

FAIRMONT HILL COMMUNITY ASSOCIATION
RULES & REGULATIONS
ADOPTED: October 8, 2024

The following Rules and Regulations have been approved by the Board of Directors pursuant to Article V, Section I (b) of the By-Laws. All owners, tenants, residents, vendors and guests are required to comply with the Rules and Regulations.

1. No one shall interfere with residents' right to quiet use and enjoyment of their units and common area. Quiet time is 10:00 p.m. to 7:00 a.m. Any noise that becomes a nuisance and interferes with the resident's use and enjoyment of their units and the common area, whether or not it is during quiet time, can be reported to management, the Patrol Company and/or local law enforcement.
2. All residents are responsible for the supervision of their guests, family, tenants, and invitees that are (i) persons incapable of tending to their own safety and (ii) persons otherwise having difficulty understanding compliance with these Rules and Regulations. Any injury, violation of the Rules and Regulations, or damage to Association property by such persons will be the responsibility of the owner/member. Any fines or costs incurred by the Association relating to violations or damage to the property will be assessed to the owner.
3. There is a concern for the safety and well-being of the residents within our Association. As a result, the following activities or use of items are not permitted: skateboarding, motorized skateboards, motorized scooters, rollerblading, roller skating, baseball (when using a hard ball and bat), bike ramps, slingshots, BB guns, and firearms. Additionally, any activity that could directly or indirectly cause harm to another individual or cause damage to Association property or which shall in any way increase the rate of insurance is prohibited.
4. There is a concern for the safety and well-being of the vendors and Board members who work and/or volunteer for our Association. As a result, any verbal and/or physical harassment towards any Association vendor or Board Member will become an escalated hearing before the Board of Directors with possible fines.
5. No basketball hoops shall be mounted on the exterior surfaces of buildings. No freestanding basketball equipment can be placed in the common area.
6. No loitering is permitted in the common area by any invitee, resident, or guest. This includes, but is not limited to, sidewalks, alleyways, and greenbelts.
7. A curfew (City of Yorba Linda Ordinance 9.16.010) will be enforced by our Patrol Company and local police.
8. All trash must be placed properly into the dumpsters. The dumpsters are for household daily trash. The following are not considered household daily trash: construction debris, moving materials (i.e. moving in, or moving out), large appliances, furniture, and all delivery materials. Anyone found overfilling or improperly filling (i.e. large items, not breaking down boxes) the dumpster bins or placing anything on or around trash enclosures, will pay for a dump fee and be fined. Lids to the dumpster bins are to be closed after use. No removal of trash from any dumpster bin (dumpster diving) is permitted. It is also a violation of the Yorba Linda City Code and violators will be reported to local law enforcement and charges will be filed.

9. Automobile maintenance is not permitted in the common area. Exceptions would be changing a flat tire or other emergency repairs. Owners will be permitted to do limited maintenance items in their personal garages; changing of oil is not permitted.
10. The Association requires that all rental and lease agreements shall be in writing and that such agreements obligate the tenants/lessees to abide by these Rules and the CC&Rs. Owners are responsible for penalties assessed whenever their tenants/lessees fail to comply. Owners MUST notify the Association and are required to submit a Registration Form when the unit is being leased/rented or there is change in tenants. Short term rentals/leases are prohibited such that rentals/leases must be for a term of at least thirty-one (31) days or longer (“Minimum Lease Term”). No less than the entirety of a unit may be rented under a rental/lease, or otherwise.
11. Sub-rentals/subleases or timeshare use of a unit is strictly prohibited; further, no unit may be used for hotel or transient purposes, vacation rentals (for example only, listed on Airbnb, VRBO or a similar website) or rented to a corporate housing company for less than the Minimum Lease Term. Tenants/lessees must provide information for all vehicles they are using on the property including the vehicle make, model, color, and license plate number. Violations of these Rules & Regulations will be subject to daily fines.
12. It is the responsibility of the owner to furnish their tenants/lessees with (and have a tenant sign a receipt for) a copy of the Fairmont Hill Rules and Regulations. The Association requires that a copy of a signed receipt of these Rules and Regulations be on file at the Property Management Company. Violations of these Rules & Regulations will be subject to daily fines.
13. Any owner with a tenant/lessee who continuously violates the Fairmont Hill CC&Rs and/or Rules and Regulations will be asked to terminate the lease/rental agreement on the basis of the tenant/lessee's failure to comply. Owners are required to include a provision in their rental/lease agreements that state that violation(s) of the CC&Rs, Rules and Regulations and/or criminal activity is a breach of the rental/lease agreement. Owners must do a criminal records check on prospective tenants which is free on www.occourts.org. This is for the safety and security of all residents as well as preserving property values. Failure to do so will result in a fine after a duly held hearing.
14. Holiday decorations must be taken down within fifteen (15) days after the Holiday.
15. No alterations, deletions, or additions can be made to the exterior of the buildings or common areas without the approval of the Board of Directors. The appropriate form, Architectural Application, is available through the StoneKastle Community Management.
16. Garages are not to be converted for residential purposes. Owners must park at least one vehicle in their two-car garage or deeded space. Vehicles are to be used for transportation purposes only, not for storage or other uses. Garage doors must be closed when not in use. All garages are subject to a notices inspection by the Association as requested by the Board of Directors homeowners. Owners who fail to comply with this section will be subject to daily fines.
17. Flyers shall not be left at units, on cars or within the common area except for fliers connected to rubber bands securely fastened to front doors to prevent littering the complex. Flyers left at

units pertaining to Association business or common area projects will be allowed. Owners who fail to abide by this section will be subject to daily fines.

18. Residents are allowed to hold garage sales upon receiving approval from the Board of Directors. Owners who fail to comply with this section will be subject to daily fines. All garage sales will require pre-approval from the Board of Directors.
19. Smoking is not permitted within the common area recreational sites; including the tot lot, White Spring Pool Area, Echo Hill Pool area, volleyball court, and handball courts.
20. No more than thirty percent (30%) of the units can be rented out at any one time within the community (“Leasing Cap”). Owners who purchased their unit prior to the version of the rules adopted on July 15, 2014, will be grand-fathered and exempt from the Leasing Cap. Once a unit is sold, the new owner will be subject to the Leasing Cap. Therefore, rental restrictions are applied to new owners whose escrow closes after July 15, 2014. Unless the rentals within the community are below thirty percent (30%), current owners cannot sell their units as a rental, nor can new owners purchase their home as a rental unit.
21. An owner, company, LLC, developer, etc. will only be able to purchase up to two (2) individual units. Therefore, the number of units owned by a single entity cannot exceed two (2).
22. No open flames of any kind, including but not limited to barbeques, fire pits, heaters, and hibachis, are permitted within the common area, which includes but is not limited to driveways, sidewalks, alleyways, and lawns.
23. Signs and Flags.
 - Advertising signs are not permitted in windows, except for signs advertising a property “for sale” or “for lease”, which must be reasonably located and of reasonable dimensions and design.

POOL AND SPA RULES

Pool and Spa Hours:

Pool Location:	Echo Hill	9:00 am – 10:00 pm
Pool Location:	White Springs	9:00 am – 10:00pm

The Fairmont Hill pool and spa facilities are intended for the use of its residents and their guest. A member of each group using the facilities must have a key and is required to show the key if requested. Unauthorized persons will be considered to be trespassing and will be asked to leave the pool and/or spa area.

1. Members and residents are fully responsible for individuals incapable of tending to their own safety and any guests, and must accompany them while in the pool and spa area. The number of guests per unit is four (4), unless authorized in writing by the Board of Directors.
2. The California Safety Code sections 24101 & 116040 require, “measure to insure personal cleanliness of bathers shall be such that the public swimming pool is at all times sanitary, healthful and safe”. Owners/tenants found to be acting in a manner that conflicts with these “measures” will be fined and could be held liable for the costs of clean up.

3. Pool and spa users should shower to remove dirt and oils from their skin prior to entering the water. The pool and spa showers are to be used only for their intended purpose and only by those individuals who are using the pool facilities.
4. Proper swimming attire is required at all times. Persons who are incontinent must wear swim diapers intended for use in water. All dirty swim diapers must be deposited in a trash receptacle. Anyone seen leaving dirty diapers in the pool area will be fined.
5. Children under fourteen (14) years of age must be accompanied by an adult over eighteen (18) years of age in the spa and gated pool area. Proof of age must be in possession and must be shown upon request of Patrol or the Police. For safety reasons, anyone under the age of fourteen (14) that is not accompanied by an adult will be asked to leave the pool and spa area and the owner may be fined following a noticed hearing before the Board of Directors.
6. The restrooms are to be used only for their intended purpose by those individuals who are using the pool/spa facilities. Any vandalism or damage to the facilities will be subject to fines and or criminal prosecution. Owners will be responsible for repairs to any damaged Association property.
7. No alcoholic beverages may be consumed in the recreational or pool areas of the community.
8. Glass is strictly prohibited in and around the pools and spa. Fines plus the fee for the pool cleaning will apply for violations of this rule. All drinks must be in unbreakable containers.
9. Additives such as bubble baths, detergents, shampoos, and scents are not permitted. The use of these substances can cause costly damage to the pool and spa equipment. Violators are subject to fines and costs incurred for cleanup and repair.
10. Life preserving equipment is for emergencies only! Anyone found misusing this equipment will be fined and charged for replacement cost if necessary.
11. No pets are allowed in the pool/spa area. Any pet owner with a pet in the pool/spa area is subject to fines following a hearing before the Board of Directors.
12. Climbing on the fences is prohibited and violators are subject to a fine. A hearing will be held and privileges to the Common Area facilities could be suspended.
13. All gates leading to the pool/spa areas must be closed and locked at all times. Not only is this a liability issue for the Association, but it may also save a person's life.
14. Smoking is not permitted within the gated area of either pool or the spas.
15. No barbecues or similar flame devices of any kind are permitted in the pool area.

PET RULES

1. Pet owners are fully responsible for any and all activities of their pets. Fairmont Hill will enforce all city and county pet laws, which include but are not limited to, registration and sanitation laws. The owner/resident will be fined for barking, whining, roaming and littering violations.
2. Dogs must be leashed or kept in a pet carrier at all times when taken through the common area. No dog houses or litter boxes of any kind are permitted on the upper patio (soft decking) throughout Fairmont Hill.
3. Pets in the pool areas are strictly prohibited; this is considered a health violation.
4. No pets will be permitted to be tethered to any tree, post, banister or any other object in the common area.
5. Pets urinating on common area light posts, street signs or any other common area structures will be subject to daily fines.

SERVICE ANIMAL RULES

1. Service animals are defined as animals that are individually trained to do work or perform tasks for people with disabilities. Service animals are working animals, not pets. The work or task a service animal has been trained to provide must be directly related to a person's disability. Animals whose sole function is to provide comfort or emotional support do not qualify as service animals.
2. Service animals must remain on a leash or in a carrier at all times when in the common areas of the building and owners, residents, and their guests shall be required to properly handle and control any service animal being transported through the common area between a unit and outside of the development (and vice versa). No resident shall permit, allow, or cause the service animal to run, stray, or be uncontrolled in or upon the common area.
3. An owner or resident may keep service animals that the Association is required to allow under state or federal fair housing laws. Any resident claiming a need for a service animal shall be required to provide verification to the Association of the need for a reasonable accommodation for such service animal based on a disability, if the disability is not apparent, and such verification may be required to be provided by a reliable third party or such other person permissible under applicable law.

PATIOS/DECKS

1. The following is a list of items allowed on Fairmont Hill patios/decks:
 - Outdoor patio-style furniture
 - Potted plants with elevated saucers to catch water (the number and size of the potted plants should not be so great that damage is caused to the patio/deck and/or structure, or that an unsightly condition is created)

No storage containers or storage bins of any type can be stored on the upstairs balconies.

Owners with upstairs balcony decks are responsible to maintain and make necessary repairs to the surface of the decking system. This includes applying an elastomeric paint coating to the deck surface about every four (4) years depending on wear. Any damage to the surface system due to neglect, over-watering of plants or excessive washing of decks, or anything being stored on the deck elevated or not elevated to avoid water pooling underneath which may result in damage to the surface or substructure will be the homeowner's responsibility to pay for the resulting repairs. Outdoor furniture with metal legs can also cause such damage.

Ground-level units, with a cement front-entrance walkway, are allowed to place two (2) potted plants, with saucers, in the Association's common area directly outside their front doors. Plants must be alive, well maintained, and of appropriate size for the area. No plastic planting pots from a nursery are allowed.

No potted plants are allowed in the landscaping or on any other common area property. Moreover, no trees are allowed to be planted by owners or residents in the common area or within patios in the dirt as it encourages roots to invade the sewer and irrigation systems. In addition, it can raise the sidewalk and other possible damages may occur which an owner will be responsible for. Regardless of when a homeowner has planted plants in the common area, if it causes damage to the common area the unit owner will be responsible for the cost of repairs.

2. Per the California State Fire Authority Code, no open flame of any kind may be on any balcony, deck or patio and no 5-gallon fuel tanks are permitted. The only barbeques allowed are electric or the 2 ½ pound canisters that replace the 5-gallon tanks using an adapter. The old large flammable tanks may not be stored anywhere on the premises. Any violation of this Code may result in Owners being responsible for the insurance deductible and possible further civil action. This also means tiki-torches and tall patio heaters are prohibited.
3. Patio Umbrellas: 1) Must be neutral in color; 2) Cannot be a pagoda or any type of four poster structure; 3) Cannot be attached to building or vinyl fence; 4) Must be bound when not in use; 5) Cannot extend into common area.

4. Rope and String Lighting

Rope lighting has gained popularity within the last several years. There are two types of rope lighting, LED and incandescent. When planning for the installation of rope lighting one should consider warm white style of lighting, as the brighter LED lighting can be a nuisance to your neighbors. Bulbs should not exceed 40 watts or 5 watts if LED.

1. Rope Lighting must be approved prior to the installation of the lighting.
2. Drawings of where the lighting will be placed need to be submitted with the Architectural application.
3. The light bulbs are not to be large or twinkle lights like used during the holiday, they should be small clear balls. 40 watt Max. or 5 watt if LED.
4. Rope string lights are to be installed so that they are straight.
5. Rope strings are not to be installed droopy.
6. Plastic channel strips are available to help keep the install straight.
7. The use of color lights shall be limited to special events, parties, or social times. It is not appropriate for regular, every-night operation through-out the year with the exception of holidays.
8. Lighting is to be turned off by 10:00 PM

TRAFFIC RULES

The Association is composed of private streets that are regulated by the Association. The rules are intended to protect our residents and property values, promote aesthetic continuity, and provide adequate parking. These rules are in compliance with our Governing Documents and will be enforced by the Association.

1. Resident parking is limited to numbered parking slots, marked with an address (resident), or open (unmarked) slots or street spaces. Guests may use the open (unmarked) slots, street spaces or marked "visitor" slots only. Parking in front of the garages is not allowed. Any violation will result in a immediate tow at the vehicle owner's expense. Repeat offenders will also be fined by the association.
2. Parking in any open or unenclosed parking areas, excluding numbered (resident) spaces, is limited to a maximum of forty-eight (48) hours. Residents and guests are prohibited from monopolizing open parking spaces by intentionally and excessively swapping out their cars in the same open parking space after the forty-eight (48) hour time limit. Violators will be towed at the owner's expense. Repeat offenders will also be fined by the Association.
3. Per the California State Vehicle Code: fire lane and red zone parking is strictly prohibited; Fairmont Hill has clearly marked these areas. Violators will be towed at the owner's expense. There is NO "grace period!" Violators are subject to daily fines.
4. Visitor Only parking is for visitors only. Residents are not visitors and therefore cannot park in Visitor Only parking. Visitor Only parking is enforced by Patrol, 24 hours/day, 7 days/week. All vehicles observed in the Visitor Only spaces will have their license plate numbers recorded. Vehicles observed in Visitor Only spaces more than once within a thirty (30) day period will receive one courtesy citation. Vehicles observed in a Visitor Only space for a second time within a thirty (30) day time frame will be towed at the vehicle owner's expense. Once a vehicle has been towed for violating the Visitor Only parking, it will be immediately towed each time it is observed in violation at the vehicle owner's expense. As a reminder, the Visitor Only spaces are for visitors to the Fairmont Hill Community, not the residents. Resident vehicles should be parked within their garages or designated parking spaces.
5. Non-operating, derelict, or vehicles without a current registration sticker will not be allowed to remain in any open or unenclosed parking areas within Fairmont Hill. Vehicles will be subject to immediate tow.
6. No vehicles will be allowed to leak any fluid. Vehicle owner will be financially responsible for cleanup.
7. The speed limit in Fairmont Hill is fifteen (15) MPH. First offense for speeding will be warning. After the warning has been issued, the next occurrence will result in a fine. Violators will deal with the local Police or the Patrol Company, which has full authority to enforce all Rules and Regulations within Fairmont Hill.

8. No boats, water vessels, campers, recreational vehicles, trailers, golf carts, or trucks, in excess of three-quarter ton gross carrying capacity (excluding single axle 1 ton pick-ups), are permitted to park in any open or unenclosed parking areas within Fairmont Hill.
9. Motorcycles and/or dirt bikes that are legally registered for street use are only allowed to park within three (3) designated areas within Fairmont Hill Community; your garage, your reserved numbered deeded parking space, or motorcycle-only parking when applicable. You may park a legally registered motorcycle or dirt bike in your numbered deeded parking space with a small vehicle so long as no part of either extends out of the parking space or it will be subject to immediate tow. Vehicles parking in motorcycle-only spaces are subject to immediate tow. No vehicle may extend over the line into another marked parking space. Such space saving is not permitted. Vehicles in violation are subject to immediate tow.
10. No commercial vehicles are permitted to park in any open or unenclosed parking areas within Fairmont Hill. This includes "obvious" commercial vehicles (i.e. dump trucks, buses, oil or gas trucks, commercial vans, etc.) and any other vehicle with any of the following characteristics:
 - Business identification signs or lettering
 - Ladder or equipment racks or apparatuses (excluding a standard luggage rack or a standard single toolbox stretching across the width of a truck bed)
 - Commercial-type tools or equipment stored openly (including in a truck bed)

The Association will allow commercial vehicles (not including those considered "obvious"), with business identification signs and lettering only, to use the following methods of covering said markings:

- Magnetic covers (color must reasonably match the vehicle)
- Neutral-colored, fabric car covers conforming to the shape of the vehicle (covers may not be used to cover a truck or van with racks, for example)
- The Board of Directors may consider a temporary exemption in the case of extenuating circumstances.

Violators will be towed at the owner's expense. Repeat offenders will also be fined by the Association.

11. No oversized/large vehicle or full-size pick-up truck may park in compact parking spaces. Vehicles parked in such manner are subject to immediate towing and fines.