acceptable.
- 9.4.3. Newspaper deliveries, etc. should be taken indoors promptly.

## **9.5. ENTRY GATES:**

- 9.5.1. The self-locking gates to the various areas are required by the city building code and our insurance carrier.

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- 9.5.2. They must be kept free from silencing devices which hinder the locking action.
- 9.5.3. Gates are to remain closed at all times. No method of propping is permitted, unless closely monitored.
- 9.5.4. Do not admit anyone into the complex whom you do not know personally.

## **9.6. WATER FEATURES:**

- 9.6.1. IMPORTANT! Serious and costly damage will result if the delicate water system or waterfall pools are tampered with in any way! DO NOT MOVE ROCKS or alter this system in any way. It may be costly to all of us.
- 9.6.2. No swimming or wading allowed.
- 9.6.3. Do not throw any solid or liquid matter into the water.
- 9.6.4. Do not walk across the pools or the rocks.
- 9.6.5. Do not tamper with controls for pumps or fountains.

## **9.7. OUTSIDE ANTENNAS OR SATELLITE DISHES:**

- 9.7.1. Shall NOT be attached to roof, buildings, or balconies without prior written notification to the Board of Directors through the management company.
- 9.7.2. The notification should address the wiring and assure that no wiring will be visible on the outside of the buildings.
- 9.7.3. No owner or guest is permitted upon any roof, wall or fence without the written permission of the Board of Directors or Management Company.

## **9.8. TRASH DISPOSAL:**

- 9.8.1. IMPORTANT! Adhere to the following guidelines! It is for your safety and the safety of all residents. Improper trash disposal can result in health and fire code violations. It can pose a threat to our lives - a major cause of fire.
- 9.8.2. All refuse should be bagged securely before placing down trash chute.
- 9.8.3. No large boxes or cartons are to be thrown down trash chute, including pizza boxes. Large items stick in the chute, impeding other matter from dropping to the dumpster below.
- 9.8.4. Boxes are to be broken down and neatly placed in dumpster or stacked in the trash room for recycling purposes, along with large bundles of newspapers.
- 9.8.5. No large bundles of newspapers, fluorescent bulbs, loose vacuum cleaner dirt, loose kitty litter, loose fireplace ashes or barbeque charcoal and ashes are to be thrown down the trash chute.



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- 9.8.6. Absolutely NO HOT COALS or ashes are to be thrown down the trash chute or put into the dumpsters.
- 9.8.7. Residents shall not leave remodeling debris, old furniture; carpet remnants, appliances or large packing boxes in the garage or trash room. Residents are responsible for the removal of such items. The trash company will not pickup anything outside the dumpsters, and the items cause an obstruction therein.
- 9.8.8. NO trash may be left outside the dumpsters under any circumstances.
- 9.8.9. Trash enclosure doors must be kept closed at all times.
- 9.8.10. Oil drained from vehicles is not permitted in dumpsters or any common area. It must be disposed of outside the complex.

## **9.9. GARAGE AREAS:**

- 9.9.1. Only wheeled motor vehicles, bicycles and wheeled carts are permitted on garage floors. Recreational vehicles stored on trailers, i.e. boats, jet skis, etc., are NOT to be left in parking stalls.
- 9.9.2. All other items must be kept in designated storage lockers.
- 9.9.3. Residents are responsible for removing unsightly and hazardous accumulations of grease, oil or debris from their parking stalls. Kitty litter or gravel to soak up oil must be removed immediately.

## **10. TENNIS RULES**

- 10.1. Use of the tennis courts is limited to residents and their guests. Guests must be accompanied by an adult resident.
- 10.2. The tennis courts are not to be used by children without a resident adult in attendance who will be responsible for them, except by written permission from the Board of Directors.
- 10.3. Soft-soled tennis shoes must be worn on the courts at all times.
- 10.4. Hours of Play: 8 a.m. to 10 p.m. Please turn off lights after night use.
- 10.5. Court time will be determined by a reservation system. Rules for the reservation system will be posted in the tennis club.
- 10.6. No glass containers are permitted on courts.
- 10.7. Trash shall be placed in proper receptacles.
- 10.8. Courts are to be used exclusively for playing tennis.
- 10.9. Courts may NOT be used as a revenue source - recreational use only.

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## **11. ARCHITECTURAL RULES**

### **11.1. General Provisions:**

- 11.1.1. “Improvement” of any kind that will require a permit such as electrical, plumbing and building permits shall not commence, erect or maintain in any unit until the plans and specifications showing the nature of the improvement/s are submitted to and approved in writing by the Association’s Architectural Committee.
- 11.1.2. Improvements requiring Approval/Exclusion for Interior Projects – shall include, without limitation any building, structural improvement, exterior landscaping, wall exterior modification of existing structures, internal modification of any unit involving roof, bearing wall or other structural component thereof, any change in exterior color or the installation of spas, awnings, antennas, television satellite reception dishes or balcony covers.
- 11.1.3. **Owner has the exclusive right to paint, plaster, panel, wallpaper or otherwise finish or re-finish or decorate the inner surface of the walls, ceiling, or doors of the Owner’s unit. Such project shall not be subject to this general provision.**
- 11.1.4. **Plans** – Application (found on Clark Terrace website), plans and specifications shall be submitted to the Management Company by personal delivery or certified mail. In compliance with California Civil Code 1378, the Management Company will submit them to the Board of Directors and it shall provide a response in writing, either approving or disapproving the application within 14 days. If the application is disapproved, the Board of Directors shall provide an explanation of why the proposed request was disapproved.
- 11.1.5. If further review by the Board of Directors is needed to research structural concerns, electrical designs, re-location of pipes, approval or disapproval of application shall be within 45 days.

### **11.2. General Contractor Submittals:**

- 11.2.1. State of California General Contractor License
- 11.2.2. Current General Liability Coverage
- 11.2.3. Current Workers Compensation Coverage
- 11.2.4. Necessary City Permit- plumbing, electrical
- 11.2.5. Necessary Building Permit

### **11.3. All construction activities will be confined inside the unit and immediate adjacent areas. Any construction equipment must be removed from walkways in front of the unit and days when work is not actively in progress. No cutting of wood, tile, marble or granite on parking areas.**

### **11.4. Replacement of windows and doors are subject to Board approval. Exterior windows, door and door frames cannot be painted.**

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## **11.5. Construction Hours**

- 11.5.1. Construction is allowed Monday to Friday from 8:00 AM to 6:00 PM. Saturday, from 8:00 AM to 4:00 PM.
- 11.5.2. No Construction is allowed on Sundays or holidays.
- 11.5.3. No construction crew is allowed on the premises after 6:00 PM on weekdays or 4:00 PM on Saturday.

## **11.6. Construction Debris**

- 11.6.1. Construction debris must be removed daily and taken down to a waiting hauling truck parked in the guest parking.
- 11.6.2. The use of a dumpster is not allowed.

## **11.7. Floor Coverings**

- 11.7.1. Living Room - Hardwood floor, a 55 iic (impact isolation class) or higher rating for underlayment is required to prevent sound transmission to the unit below.
- 11.7.2. Bedroom – it is recommended that bedroom flooring be covered with carpeting.

## **11.8. Construction that will require Board Approval:**

- 11.8.1. Installation of hardwood floor covering
- 11.8.2. Bathroom renovation - schematic design for review
- 11.8.3. Kitchen renovation - schematic design for review
- 11.8.4. Any structural modification
- 11.8.5. Relocation of TV Cable hook up
- 11.8.6. Relocation of plumbing riser
- 11.8.7. Modification of Electrical system

## **11.9. Parking**

- 11.9.1. Construction crew can park in the designated guest parking area only while performing work at the site.

## **11.10. Security**

- 11.10.1. No door shall be propped open or garage door to stay up while construction materials are being transported to the construction site. General Contractor must assign a member of the crew to monitor and guard door while materials are being transported.
- 11.10.2. Security is top priority in this community.

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## **11.11. Elevator**

- 11.11.1. When transporting construction materials via the elevator, please make arrangements with the management company to use the elevator pads to protect the finish of the interior walls. Elevator must be cleaned and free of construction debris after use.

## **11.12. Water Shut Off**

- 11.12.1. Should the need arise to temporarily shut hot and cold water service to connect or disconnect a valve, water shut off can be accommodated upon 48 hours of notification to the management company:

## **11.13. Electrical Shut Off**

- 11.13.1. Main electrical panel servicing the unit can be shut off to connect or work on the electrical connections. Your electrician must contact the management company to arrange access.

## **11.14. Balcony**

- 11.14.1. Balconies are common areas that are exclusively used by homeowners. Homeowners are responsible for the maintenance of balconies. Homeowners must ensure that balcony floors are free of hairline cracks or cracks to prevent water intrusion to the waterproofing membrane. No covering or material may be installed on the balcony floor that could impede the drainage of water or holding of moisture. Constant moisture will compromise the waterproofing membrane and lead to structural problems. Expense to top the balcony floor grain is borne by the homeowner. Tiles cannot be used as balcony floor covering.
- 11.14.2. Any changes in the use of balconies other than its intended purpose, a request must be made in writing submitted to the Board of Directors for recommendation and final approval by the Board of Directors.

## **11.15. Shopping Carts**

- 11.15.1. The shopping carts are provided as courtesy to homeowners for easy and convenient
- 11.15.2. Transport of groceries or other light items purchased. Shopping carts are not to be used for construction purposes transporting construction materials to the unit. General Contractors must use their own flat dolly or wheelbarrow to transport building materials from the parking area to the unit.

## **11.16. Signage**

- 11.16.1. Construction Companies proving a service to a homeowner while a unit is being remodeled or renovated shall not display company logo or any form of advertising announcing their services in the common area. Solicitation or distribution of advertising materials to other units is absolutely prohibited.

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- 11.16.2. Construction vehicles with company logo are allowed to park in the guest parking areas only.

## **11.17. *Date of Completion***

- 11.17.1. Homeowner's written request for approval for renovation must also include date of completion of the renovation.
- 11.17.2. Units that will be directly impacted by the renovation will have to be notified a week in advance prior to start of renovation. Notification will mention date of completion.
- 11.17.3. Should date of completion not occur, homeowner must send in writing an explanation why there is a change in the completion date. A new notification will be sent to the units directly impacted by the work.

## **11.18. *Refundable Architectural Renovation Deposit***

- 11.18.1. Before any approved renovation starts, an Architectural Renovation Deposit of \$500.00 is required. This fund is to defray expenses incurred to repair any damage to the common area while renovation is in progress in the unit. Said deposit will be refunded after the Board of Directors determines that there was no damage to the common area.

## **11.19. *Architectural Guidelines***

- 11.19.1. **The architectural guidelines were established to preserve** the architectural integrity and design. To provide this service, the Board of Directors is required to:
  - 11.19.2. Establish architectural standards and guidelines.
  - 11.19.3. Control the modification of the exterior of all buildings.
  - 11.19.4. Receive and process the approval or denial of requests for modification.
  - 11.19.5. Ensure that any new construction is in compliance with the building codes.
  - 11.19.6. Article VII of the CC&R's provides the initial guidelines regarding architectural changes and additions. It reads as follows:
  - 11.19.7. "No owner shall, at his own expense or otherwise, make any alteration, addition or modification to the building in which his unit is located or to any part or portion of the Common Area without the prior written approval of the Board. With respect to the installation of awnings, sunshades, screen doors and other minor installations to any individual unit, the prior written consent of the Board shall be exercised with a view toward promoting uniformity and thereby enhancing the attractiveness of the property as a

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whole. No radio or television receiving or transmitting antennae or external apparatus shall be installed on or upon any unit, or in, on or upon any part of the Common Area without prior written approval of the Board. Normal radio and television installations within an individual unit are excepted."

## **12. TRAFFIC AND PARKING RULES**

- 12.1. Vehicles are not to exceed 10 MPH – NO SPEEDING.
- 12.2. Parking is permitted in marked spaces only. Each unit is provided with 2 parking spaces.
- 12.3. If a unit is rented the unit owner is responsible for securing additional parking spaces if needed. Homeowner's are responsible for ensuring tenants do not park in guest parking. Tenant's vehicle will be towed in violation of this rule.**
- 12.4. Residents MUST park in their assigned spaces only.
- 12.5. Vehicle shall not be left in a parking space in a non-operative condition. All vehicles must be registered and with current license plate and tag.
- 12.6. Residents may NOT park in the designated Guest Parking areas.**
- 12.7. The Guest Parking Areas may NOT be used for storing any vehicle.
- 12.8. Recreational Vehicle (RVs) on trailers must be parked outside the complex.
- 12.9. Vehicle shall not be repaired in the complex.
- 12.10. Absolutely, NO PARKING in RED FIRE LANES. Your car will be towed immediately.
- 12.11. Cars must be parked front-end first in all parking spaces. This will help maintain the cleanliness of the walls.
- 12.12. Guests of residents shall park their vehicles in guest parking area **not more than 2 days**, consecutively or intermittently, without the permission of the Board. Extended **Guest Parking Permits** can be obtained from any Board Member. **Guest Parking Permits are limited to one set of 14 consecutive days in any 90 day period.** Refer to the bulletin board for **HOA board contact information.**
- 12.13. Violators of any traffic **or parking** rule are subject to being towed at owner's expense. Parking violation forms are in use and violators will be cited with a warning. Towing will follow if violation persists.
- 12.14. Clark Terrace Homeowners Association is not responsible for theft or vandalism on any vehicle while parked in the premises.
- 12.15. Parking spaces cannot be used to store personal items except for bikes, baby carriers and folding grocery carts. Owners are encouraged to install bike rack on the wall to hang bikes properly. For security reasons, it is recommended that you store your bike in the secure locked bike cage located in the 1655 building.

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- 12.16. Storing of any flammable liquids is strictly prohibited. Vehicle cleaning compounds must be stored properly in the storage cabinet assigned to the unit.

## **13. ROOF ACCESS**

- 13.1. ***The Clark Terrace Homeowners Association is required to provide procedures for all roof access due to safety, liability and warranty issues. The Roof Access procedures apply to all Clark Terrace Homeowners: Owners, Renters, Management Company, all contractors working on Clark Terrace HOA and contractors maintaining equipment on the roofs.***
- 13.2. Access to roof is limited to authorized person/s, air conditioning service provider, the Boiler Company and authorized homeowner.
- 13.3. Homeowners may request access to roof when a service provider hired by the owner will work on the air conditioning unit.
- 13.4. Homeowners must call the Board of Directors for roof key release and a \$100.00 deposit is needed. Homeowner has the possession of roof key for 24 hours.
- 13.5. Homeowners cannot share the use of the roof key with another homeowner.
- 13.6. **Roof Key Sign Off**
- 13.6.1. **Roof key Sign Off is required prior to issuance of roof key. Either a Board Member or the Management Company can sign in behalf of the Association.**
- 13.6.2. Due to the nature of material used for the new roof at 1655 and 1645 – Duro Last Roof;
- 13.6.3. Roof surface is very slippery when wet.
- 13.7. **Foot wear**
- 13.7.1. Foot wear with sharp objects and/or protruding nails, high heels, golf shoes and athletic cleats cannot be worn on the roof at any time.
- 13.8. **Typical damage to the Duro Last roofing system:**
- 13.8.1. Penetrations into the membrane from careless contractors
- 13.8.2. Broken glass, metal bottles, stray nails/screws and other debris
- 13.8.3. Careless use of flammables and chemicals (cigarettes, gasoline, solvents, etc)
- 13.8.4. Improper tools used for cleaning of debris. (Use only wooden or plastic shovel or pusher to remove debris. Do not use metal removal equipment.
- 13.9. **Safety**
- 13.9.1. If working within 3 feet of the roof edge without a handrail of 10 ft high, you must be tied off with a safety harness and line. You are responsible for your own safety.

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- 13.9.2. **Stay on walkways when available. Where walkways are not available, use EXTREME CAUTION.**
- 13.9.3. **Never walk backwards on the roof.**
- 13.9.4. **Never work on your back to the edge of the roof.**

## 13.10. **Roof Surface:**

- 13.10.1. When equipment is to be moved across the roof, protect the roof surface
  - 13.10.2. If heavy objects have to be set on roof, e.g. air conditioning units, protection for the membrane surface must be provided.
  - 13.10.3. If you inadvertently drop something or step on a blister, please mark the location and notify the Management Company'
  - 13.10.4. Use of flame or welding equipment, refer to the City of Long Beach and CAL OSHA Hot Work permit requirements.
  - 13.10.5. If you will be using solvents, paints or any odorous substance, notify the Management Company prior to commencing work. This requires 48 hours notification.
- 13.11. **Roof Access is between 8:00 AM and 5:00 PM. Please notify a HOA Board member when work is concluded.**
- 13.12. **Emergency access to roof outside the normal “contractor” will be permitted on a very limited basis. Access to the roof during periods of heavy precipitation, wind or limited visibility will be only during most dire of emergencies.**

## **14. STORAGE**

- 14.1. The storage of gasoline and other volatile fluids is strictly prohibited in any storage area, including homes and garages.
- 14.2. All residents have an assigned storage area. No additions or alterations are permitted without written consent of the Board or Directors. Submit your written request plus sketch to the Board.

## **15. ELEVATORS**

- 15.1. Elevators are NOT to be left in locked-stop position.
- 15.2. There is to be NO SMOKING in the elevators.
- 15.3. Elevator pads must be used for all move-ins, move-outs and any large, heavy furniture deliveries.

## **16. NOISE AND DISTURBANCES**

- 16.1. Our neighbors are close neighbors. Be considerate at all times.



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- 16.2. Music and parties should not be excessively loud.
- 16.3. Children and pets should not cause disturbances or become unruly.
- 16.4. No excessive noise from vehicles or power equipment.
- 16.5. Motorcycles are not to be operated in complex.
- 16.6. Horn honking is discouraged. Guests and delivery persons are to use the intercom system to announce their arrival. There are bedrooms along the driveway, and horn honking is disturbing to the residents.
- 16.7. No shouting from the balconies into the guest parking, pool or tennis areas.

## **17. PET RULES**

- 17.1. All pets are to be confined to the inside of resident's unit and balcony. They are not to be let out unless under restraint on a leash not to exceed 5 feet in length or carried.
- 17.2. Pet owners are required to carry and use means to remove their pet's defecation **IMMEDIATELY** when anywhere within the boundaries of the common area. Pet owners will be assessed with damages to landscaping or other real or personal property caused by their pets.
- 17.3. Pet owners are to be responsible for timely removal of pet defecation from their balconies. Consideration for our neighbors is of utmost concern. The nuisance of flies and fecal smell is not pleasant.
- 17.4. **Pets are not permitted in the recreational areas unless otherwise required by law.**
- 17.5. Animals should not be leashed to balconies while residents are away. No animal may run loose in the common areas. Pets must be confined inside the resident's unit when residents are not home.
- 17.6. Pets are not permitted in water features.
- 17.7. **Residents are limited to one (1) cat or one (1) dog, limited to 20 pounds, per unit.**
- 17.8. The Board shall have the right to prohibit upon the project, any animal, etc. which constitutes in the sole opinion of the Board, to be a nuisance to any other resident.

## **18. POOL RULES**

- 18.1. *WARNING: Use of the Jacuzzi is not recommended for young children, pregnant women or senior citizens. For health reasons, the maximum time in the Jacuzzi is 15 minutes. Also, admission to the pool will be denied all persons having any infectious disease. Persons with excessive sunburn, open sores, bandages or any other ailment which could endanger their well-being, or that of others, will not be permitted in the pool.*
- 18.2. Pool and Jacuzzi hours are from 8 a.m. to 10 p.m. except for very quiet health-type swimming.

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- 18.3. Settings for pool and Jacuzzi temperatures are NOT to be changed.
- 18.4. Children are not to be in the pool area without an adult resident in attendance who will be responsible for them. No lifeguard is on duty.
- 18.5. Residents must accompany their guest and accept responsibility for them while in the pool area or any common area.
- 18.6. The swimming pool and pool area are for the use of residents and their invited guests only. The number of guests in one group in the pool at any one time will not exceed seven (7), except for pre-approved parties.
- 18.7. Pool area must be used in such a manner as not to disturb other residents. Loud or unnecessary noise is prohibited. Radios must be low. No running, ball playing or horseplay. Televisions are permitted in trellis areas only at owner's risk.
- 18.8. Glass objects are strictly prohibited in pool and Jacuzzi areas.
- 18.9. Swimming suits must be worn by persons in the water. No cutoffs will be allowed in the pool and Jacuzzi as this material clogs the filter.
- 18.10. Bicycles, skateboards or other recreational wheeled vehicles of any type are not allowed in the pool area.
- 18.11. All trash, including cigarette butts and pop-tops, must be placed in the proper receptacles.
- 18.12. Pool chairs and lounges may not be reserved if not in use for more than 15 minutes.
- 18.13. Pool and garden furniture is not to be removed from the designated area.
- 18.14. Timer switch at Jacuzzi should be turned off after use.
- 18.15. Those using sun tan oil must shower before entering pool or Jacuzzi.
- 18.16. PLEASE NOTE: Toilet facilities have been provided for your use. The pool and Jacuzzi are not to be used for this purpose. The pool can be treated, without notice, with a chemical that will reveal, upon contact, the presence of urine in the water.
- 18.17. NO person wearing diaper type garments without rubber pants are allowed in pool.
- 18.18. NO pets are allowed in swimming pool or pool area.
- 18.19. **Smoking is not permitted in any of the common areas.**
- 18.20. Per California Building Code §3120B.11 persons having currently active diarrhea or who have had active diarrhea within the previous 14 days shall not be allowed to enter the pool water.

## **19. SAUNA RULES**

- 19.1. Children are not permitted in the sauna area without a resident adult in attendance that will be responsible for them.

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19.2. Guests are not to use the sauna unless accompanied by an adult resident.

19.3. **NO SMOKING or EATING in sauna area.**

19.4. Building door must be locked when leaving.

## **20. TRELIS FURNITURE**

20.1. Protective covers **MUST BE PLACED** on trellis furniture after use.

## **21. BBQ GRILLS**

21.1. BBQ grills **MUST** be turned off after use.

21.2. BBQ grills **MUST** be cleaned after each use with provided cleaning tools.

21.3. Outside sink in Pool Building next to BBQ grills **MUST** be cleaned after each use.

## **22. WATER FOUNTAINS**

22.1. Water fountains **MUST** only be used for drinking water.

## **23. MAINTENANCE**

23.1. Litter, such as plant leaves, saw dust, papers, oil, Christmas trees, etc., caused by delivery to or from a unit; and boxes left in driveways, garage, lobby, stairwells or elevators, is the responsibility of the resident to remove.

23.2. It is the responsibility of all new residents to break down their moving boxes before taking them to the trash room.

23.3. Smokers are to dispose of their cigarette butts in the appropriate receptacles. Do NOT dispose of cigarette/cigar butts on the walkways, the garage floors or in the planters and garden areas.

## **24. COMMON AREA KEYS**

24.1. Common area keys, which cannot be duplicated, have been distributed to each resident for access to recreational facilities and all common areas and common area gates. The replacement cost of these keys is \$75 each, payable by check or money order.

## **25. PRECAUTIONARY MEASURES**

25.1. To discourage vandalism, it is advised NOT to leave garage door openers and cell phones in vehicles.

25.2. Report any suspicious strangers, vandalism or other damage to property to the Police Department and in writing to the management company.

## **26. SOLICITING**

26.1. **NO** soliciting is permitted on the premises without written permission from the Board of Directors.

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## **27. GROCERY CARTS**

- 27.1. Grocery carts are retained at the complex for your convenience and for the use of all residents.
- 27.2. Return carts to the garage level immediately after use for availability to other residents. 1635 building: next to the trash room. 1645 and 1655 buildings: under the stairs in the lobby area.
- 27.3. **Do NOT** leave carts at unit entryways, on the walkways near the elevators, at the foot of the stairs in the lobby or in garage parking stalls.
- 27.4. **Do NOT** leave carts in the elevators. They block the entrance into the elevator, and it is an inconsiderate maneuver on the part of the offender.
- 27.5. Please be responsible for keeping carts where they belong.

## **28. MALICIOUS MISCHIEF OR VANDALISM**

- 28.1. No one shall maliciously injure or destroy any real property or personal property which does not belong to him or her. This includes the common areas, as well as the exteriors of all buildings, and personal property situated on the balcony or entryway of any unit.

## **29. PRIVATE PARTIES**

- 29.1. The following guidelines have been established for private parties.
  - 29.1.1. When a resident expects to entertain more than eight (8) guests in the common area at one time, a written notice regarding time, date and number of guests should be submitted to the Board of Directors.
  - 29.1.2. The maximum number of guests allowed to attend a party in the common area at one time is twenty five (25) persons; holidays are limited to twelve (12) persons per party.
  - 29.1.3. Reservations will be honored in the order received.
  - 29.1.4. Hours for private parties are 10 a.m. to 10 p.m.
  - 29.1.5. A reservation deposit of \$100 is required and will be returned upon verification that the area has been left clean and no damage has been sustained to the common area.
- 29.2. The Secretary for the Board of Directors will post a list of scheduled parties on the Bulletin Boards to enable other residents to plan their use of the facilities accordingly.

## **30. MOVING RULES**

- 30.1. Elevator pads must be used when moving large or heavy items/furniture in or out of the complex.
- 30.2. Elevator pads must be used for all move-ins and move-outs.

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- 30.3. Refer to the bulletin board for contact person to obtain elevator pads.
- 30.4. Moving hours are restricted as follows:
  - 30.4.1. Monday-Saturday 8 a.m. to 8 p.m.
  - 30.4.2. Sunday 10 a.m. to 8 p.m.
- 30.5. Instruct moving companies and/or delivery trucks not to park in the red Fire Lanes.
- 30.6. Large moving and delivery trucks must not obstruct the entrance to any garage.

## **31. OCCUPANCY FORMS**

- 31.1. New homeowners and managers for any tenant-occupied unit are required to complete and return Occupancy Forms to the management company prior to occupancy.
- 31.2. Occupancy forms MUST be received before residents may be added to the directory and intercom system located at the main entrance to the complex.

## **32. REAL ESTATE SIGNS AND LOCK BOXES**

- 32.1. For Lease and For Sale signs must be conforming in size, color and overall appearance. They are to be 7-1/2" x 18\* in size, conforming dark brown with white lettering.
- 32.2. Signs are to be attached to the sign tree located at the driveway entrance on Clark Avenue using \*S' hooks. Signs may also be placed in a window of the unit.
- 32.3. The distance between the holes for the "S" hooks must be 14', perfectly centered.
- 32.4. Homeowners are responsible for informing their Realtors regarding signage requirements and insuring compliance.
- 32.5. Place lock boxes on lockbox tree located in the parking lot next to the 1645 building only.
- 32.6. Any lock boxes placed in any other common area will be removed immediately and disposed of.
- 32.7. Lock boxes on unit doors are permissible.
- 32.8. Lock boxes must contain a label with the name and phone number of the owner of the lock box.
- 32.9. Lock boxes must be registered with the community management company.

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## **33. LEASING UNITS**

- 33.1. An owner of any unit may lease his or her condominium subject to the provisions of the CC&R's and the community's Guidelines and Rules. The owner is responsible for the negligence and/or willful acts and conduct of his or her tenants. Should damages to the common areas be caused by an owner's tenant, the owner is responsible. When you lease a condominium, you assign your privileges to the common area facilities to your tenant. Owners of leased units may not have the use of the pool, Jacuzzi, sauna or common recreational facilities.
- 33.2. Owners are also asked to verify, before leasing, the number of approved occupants per unit and to make available to tenants their assigned parking spaces and a copy of the "Rules & Regulations", the guidelines for living at Clark Terrace.
- 33.3. When owners have leased a unit, they must notify the management company in writing. An Occupancy Form must also be completed so that occupancy records and directories can be properly changed.

## **34. PROPERTY AND PRIVACY PROTECTION**

- 34.1. The Homeowners' Association exists to safeguard your right to enjoy your property in private, and to insure fair shared use of community facilities for all residents

## **35. ENFORCEMENT OF ALL RULES IN ARTICLE XI**

- 35.1. Any damage to buildings, recreational facilities and equipment or any other common area property, caused by an owner, his family or guests or employees/contractors or tenants, shall be remedied at the expense of the applicable owner.
- 35.2. In addition to all other remedies provided by law, the CC&Rs, the Articles of Incorporation, and the By-Laws may be enforced by the Association and/or any aggrieved owner for the recovery of damages, or for injunctive relief, or both, as follows:
- 35.3. Breach of any of the covenants contained in the Declaration or the provisions of the By-Laws and the continuation of any such breach may be enjoined, abated or remedied by appropriate legal proceedings by any Owner, the Association or the successors in interest of the Association.
- 35.4. The result of every act or omission whereby any of the covenants contained in this Declaration or the provisions of the By-Laws are violated in whole, or in part, is hereby declared to be and constitutes a nuisance, and every remedy allowed by law or equity against a nuisance, either public or private, shall be applicable against every such result and may be exercised by any Owner, the Association or its successors in interest.
- 35.5. The remedies herein provided for breach of the Covenants contained in this Declaration or the provisions of the By-Laws shall be deemed cumulative, and none of such remedies shall be deemed exclusive.
- 35.6. The failure of the Association to enforce any of the Covenants contained in this Declaration or the provisions of the By-Laws shall not constitute a waiver of the right to enforce the same thereafter.

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- 35.7. A breach of the Covenants contained in this Declaration or the provisions of the By-Laws shall not affect or impair the lien or charge of any bona fide mortgage or Deed of Trust made in good faith and for value on any lot or the improvements therein; provided, however, that any subsequent Owner of such property shall be bound by said Covenants, whether such Owner's title was acquired by foreclosure in a trustee's sale or otherwise.
- 35.8. The Association shall have the right to suspend the voting rights and right to use the recreational facilities by a member for any period during which any assessment against his Lot remains unpaid after notice and hearing given and had, and for a period not to exceed thirty (30) days after notice and hearing given and had for any infraction of its published Rules and Regulations.
- 35.9. In addition to the above general rights of enforcement, the City shall have the right, through its agents and employees, to enter upon any part of the property for the purpose of enforcing the California Vehicle Code and the Ordinances of the City, and is hereby granted an easement over the project for that purpose.

## **36. CHANGES IN RULES AND REGULATIONS**

- 36.1. The Board of Directors may, in accordance with the By-Laws, alter, amend, revoke or add to these rules and regulations for the preservation of safety and order therein, for its care and cleanliness, or for the protection of the reputation thereof. When notice of any such alteration, amendment, revocation or addition is given to any resident, it shall have the same force and effect as if originally made a part of the Rules and Regulations.

## **37. CATEGORIES OF VIOLATIONS**

- 37.1. Architectural and Storage Rules
- 37.2. Common Area Rules
- 37.3. Traffic and Parking Rules
- 37.4. Behavioral Rules: malicious mischief, noise, pets, pool

## **38. ENFORCEMENT OF ALL RULES**

### **38.1. FINES:**

- |         |                                 |  |
|---------|---------------------------------|--|
| 38.1.1. | <b>1<sup>st</sup> Violation</b> | <b>\$50 and/or Notification Letter</b> |
| 38.1.2. | <b>2<sup>nd</sup> Violation</b> | <b>\$50</b>                            |
| 38.1.3. | <b>3<sup>rd</sup> Violation</b> | <b>\$100</b>                           |

- 38.2. The above listed fines will be levied in addition to the cost to remedy any damage to common area property. If a violation similar in nature is continued or repeated within a twelve (12) month period of time, the maximum fine will be at the discretion of the Board of Directors. For continuing violation, the maximum fine will be assessed on a weekly basis until such violation has stopped.
- 38.3. The Board of Directors reserves the right to impose significantly greater fines in instances which create unreasonable risks to the health, safety and welfare of the residents.

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## **39. ENFORCEMENT PROCEDURE**

- 39.1. Violations are to be reported in writing to the management company. The report should include all pertinent data including time, date, location, violation and signatures of all witnesses.
- 39.2. The management company will present all written violation reports to the Board of Directors for review and determination of the appropriate action to take.
- 39.3. If the offense is a maintenance, repair or storage violation, and if the resident does not respond and/or correct the violation within the stipulated time period, the management company may cause said violation to be remedied, and assess the owner and/or tenant for said cost to cure.
- 39.4. Fines will be collected by the management company in accordance with the above-stated schedule.