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Calabasas Park Homeowners Association

RULES AND REGULATIONS

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RULES AND REGULATIONS
CALABASAS PARK HOMEOWNERS ASSOCIATION
_____ , 2005

I.
PREAMBLE

The following Rules and Regulations have been adopted by the Board of Directors in accordance with the authority granted in Sections 1357.100 *et seq.* of the California Civil Code. The Calabasas Park Homeowners Association (“Association”) is the owner of Calabasas Lake and many of the parkways and landscape areas which meander throughout and adjacent to the respective developments in which you live. It provides many different services which help to preserve the way of life which is enjoyed by all residents of this unique community. In addition, for some of you, the Association is your sole owners’ association providing architectural control, security services, dispute resolution, and other varied benefits. Thus, the document is divided into two parts, the first containing rules which apply to all Members of the Association and the second containing rules which apply only to those persons who are not subject to the regulation of another association and who own property in a tract listed in Exhibit A hereto.

The Rules and Regulations are intended to preserve and protect the beauty and peacefulness of the community, and thus to enhance the individual and collective property values on behalf of each Member of the Association. Your cooperation in supporting not only the letter but the spirit of these Rules and Regulations will contribute significantly to the protection of the rights and privileges of all.

The terms utilized in the Rules and Regulations are as defined in the Bylaws. The provisions are binding upon all Members and their tenants, family members, and guests. These Rules are intended to supplement the provisions of the Association’s Bylaws, and, for certain of you, the CC&R’s administered by this Association.

PART 1: RULES PERTAINING TO ALL MEMBERS.

II.
MANAGEMENT OF THE ASSOCIATION

A. Management Company

The Association employs a management company whose job it is to operate the day-to-day affairs of the Association under the supervision of the Board of Directors. If you have any questions or problems which need to be addressed to or handled by the Association, you should direct such communications to the management company who will forward them to the Board, or to other Association representatives as the case may be, for consideration and action.

Current Management Company: Ross Morgan & Company, Inc.
15315 Magnolia Blvd., Suite 212
Sherman Oaks, California 91403
(818) 907-6622
C.P.H.A. Hotline: (818) 225-9191, extension 219
Web Site: Calabasasparkha.com

B. Board of Directors

The ultimate responsibility for managing the Association and its assets and services lies with the Board of Directors. The Board is comprised of 21 directors each of whom is a Member of the Association. Each Board member is elected at an annual meeting of the Members to serve a two-year term. The Board generally meets once a month at a scheduled time and location. All such meetings are open to the membership except when the Board convenes in executive session as permitted by law. Notice of each open meeting of the Board is given to all Members. A portion of each open meeting is set aside for questions and comments from Members in attendance.

C. Committees

Each year the Board will form different committees whose job it is to focus on a specific area of importance to the community and to report findings and recommendations to the Board of Directors. Although there will normally be at least one Board member on each committee, other spaces on most committees are reserved for any Member who expresses an interest in serving. Committees are the forums in which you can participate in the affairs of the community, make known your needs, complaints and suggestions, and above all be a part of the decision making process.

The following committees are active in the community and need your support in order to be effective. If you are willing to help, leave your name with the management company:

BUDGET AND FINANCE COMMITTEE

CAPITAL IMPROVEMENTS COMMITTEE

COMMUNICATIONS COMMITTEE

ENVIRONMENTAL CONTROL/CC&Rs/LANDSCAPE
COMMITTEE

GOVERNMENTAL AFFAIRS COMMITTEE

NOMINATING COMMITTEE

SOCIAL/COMMUNITY RELATIONS COMMITTEE

SECURITY/LAKE/FACILITIES USE COMMITTEE

III.
GENERAL RULES

- A. No Member, family member, guest, or tenant shall use the Common Areas or Association Property in such a manner as to cause a nuisance, undue noise, or a disturbance as determined in the opinion of the Board.
- B. No person shall alter, modify, improve, or change the appearance of the Common Areas or Association Property.
- C. No person shall store, place, dump or park any item in the Common Areas or Association Property.
- D. No person shall alter his or her Lot or the improvements thereon so as to incorporate, affect, or usurp Common Areas or Association Property.
- E. The Common Areas and Association Property shall be used solely for the purpose they are intended to be used and for no other purpose unless expressly authorized by the Board of Directors in writing.
- F. Unless otherwise authorized in advance in writing by the Board of Directors, parties and gatherings of more than 15 people are not allowed in the Common Areas or Association Property and extra security may be required at the discretion of the Board, at the person's expense.
- G. All Members shall be liable for any injury or damage to the Common Areas or Association Property, or to persons situated in such locations, caused by their acts or the acts of their family members, tenants, and guests.
- H. The Association and its representatives shall not be liable for any injury or damage in the Common Areas or Association Property in the absence of gross negligence by the Association or its authorized representatives and occupants of the Common Areas or Association Property waive any claims for damage or injury arising from any use of these areas.
- I. The lack of enforcement or notice from the Association on any violation herein shall not be deemed a waiver by the Association and shall not preclude or prejudice the Association from enforcing subsequent violations.

IV.
LAKE RULES & REGULATIONS

Calabasas Lake (“Lake”) is owned by the Association. The Lake is for the exclusive use of Members and their tenants and guests. The purpose and spirit of these rules and regulations is to foster safe and enjoyable recreational use of the Lake and to maintain the ecological integrity of the area. The use of the Lake and it’s surrounding areas are limited to Members in good standing with valid lake tags and their guests.

These rules shall be administered and implemented by the Lake Recreation Committee, which will have the authority to restrict and/or prohibit use of the Lake by persons who violate the rules and for any reasons related to safety and/or security. The Security Patrol will be empowered to enforce these rules at all times.

A. Swimming and/or Wading

Swimming and/or wading is strictly prohibited in Calabasas Lake.

B. Pets

All pets, regardless of size, must remain leashed and accompanied by a Member or Resident or such person’s authorized guest. To prevent the spread of disease and in consideration of other Lake users, dog owners must use a container to remove their pet's droppings, as per L.A. County Ordinance 10.40.060, Title 10.

C. Waterfowl

Feeding of waterfowl is prohibited because it is harmful to birds and alters the natural ecological balance of the Lake.

D. Shoreline Pathways

Shoreline pathways are to be kept free and clear by shoreline homeowners for the safe recreational use of the residents for walking, running, boating and fishing. All wheeled recreational equipment, such as bicycles, roller-skates, rollerblades, skateboards, and motorized vehicles are prohibited, with the exception of baby strollers and wheel chairs.

E. Adjacent Homeowners

All homeowners using the Lake are requested to aid in maintaining the delicate ecological balance of the Lake. Forbidden materials that must be kept from the Lake, storm drains and street gutters that feed the Lake are grass clippings, weeds, branches of trees, paint, cement, oil, soap suds, building materials, pet waste, pool or spa drainage or any other non-biodegradable, chemical or aesthetically unpleasing material that is not compatible with the ecology of the Lake, Therefore, it is the homeowner's responsibility to direct contractors and workers that yard drains terminate in the Lake and are not to be used for waste disposal and the homeowner will be held liable for the cost of all damage and clean-up resulting from such negligence. The

offending homeowner will be fined by the Board of Directors, if the necessary cleanup, damage or unsafe condition is not immediately rectified and the cost of same is not paid by the responsible homeowner in a timely manner. Only biodegradable cleaning products may be used to maintain boat and pathway appearance. Fertilizers, pesticides, and other similar or hazardous chemicals or materials dispersed in the yards of lakefront homes ultimately end up in the lake where they do irreversible harm to the ecology of the Lake. The Members and residents shall not allow these products to enter the lake by any means at any time.

F. Boating

Launching access to the Lake will be limited to the spillway area at the North end of the Lake adjacent to the beach. Docks and any structure, other than mooring bars, are prohibited on Calabasas Lake. Any boats not complying with the rules and regulations listed below may, after notice and a hearing as described in Article VIII(B) below, be removed and barred from the lake at the Owner's expense and without liability to the Association.

- (i) When an applicant requests permission to bring a boat onto the lake, they must communicate with a member of the committee whose job it is to oversee the lake, which committee will give them a copy of the regulations by which they must abide. Any infractions of the Rules and Regulations will be brought to the attention of the boat owner in writing and if not rectified within 15 days will be subject to whatever actions the Board of Directors considers necessary with the boat owner held responsible for any cost incurred. If the infractions represent unsafe conditions, they must be rectified immediately. Further, non-compliance or delinquency will include fines and impounding of boats with the owner responsible for any and all costs. Boats of delinquent homeowners will be sold after 90 days of impound.
- (ii) Boating regulations are intended to limit boat usage to small sail boats, row boats, 2 passenger paddle boats, canoes, kayaks, single and twin hull party boats and all pleasure dinghies powered by electric trolling motors, Multi-hulled sailboats, wind surfers, surfboards, paddleboards, gasoline powered remote controlled model boats, and motor surfers are prohibited on the Lake. No boat which exceeds 16 feet in length may be placed on the Lake except non-powered canoes and kayaks.
- (iii) Gasoline motors are not permitted. Electric motors are permitted.
- (iv) Boating activities are permitted from sunrise to sunset, provided, however, boats with safety lights may remain on the Lake until 11:00 p.m. Any exceptions must receive written approval by the Lake Recreation Committee.
- (v) All equipment used on any boat shall conform to the laws of the State of California, Department of Boating and Waterways pursuant to Section 652(F) and (K) of the Harbors and Navigation Code. Each boat shall carry an approved life preserver or flotation cushion for each person on board. Children under 12 must wear their life preserver at all times when on the water. Children under the age of 12 are not permitted on the lake without the direct supervision of an adult

who must be present with the child at all times.

- (vi) All boats must be authorized for use on the Lake by the Lake Recreation Committee and must display a current Calabasas Lake Boating Permit. The boating permit fee will be due and payable each year in the amount as determined by the Board of Directors of CPHA.
- (vii) Current California boating license permits must be displayed on all boats in accordance with the California State Department of Boating as administered by the Department of Motor Vehicles. Boats without motors or any kind of sailboats less than 8 feet long do not require California boat registration but do require a CPHA permit.
- (viii) Proper boating liability insurance must be kept in force by the boat owners. It is the responsibility of the boat owner to have proof of insurance on file with the management company. A boat permit will not be issued without proof of liability insurance with limits of not less than \$500,000 per occurrence.
- (ix) All homeowners wishing to have boats on the Lake will need to contact the Lake Committee to determine if there is an available location for mooring and power. Shoreline homeowners must have approved tie-ups or mooring bars for their boats. The installation standards are available on request and will be issued to all new boat owner applicants. Tie-ups or mooring bars shall be for the regular use of these boats and not for long-term storage. All existing tie-ups or mooring bars are subject to approval by the Lake Committee and all electrical work must be in compliance with Uniform Electrical Codes.
- (x) All boat tie-ups must be kept by the boat owner in a neat and safe condition, so that the safety, structural integrity, and physical appearance of the shoreline will be maintained. All boats must be kept in a safe and usable condition, comply with California Boating Law and be kept in clean and well maintained condition at all times, Any cleaning products other than biodegradable materials may not be used on the Lake.
- (xi) All boats capable of holding standing water must be covered to eliminate water collecting. All covers must be installed and maintained to ensure they in turn do not collect and hold ponding water.

G. Fishing

Fishing is restricted to Members (and their designated guests). No visitor or guest may fish in the Lake unless accompanied by a Member.

- (i) Lake fishing permits are required in order to fish and can be purchased from the Lake Recreation Committee. An annual fee is set by the Committee, with proceeds used to maintain the fishery.
- (ii) Lake permits are required for persons age 14 and older. Each permit allows one

guest to fish in addition to the permit holder. Children under age 14 must be accompanied at all times by an adult permit holder.

- (iii) Fishing badges must be worn visibly above the waist while fishing and shown to the security patrol upon request.
- (iv) Fishing is allowed between one hour before sunrise and one hour after sunset, only.
- (v) No live bait is to be used. Artificial lures, flies, plastic worms, etc. are to be used.
- (vi) In addition to Lake fishing permits, the State of California requires persons age 16 and older to have in their possession a valid California fishing license. Failure to do so will result in a substantial fine should Fish and Game wardens ask for your license. California Fish and Game laws will apply to fishing activities.
- (vii) Catch and release fishing is mandated to maintain a quality fishery. Barbs on hooks must be pinched down to fish barbless. Wet your hands before touching fish to remove hooks. Do not let fish touch the ground or your clothing. Do not touch fish with a towel. Cut the line if a fish has swallowed the hook. Release the fish gently and as quickly as possible to insure their good health. The fish are a resource to be protected and cared for.
- (viii) Failure to comply with either the Calabasas Lake rules or the fishing rules will result in loss of permit and fishing privileges.

V. **ANIMALS**

- A. While in the Common Areas or Association Property animals must be either kept within an enclosure, or on a leash being held by a person capable of controlling the animal.
- B. It is the absolute duty and responsibility of animal owners to clean up after their animals which have defecated on any portion of the Common Areas and Association Property.
- C. All dogs must be licensed and tagged with the identification of the owner's name, address, and phone number. Un-tagged and stray animals are sent to the animal shelter.
- D. Members are responsible for any personal injury or property damage caused by their pet(s) and the pets of their tenants and guests.
- E. The Board of Directors may exercise the right in its absolute discretion to require removal of any pet which creates a nuisance, including but not limited to excessive noise, continuously running loose, repeatedly damaging, creating or contributing to unhealthy private or common area conditions.

- F. All state and local ordinances must be followed regarding licensing, leash laws, etc.

VI.

TRAFFIC AND VEHICLE RULES

- A. Vehicles parked illegally in the Common Areas or Association Property may be towed at the vehicle owner's expense, without warning.
- B. No inoperable, unlicensed, or unregistered vehicle shall be parked at any time in the Common Areas, Association Property or on public streets. Otherwise, Members may park in the street or in their driveways although inoperable or abandoned vehicles must be parked on a Lot in a location that is not visible from the street or from the front of a neighbor's Lot.
- C. Members are responsible for any damage or injury caused by their vehicles, or the vehicles of their family members, tenants and guests, in the Common Areas or Association Property. Except for work done within an enclosed garage, vehicle repairs are not permitted anywhere on the property with the exception of minor repairs that can be accomplished in a matter of minutes, such as tire or battery changes.

VII.

SIGNS

One "For Sale" or "For Lease" stake type, not post, sign is permitted on the Member's property. This sign shall be no larger than five (5) square feet in area. One "Open House" sign will be allowed on the property during the hours the open house is actually in progress. Open house signs may be two-sided and no larger than three (3) square feet in area. A "Sold" rider may be placed over the for sale sign and this rider shall not exceed one (1) square foot in area. No directional signs, flags, balloons or banners are permitted.

Nothing herein shall preclude the display of any sign in support or opposition to any candidate or issue to be decided in an upcoming election provided that such sign shall not exceed five (5) square feet and such sign shall not be displayed more than thirty (30) days before such election nor more than twenty four (24) hours after such election.

All signs, if permitted, must be professionally prepared with no hand lettering. No posters, notices or signs shall be posted in or on the Common Areas without the prior written permission of the Board of Directors.

VIII.

ENFORCEMENT PROCEDURES AND FINES

- A. Any Member may lodge a written complaint with the management company about a violation of the Rules and Regulations by another Member or by his or her family members, tenants, and guests.

- B. After a Member has been notified of a violation and the violation continues, the Member will be asked to attend a hearing before the Board of Directors. At that time the Member may present any information or arguments in his or her favor. The Board will then decide on an appropriate course of action which may include any or all sanctions referenced in these rules, the Bylaws, the CC&Rs or available under California law.
- C. Fines. For a violation of the Governing Documents the following fines may be imposed within a 12-month period. Notwithstanding the following limits, for any violation the Board considers to be very serious, the Board can impose a fine up to \$10,000. Otherwise, the fines shall be as follows:
- (i) A first violation will generate a warning letter, except if the Board believes the violation is of a serious nature, it may convene a hearing and impose sanctions. A fine for a first violation will be up to \$100.
 - (ii) A second violation within a 12-month period will be assessed a fine of up to \$200.00.
 - (iii) A third violation within a 12-month period will be assessed a fine of up to \$300.00.
 - (iv) A fourth violation within a 12-month period will be assessed a fine of up to \$400.00.
 - (v) For any subsequent violations within a 12-month period, the Member will be assessed a fine of up to \$500.00 per violation.
 - (vi) If any violation is deemed by the Board to be ongoing, after the initial day fine as prescribed above fines will continue to accrue at the rate of \$100 per day until the violation is cured.
- D. Legal action may be taken by the Association to enjoin any violation of these Rules and Regulations and/or for damages incurred by the Association. The prevailing party in any such legal action shall recover his, her or its reasonable attorneys fees and costs.
- E. Dispute Resolution. The Association and the Members shall abide by the dispute resolution procedures set out in Section 1363.840 of the Civil Code and the Alternative Dispute Resolution process required in Section 1369.510, *et seq.* of the Civil Code.

PART 2: RULES PERTAINING TO CERTAIN MEMBERS ONLY

The following regulations apply only to those Members who live in tracts listed in Exhibit A hereto. For those persons only, the Association has the right and duty under recorded CC&Rs to act as their duly formed owners association and to manage the affairs of the tract.

IX.

USE RESTRICTIONS

The following restrictions shall apply to the use by any Member of his Lot and home and are intended to protect neighbors from any undue noise, disturbance, harassment, or annoyance. These restrictions shall apply both to Members and their family, guests, tenants and invitees.

- A. No Member shall use, or allow the use of his property, in such a manner as to cause a nuisance. A nuisance is created when there is illegal conduct, or conduct which results in undue noise, disturbance, harassment or annoyance to any other person in the area. Whether conduct constitutes a nuisance shall be as decided in the opinion of the Board.
- B. Window and door coverings may not be made of aluminum foil, sheets, blankets, or other similar materials.
- C. No clothes may be dried on any Lot that are visible from the street or another neighbor's property.
- D. All curbside mailboxes shall be subject to regulation by the Board as to design, size and color and shall be consistent with Postal Regulations.
- E. Garage doors should be kept closed except when a vehicle is entering or exiting or if the occupant is conducting activities concurrently in front of or within the garage.
- F. No repairs to automobiles are permitted outside of the Member's garage which are visible from the street or any neighbors' property except in the case of an emergency. Under no circumstances shall abandoned or unregistered vehicles or recreational equipment be parked on the public streets in front of houses or in driveways where visible to neighbors.
- G. Night illumination may not cause unreasonable glare on another Member's Lot.
- H. Seasonal lights, and seasonal flags made of nylon affixed to a horizontal pole, are allowed but must be removed within 14 days after the holiday in question is over. Otherwise, flags are only permitted to the extent required by law. The Association may regulate the height and placement of flagpoles.
- I. No exterior antennas and/or dishes are permitted which are visible from the street or any neighbor's property except as required by law. If dishes under thirty (30) inches need to be visible from the street as the only option for reception, the Association may reasonably approve their placement.
- J. Members may not rent rooms in their home unless the entire home is rented to that person, provided, however, if a Member has constructed a guest house with permission from the Association and permits from the City, that guest house may be separately rented. This rule shall not apply to circumstances where the "renter" is a member of the owners immediate family.
- K. Except in the case of a sale and leaseback to the former owner, Members may not operate a Boarding house or rent rooms on a term less than three months. Members are legally

responsible for all damages and injuries caused by their tenants as well as their compliance with these rules.

- L. Each Member is required to maintain and repair his Lot, home, and landscaping so it is in good condition at all times and in conformity with the CC&R's.
- M. No garage or rummage sales are permitted at any time.
- N. All trash containers shall be stored so they are not visible from the street and in an approved storage area. Containers shall not be placed in or near the street for trash collection more than 24 hours before the date of collection. Containers shall be returned to their storage area by 6:00 p.m. on the day trash is collected.
- O. Members are liable for any damage or injury caused by their pets. No pet may cause an unreasonable nuisance or disturbance as determined by the Board in its sole discretion. The Board has the right to cause any pet to be removed from the property if in the Board's opinion that pet is dangerous or if it continuously causes a nuisance by its barking or other conduct.
- P. Members may not allow commercial filming on their property for more than 14 days in any calendar year, without the prior written approval of the Board.
- Q. No work trucks, boats, limousines, or campers may be parked in front of homes, but rather shall be parked in the occupants garage.
- R. After written notice to the Association, temporary clear plastic or vinyl enclosures for outside parties are allowed on the rear portion only of a Member's lot for a period of no more than four consecutive days. Set up or take down may never occur on a Saturday or Sunday. A member may erect this enclosure as provided above no more than three times in any given calendar year.

X.

LANDSCAPE AND HARDSCAPE

- A. Lots should be properly landscaped and hardscaped so they are in attractive and good condition. If planting is replaced on a lot then the replacement plants shall be of adequate size so that they will provide an immediate screen to exposed and unsightly areas.
- B. All lawns, plants and trees shall be maintained in a neat, clean and attractive condition. Lawns should be green, weeded and neatly trimmed, walls should be in good repair, and homes should be painted so they are in good condition and consistent with adjoining homes. Unless the intent is to repaint a home the same color, prior written approval is needed from the Architectural Committee before the color can be changed. It is the owners responsibility to maintain BOTH sides of their perimeter walls and to ensure that those walls facing the common area and public right of ways are in good repair and painted so their appearance is consistent with those of their neighbors.
- C. Trees and other foliage shall not obstruct the visibility of drivers and pedestrians. They

may not unreasonably obstruct the view from any Lot. Whether an unreasonable obstruction exists shall be as determined in the opinion of the Board.

- D. Each Member is responsible for removing weeds and other debris located on his Lot.
- E. Trees over 10 feet in height may not be removed without prior written approval from the Association. If trees are removed without the consent of the Association, they will be replaced at the Member's cost.
- F. No structure may be constructed in the yards of any property which exceeds the height of the fences or walls surrounding the property without the approval of the Association. Any structure installed without the Association's consent will need to be removed at the Member's expense.
- G. No debris which are unsightly or may attract rodents, or may be a safety hazard may be maintained on a Member's property. If stacked wood for use in a fireplace is being kept, it shall be kept rodent free, and not be visible from the street.

XI. **ARCHITECTURAL REVIEW**

- A. No alteration, change, improvement, paint color change, or remodel can be undertaken on a Lot which is visible from the street or another Member's Lot without the prior written approval of the Architectural Committee; provided, however, (i) dead grass, plants, and trees may be replaced with the same type or similar type of planting materials, and (ii) homes and structures may be repainted if the color is not to change.
- B. All approvals from the Architectural Committee must be in writing and signed by a majority of the Committee members. No purported oral approval will be valid or enforceable.
- C. Before any work is permitted, the Member shall submit those items referenced in the CC&Rs for the consideration and approval of the Architectural Committee. Without limitation, those items should include detailed plans and specifications depicting the improvements to be made, and any other pertinent information about the project required by the Committee.
- D. All work which requires permits shall be performed only with permits. All work shall be performed by licensed contractors if legally required.
- E. No temporary or additional structures may be erected on a Lot except as required during construction or remodeling. Such structures shall not be used for living purposes. No portable toilets are permitted at any time on driveways or in the streets, or in any area that is visible from the street or from another Member's property.
- F. Construction work may be performed only Monday through Friday during the hours of 7:00 a.m. through 6:00 p.m, and on Saturdays from 8:00 a.m. through 5:00 p.m. No

exterior construction work shall be permitted on Sundays or holidays, or during hours other than those specified above. Work, once commenced, must proceed timely through completion. Any unnecessary delays or abandonment of work shall be deemed a violation and the Association may also move to revoke the approval of any work not completed.

- G. Performing work without approval from the Committee, or exceeding the scope of approval given, are serious violations. Notwithstanding any other provision of these Rules, the fine for such a violation may be up to \$1000. Continuing violations, after the first day, may be up to \$500 per day until the violation is cured.