

# Hacienda Carmel Community Association Ground Rules

**EFFECTIVE FEBRUARY 1, 2022**

In accordance with Section 1.34 of the Hacienda Carmel *Declaration of Covenants, Conditions and Restrictions (CC&R's)*, "Rules" shall mean the regulations, policies and rules governing the administration, management, operation, use, and occupancy of the Association, including the use of the common area and facilities, the personal conduct of all owners, residents, members of their household, pets, tenants, invitees and guests, as well as enforcement of the Governing Documents and any other matter within the jurisdiction of the Association as adopted, published, or amended from time to time by the Board of Directors and subject to applicable laws.

As such, non-compliance with any rule, policy or regulation will result in a written notice and may involve further disciplinary action by the Board of Directors which may include certain monetary penalties as determined by the Board in accordance with the schedule published as Appendix C of this document.

These published Ground Rules are subject to change from time to time subject to approval by the Hacienda Carmel Board of Directors. In accordance with the California Civil Code, any changes (unless for an emergency situation) shall become effective not less than thirty (30) days following Board approval.

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**1. GENERAL**

- a) It is the responsibility of each homeowner and all residents of Hacienda Carmel to be familiar with the governing documents of the Association. These documents include the ***Bylaws, Covenants Conditions & Restrictions (CC&R's), and Ground Rules***. The rules, regulations and restrictions contained within the governing documents are established for the benefit of all owners and residents, and as such, uniform compliance as well as uniform enforcement is essential to the community.
- b) **Residents should notify Hacienda management of any complaints or non-compliance issues by leaving a written note at the Front Desk or by calling the General Manager's office at extension 7801.** Outside of regular business hours, and if the matter is urgent, residents may contact the Front Desk or evening security staff by dialing "0" on the internal phone system or by calling the main number at 831-624-8261.
- c) "*Common Area*" consists of all grounds, buildings, facilities, Association vehicles, equipment, or other property outside the individual units unless otherwise specified in the governing documents. Patios are considered as "exclusive use" common area as defined in the CC&R's.
- d) All land contained within Hacienda Carmel property line boundaries is considered private property and as such, repeated occurrences of non-compliance with rules involving guests, invitees, visitors, hired contractors or their agents, pets or other animals may result in that person or animal being prohibited from entering the property indefinitely.
- e) Posting or display of signs, advertisements, event announcements, photos or other printed materials is not permitted anywhere within the common area including bulletin boards without advance authorization by the General Manager. "***For Sale***" or "***For Rent***" signs are limited to one per unit with a maximum size of 18" x 24" and may be displayed in the kitchen or front bedroom window of the unit only. Directional "***Open House***" signs are limited to three per unit and may be displayed in the common area from 30 minutes prior to 30 minutes after the scheduled open house period.
- f) Concrete walkways in the common area including those located along the front, side or rear of units must be kept clear at all times of any obstructions such that a minimum clearance of not less than 44" is maintained on the walkway.
- g) Washing of vehicles is limited to the designated "car wash" area located on the west side of Carport #4. *(Please note: the water available at the car wash area is non-potable well water.)*
- h) Use of "The Berm" walking trail encircling the perimeter of the residential area of Hacienda is limited to residents, guests or others authorized by management *(such as neighbors living on the Via Mallorca cul-de-sac)* during daylight hours. Horseback riding and bicycles are not permitted on the berm at any time. Motorized vehicles other than mobility scooters or wheelchairs are only permitted on the berm with advance authorization of management.
- i) Alteration to any part of the common area outside the unit (including but not limited to roofs, exterior wall surfaces, planted areas and fences/gates) as well as certain types of interior alterations requires prior approval. Please refer to the Article 7 of the CC&R's and/or Architectural Rules for complete details.

- j) In an effort to protect the privacy and peaceful enjoyment of our residents, door-to-door soliciting, canvassing, or distribution of printed materials to individual units or on vehicles by non-residents is prohibited and should be reported to the Front Desk immediately. However, in accordance with **Section 4515** of the California Civil Code, a Homeowner's Association may not prohibit a resident of the community from going door-to-door verbally soliciting and/or distributing printed materials (or using a common area meeting space to disseminate information) involving the following subject matter: *"common interest development living, association elections, legislation, election to public office, or the initiative, referendum or recall processes."* **Please note:** Any resident wishing to do either of the above is required to give advance notice to the Association by submitting the prescribed form in accordance with the written policy on this subject previously adopted by the Board of Directors. **(see Appendix B)**
- k) Effective December 2015, Hacienda Carmel Community Association adopted the following policy prohibiting abusive, harassing, or discriminatory behavior:  
***No person shall engage in any abusive, harassing, or discriminatory behavior, either verbal or physical, including words, gestures, actions or any other form of intimidation or aggression directed at fellow residents, guests, invitees, employees, co-workers, management, vendors or visitors on any basis protected by federal, state or local laws.***  
As such, any alleged incidents should be reported to management or the Board President as soon as possible. Persons found to be in violation of the harassment policy will be subject to disciplinary action in accordance with the governing documents of Hacienda Carmel and/or local law enforcement.
- l) In addition to the right of Members to attend any monthly or annual open meeting of the Board of Directors set forth in Civil Code §4925, such right shall also extend to renters and all other Residents, provided, however, that such renters and Residents have been fully approved for occupancy at Hacienda Carmel pursuant to the provisions of Section 5.7 of the Association's Declaration of Covenants, Conditions, and Restrictions. Any person who qualifies under the foregoing definition and who requires the services of a professional caregiver to attend open meetings of the Board, may be accompanied by such caregiver to meetings. **(Added February 1, 2022)**

## 2. CASA CENTRAL CLUBHOUSE

- a) The Casa Central foyer area, lobby lounge area, library area, Dining Room and West Room are meant for the enjoyment of all residents and guests. Although there is no specific dress code, reasonable attire for men and women is required at all times. Persons entering or leaving the swimming pool area may pass through the building if wearing a full length bathrobe.
- b) Bona fide "Service Dogs" that are trained to perform a specific task as defined by Federal law (such as seeing-eye dogs for the blind) may enter the Casa Central building. Other animals that are considered as "comfort animals" or "therapy animals" are not permitted in the Casa Central building at any time. In accordance with Federal law, persons wishing to bring an animal inside the building as a Service Dog may be asked to provide documentation from a licensed physician certifying the animal as such.
- c) Use of cell phones for conversational purposes is not permitted within the lobby, library, dining room or West Room areas of Casa Central. Please step outside the building to carry on a verbal conversation with a cell phone.

- d) Due to the Association's liquor license, consumption of alcohol within the Casa Central clubhouse is limited to that provided by the Dining Room. The only exceptions to this rule are: (1) for personal bottles of wine or spirits consumed with a meal in the Dining Room and for which a corkage fee is charged, (2) for special catering events arranged in advance with the Dining Room manager, and (3) other authorized social gatherings.

### **3. SWIMMING POOL FACILITIES**

- a) No Life Guard is provided at the swimming pool. Users are responsible for their own safety and use the swimming pool and surrounding area entirely at their own risk. Rules are prominently displayed near the pool. Unless otherwise posted, the pool is available for use from dawn to dusk. The pool is not to be used at other times.
- b) Pool privileges are available to all residents of Hacienda Carmel and their invited guests, as well as others approved at the discretion of Management.
- c) Children under the age of 16 may use the facilities after 1:00 pm and must be accompanied by a sponsoring resident or adult guest at all times.
- d) Organized Association activities (e.g., aquatic exercise groups) have priority of use in the shallow end of the pool during scheduled hours over open swimming.
- e) Diving, running, horseplay or loud noise in the pool area is not permitted at any time.
- f) No animals of any type are permitted within the fenced pool area at any time except for bona fide Service dogs.
- g) Use of tobacco or any other substance creating second-hand smoke or vapor is prohibited in the pool area.
- h) Any maintenance or safety issue should be reported immediately to the Front Desk in Casa Central.

### **4. CASA AMIGOS GUEST HOUSE**

- a) Use of the Casa Amigos guest house is intended exclusively for family and friends of Hacienda Carmel residents or others as may be approved by special arrangement with the General Manager.
- b) All Casa Amigos guest house reservations must be made by the sponsoring resident of Hacienda Carmel or management only – not by a prospective guest. Residents of Hacienda Carmel may make guest house reservations up to twelve (12) months in advance. Non-residents may make reservations up to thirty (30) days in advance.
- c) During "regular" weeks of the year other than the special event and holiday weeks described below, Hacienda Carmel residents may reserve a maximum of three (3) guest rooms per night.

- d) During special event and holiday weeks, residents of Hacienda Carmel may reserve a maximum of two (2) guest rooms per night. Special event weeks include **AT&T Pro Am Golf Week** in January/February and **Classic Car Week** in August. Holiday weeks include **Fourth of July, Thanksgiving and Christmas**, (Fourth of July and Christmas week shall mean three days before the holiday and three days after the holiday. Thanksgiving week shall mean the Monday before the holiday through the Sunday following the holiday.)
- e) Non-residents of Hacienda Carmel (*such as Del Mesa or other private organizations with whom there are reciprocal arrangements*) may reserve a maximum of two (2) guest rooms per night (aggregate total of all non-resident reservations) during “regular” weeks of the year only. Non-resident reservations will not be taken during special event weeks or holiday weeks as described above.
- f) At any time when the guest house may be fully booked, a resident may place their name in writing on a wait list at the Front Desk and will then be contacted in the event a reservation is cancelled and a room becomes available.
- g) Whenever a resident or non-resident has reserved the applicable maximum number of rooms allowed and may desire to reserve more than the applicable maximum, they may place their name in writing on a “stand-by” list at the Front Desk. If other rooms remain un-reserved within seventy-two (72) hours prior, the Front Desk will release additional rooms as may be available at that time, with priority given to Hacienda residents first.
- h) During special event and holiday weeks, cancellation of a room reservation less than 72 hours prior to the date of the reservation will result in a cancellation fee of fifty dollars (\$50) charged to the sponsor.
- i) In the interest of fairness and consideration to others at Hacienda Carmel, residents who desire to reserve more than the applicable maximum number of rooms may not have another resident make reservations on their behalf in order to circumvent the rules. Failure to abide by this rule will result in the revocation of future guest house privileges for both residents for a period of two years.
- j) Animals of any kind, including pets, are strictly prohibited inside the guest rooms at any time. Bona fide Service Dogs may be allowed in the guest rooms with advance approval of the General Manager. Violation of this rule will result in the sponsoring resident being charged a cleaning fee of not less than \$100 or, the actual cost of cleaning or repairs, whichever is greater.
- k) Smoking tobacco products or use of any other substance which creates second-hand smoke, vapor or odor is strictly prohibited inside the guest rooms or anywhere within fifteen feet of the building. Violation of this rule will result in the sponsoring resident being charged a cleaning fee of not less than \$100.

## 5. LAUNDRY ROOM FACILITIES

- a) Common area laundry facilities are intended for the exclusive use of Hacienda Carmel residents, and as such, use of the facilities by non-residents such as visitors, personal caregivers, etc. for the purpose of laundering personal clothing is strictly prohibited.

- b) Laundry hours are from 8:00 am to 8:00 pm daily. In consideration of neighboring residents, these hours apply to both common area laundry rooms as well as private laundry facilities located within a unit or in a patio shed.
- c) Laundrying of pet bedding in the common area laundry facilities is strictly prohibited.
- d) Storage of personal items of any type is prohibited in the water heater/fire alarm control panel rooms adjacent to each of the common area laundry rooms, other than storage closets or lockers as assigned by management.
- e) Any maintenance or safety issues within the common area laundry rooms should be reported immediately to the Front Desk.

#### **6. FITNESS ROOM**

- a) The Fitness Room facility is open daily from 6:30 am to 8:00 pm for the exclusive use of Hacienda Carmel residents and guests who are 18 years or older.
- b) Storage of personal fitness equipment within the Fitness Room facility is not allowed, and any donation of fitness equipment must first be cleared by the General Manager.
- c) Removal or "borrowing" of fitness equipment from the Fitness Room facility is not permitted.
- d) Upon completion of usage, please replace all portable fitness items to their proper storage place.
- e) As a courtesy to others, please wipe down fitness equipment when finished using.

#### **7. TERMITE SHOP**

- a) The Termite Shop woodworking facility is open daily from 8:00 am to 8:00 pm for the exclusive use of Hacienda Carmel residents and guests who are 18 years or older and accompanied by a resident.
- b) Persons using the Termite Shop facility and tools shall do so at their own risk. Hacienda Carmel assumes no responsibility for any injury or claim of any kind resulting from such use, whether directly or indirectly.
- c) The Termite Shop key must be signed out at the Front Desk and returned by the same person after the shop is closed and locked. If leaving the shop for more than fifteen minutes the door must be locked and the key returned to the Front Desk.
- d) Other residents wishing to use the shop when it has already been opened must check in with the Front Desk to notify they are in the shop before beginning work.
- e) Any tools, equipment or other devices in the shop found to be defective, as well as any maintenance or safety issues shall be reported immediately to the Front Desk.
- f) Residents may bring and leave personal tools, equipment or materials (as space permits) for use in the shop. However, Hacienda Carmel assumes no responsibility for any lost or damaged items. It is recommended that all personal tools be labeled or engraved with the owner's name.

- g) Alcoholic beverages are not permitted in the Termite Shop at any time.
- h) Upon completion of work, persons using the Termite shop shall be responsible for leaving the shop in a clean and tidy condition.

#### 8. PETS AND ANIMAL CONTROL

- a) The maximum number of pets is limited to not more than two per unit – dogs or cats. With regard to dogs, there are no restrictions on size or breed.
- b) Exotic animals of any type are not permitted anywhere on the property without prior written approval by the Board of Directors.
- c) Dogs must be on a leash and under control of the handler at all times when anywhere in the common area. This means any time the dog is outside the unit or patio area. The only exception to this rule is within the fenced confines of the community dog run located on the west end of the property.
- d) Dogs demonstrating continual threatening or aggressive behavior, or having repeated incidents of biting may be required to be muzzled when outside the unit or patio area.
- e) Excessive barking which creates an annoyance to neighboring units or others will be treated as a “nuisance” issue in accordance with Section 5.5 of the CC&R’s.
- f) In accordance with Section 5.13 of the CC&R’s, no structures of any type for the care, feeding or confinement of animals shall be permitted anywhere outside the unit, including the patio area, without prior written approval by the Board of Directors.
- g) Pet waste generated while in any part of the common area (including the West End area of the property) must immediately be picked up and disposed of in a proper trash receptacle. Pet waste disposal bags are provided in several locations around the berm trail, at the dog run, and in front of Casa Central.
- h) Bird feeders (*such as on patios*) are limited to the liquid type only. Feeders which dispense seeds, grains, nuts, etc. are not permitted in order to prevent the attraction of rodents or other unwanted vermin.
- i) Spreading or dispensing of bread crumbs or similar food items on patios or other outside areas is not permitted for the same reason as in the preceding paragraph.
- j) Repeated instances of non-compliance with pet or animal control rules as listed in this document or in Section 5 of the CC&R’s will result in further action taken by the Board of Directors in accordance with the governing documents of hacienda Carmel.

#### 9. TRAFFIC

- a) The posted speed limit on all paved roadways within Hacienda Carmel is **15 MPH**.
- b) The speed limit on the non-paved roadways extending to the dog run, garden club area and the RV storage/dump area at the west end of the property is **5 MPH**.

- c) The speed limit on Via Mallorca, the residential street between Carmel Valley Road and the bridge is **25 MPH**. Please be considerate of our adjoining neighbors.
- d) All traffic control signage on the property is in conformance with California state law and must be obeyed by all drivers. This includes the STOP sign located at the north end of the bridge as you enter the cul de sac on Via Mallorca.
- e) Traffic flow around carports is one way. Directional arrows painted on the roadway shall be observed at all times.

**10. VEHICLES AND PARKING**

- a) The number of vehicles allowed to be parked by residents on Hacienda grounds in the residential common area shall be limited to a maximum of two (2) per unit. This limit is non-transferrable to other residents or units. Those units exceeding the maximum limit of two vehicles (as of December 2012) shall be entitled to retain their current number of vehicles until such time as they relinquish possession of any vehicle in excess of the two vehicle limit.
- b) In accordance with Section 5 of the Hacienda CC&R's, all vehicles on the property must have a current department of motor vehicles registration sticker displayed on the license plate and be maintained in running condition.
- c) All vehicles belonging to residents of Hacienda Carmel shall also be registered through the Hacienda business office and have a Hacienda numbered decal sticker affixed to the lower left rear window of the vehicle. Residents who do not wish to have the Hacienda decal affixed to the rear window of their vehicle may be issued a placard with the decal affixed and shall display the placard on the driver side dashboard of the vehicle at any time the vehicle is parked on Hacienda grounds.
- d) Except for battery powered mobility scooters or wheelchairs, and vehicles used by Hacienda staff, no other powered carts or vehicles of any type shall be permitted on sidewalks, turf areas or the berm without prior authorization of management.
- e) Other than short-term emergency repairs (such as changing a battery or a flat tire), working on any type of vehicle is prohibited anywhere on the property including the West End storage area.
- f) Parking should be confined to designated parking spaces whenever possible. Street-side parking is permitted except in cross walks, in front of walkway ramps, and where the curb is painted red or otherwise marked as a "no parking" zone. Parking in spaces designated for persons with a disability are reserved for authorized users with a current placard or license plate displayed on the vehicle.
- g) Parking along the curb on the entrance corridor road, along the curb on the roadways to carports #3 or #6, and on the end of carports where designated by signage is limited to not more than 15 minutes for the sole purpose of loading or unloading of vehicles. Any exceptions must be approved in advance by management.
- h) In consideration of other residents and visitors, holders of carport spaces shall utilize that parking space rather than non-covered spaces or street-side parking.

- i) Holders of carport stalls **are not permitted** to sub-let or otherwise allow the use of their designated parking space by another resident or any other person.
- j) Holders of carport spaces are not permitted to utilize the area in front of the space for storage of any kind except for a maximum of two bicycles or a fold-up grocery cart.
- k) Oversize vehicles (such as an RV, trailer, or large truck) that do not fit in a carport stall or a non-covered parking stall may be parked only in locations authorized by management. Requests for temporary parking of oversize vehicles belonging to guests must be made in advance with management and will be handled on a space available basis. At no time is overnight sleeping permitted in any vehicle, RV or camper.

#### **11. WEST END STORAGE & DUMP AREA**

- a) Vehicles, boats, campers, trailers, equipment, storage enclosures or materials of any type are not permitted to be stored anywhere at the West End grounds without the advance written authorization of Hacienda management.
- b) Rental of storage space is exclusively for residents of Hacienda Carmel and may not be transferred to another person. The rented space and any items within the space must be maintained in a tidy condition at all times. Other than minor vehicle repairs (such as changing a battery or flat tire) work or activity of any kind is prohibited in this area.
- c) Vehicles or trailers of any type stored at the West End must be maintained in road-worthy condition at all times.
- d) Temporary parking in the RV / trailer storage area by guests shall be permitted only with the advance authorization of Hacienda management. Overnight sleeping or camping at the storage yard is strictly prohibited at any time.
- e) Other than regular vehicle or camper fuel tanks, no other quantities of flammable liquids or other hazardous materials may be stored at the yard at any time.
- f) Other than placing flattened cardboard material in the designated recycling dumpster, the dumping of trash, construction debris, appliances, mattresses, electronic waste or containers of paint and other liquids **is strictly prohibited**. Residents are responsible for informing contractors or other workers of this rule and will be charged a minimum disposal fee of \$100 for each occurrence in violation of this rule.
- g) Removal of any materials stored by the Grounds Department such as rocks, gravel, sand, etc., or discarded items such as scrap metal, appliances, etc., is prohibited without advance consent of the General Manager.

#### **12. TRASH AND RECYCLING**

- a) The in-ground trash can located closest to each unit's front door is the **one** designated can for that unit and it will be emptied every Thursday morning. Should your designated receptacle become full prior to Thursday, please call the Front Desk for a trash pick-up. It is not permissible to place garbage in neighboring cans.

- b) Appropriate recyclable materials may be placed in the blue recycle bins located in most carports or other designated locations throughout the property. It is not permissible to place bags of regular household garbage in the blue recycling bins.

**13. MAIL, PACKAGE DELIVERIES & INFORMATION CENTER**

- a) The mailboxes located at the Front Desk of Hacienda Carmel are considered to be a “satellite” distribution center of the U.S. Postal Service. As such, placement of items in resident’s boxes is limited to stamped or metered mail received from the post office along with official mail from or to the Association. Official Association mail includes: Information or special notices from Hacienda management, the Board of Directors or recognized committees. Any other type of bulk distribution to Hacienda mailboxes, whether in small or large quantities, is subject to approval by management. Business advertisements, promotions or bulk distributions of any type by Hacienda residents to other residents must be mailed via the USPS.
- b) Parcel deliveries from distribution services such as UPS, FedEx, etc. will be received and logged in by the Front Desk staff and must be signed for by the person receiving the parcel. Packages temporarily placed in the back hallway may not be removed before signing for them at the Front Desk.
- c) Mail and/or parcels will not be released to anyone other than the addressee without prior authorization from the resident or their authorized representative.

**14. INTERACTION WITH EMPLOYEES, HIRED CONTRACTORS, VENDORS OR SUPPLIERS**

- a) All requests for specific tasks or other concerns should be made through the Front Desk to create a work order or note which will be forwarded to the appropriate department supervisor or the General Manager. Residents shall at no time interfere with Hacienda employees, employees of hired contractors, vendors or suppliers while in the course of performing work tasks by attempting to give direction, make certain requests, or otherwise disrupt their assigned duties.
- b) Questions or concerns related to any specific contractor, vendor or supplier should be directed to the General Manager or Board President. At no time shall a resident contact an Association vendor or supplier on behalf of Hacienda Carmel Community Association or otherwise represent themselves as an agent of Hacienda Carmel for any purpose whatsoever.

**SMOKING AND SECOND HAND SMOKE**

See **Appendix A** – Page 10

**USE OF ASSOCIATION MEETING SPACE FOR POLITICAL GATHERINGS**

See **Appendix B** – Page 12

**CONSEQUENCES OF RULES VIOLATION & SCHEDULE OF MONETARY PENALTIES**

See **Appendix C** – Page 14

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## APPENDIX A

### **Policy Regarding Smoking & Second-hand Smoke**

**THIS POLICY IS EFFECTIVE AS OF FEBRUARY 1, 2018 AND IS HEREBY ADOPTED AS A PART OF THE HACIENDA CARMEL GROUND RULES AND IS SUBJECT TO ENFORCEMENT IN ACCORDANCE WITH THE ASSOCIATION'S GOVERNING DOCUMENTS.**

**(1) Smoking tobacco or any other substance which creates second-hand smoke, vapor or odor is prohibited in the following areas of Hacienda Carmel:**

- Inside all common area buildings including Casa Central, Casa Fiesta and the Casa Amigos guest house.
- Anywhere within fifteen feet of the entrance doors of Casa Central and Casa Fiesta.
- Anywhere on the lower or upper walkways of the Casa Amigos guest house.
- Inside all other common buildings and rooms including the Art Studio, the Book Shop, Doctor's Office, Termite Shop, Sewing & Crafts Room, Laundry Rooms and all other G&G Rooms.
- On all common walkways along the front of all residential buildings.
- Anywhere within the fenced area surrounding the pool and pool deck.
- Anywhere on the "berm" walking path surrounding the residential area of the property.
- Anywhere on the property west of the berm. This specifically includes the RV / Trailer Storage and trash compactor area, the Garden Club area, the community BBQ & Picnic area, the Dog Park area and the green waste disposal area.
- Anywhere on the Hacienda Carmel bridge from Via Mallorca inward.

**(2) Smoking tobacco or any other substance which creates second-hand smoke, vapor or odor shall be permissible in the following areas of Hacienda Carmel:**

- Inside an individual residence as well as within the exclusive use common area (patio) of the unit provided that second-hand smoke, vapor or odor does not create a nuisance condition affecting adjacent residents.
- Any outdoor areas of the property not specifically prohibited in Section 1 above.

**(3) Indoor / outdoor fireplaces, heating stoves, fire pits & BBQ grills:**

- The use of indoor/outdoor fireplaces, manufactured heating stoves, outdoor fire pits, and barbecue grills shall be limited to natural gas, propane or electric only.
- The burning of wood, manufactured composite logs or any other type of combustible material including charcoal **is not permitted** anywhere on the property other than for the regular operation of the Hacienda Dining Room kitchen facilities.

***(CONTINUED ON FOLLOWING PAGE)***

**(4) Nuisance conditions created by second-hand smoke, vapor or odors:**

- In the event a nuisance condition exists as a result of second-hand smoke, vapors or odors regardless of the location on Hacienda Carmel property, it shall be handled on a case-by-case basis in the same manner as any other nuisance situation in accordance with existing HCCA Governing Documents – specifically **Section 5.5 of the CC&R’s** which states:

*“No unlawful, noxious, harmful, or offensive activities shall be conducted upon or within any part of the Project, nor shall anything be done within the Project which may be or become a nuisance, or cause unreasonable embarrassment, disturbance, or annoyance to any Resident of the Project, or which shall in any way interfere with Residents’ use of the Common Area and facilities thereon or the use and enjoyment of their Units.”*

**Section 3479 of the California Civil Code** defines a nuisance as: *“Anything injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, is a nuisance.”*

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**This policy is effective February 1, 2020 as part of the Hacienda Carmel Community Association Ground Rules**

## **APPENDIX B**

### **Policy Regarding Use of Association Common Area Meeting Space For Political Gatherings and/or Distribution of Political Materials**

**THIS POLICY IS EFFECTIVE AS OF FEBRUARY 1, 2018 AND IS HEREBY ADOPTED AS A PART OF THE HACIENDA CARMEL GROUND RULES AND IS SUBJECT TO ENFORCEMENT IN ACCORDANCE WITH THE ASSOCIATION'S GOVERNING DOCUMENTS.**

**Section 4515 of the California Civil Code provides for the following:**

*As of January 1, 2018 any member or resident in a common interest development with a clubhouse or other common area space suitable for gatherings will be permitted to sponsor meetings and invite the public to assemble inside the development to discuss "common interest development living, association elections, legislation, election to public office, or the initiative, referendum, or recall processes." In addition, Section 4515 further provides that owners and residents may go door-to-door soliciting their neighbors and distributing pamphlets and other material involving all of the above permitted subjects.*

The HCCA Board of Directors determined the need for a written policy in order to provide certain guidelines and rules with respect to any resident wishing to engage in any of the activities described above within the Hacienda Carmel community.

Therefore, the policy is as follows:

#### **Use of Association Meeting Space for Political Gatherings**

- Any usage of Association meeting space for the purpose of sponsoring a political gathering is subject to availability and requires advance notice to Hacienda management of not less than seven (7) days. Hours of meeting space availability shall be from 9:00 am to 8:00 pm daily.
- The sponsoring resident(s) shall provide the advance notice to management in writing by submitting a "Request for Use of Association Meeting Space for a Political Gathering" form. This form is available upon request from the Hacienda Front Desk.
- Attendance shall be limited to residents of Hacienda Carmel and their invitees only, including public officials, candidates or other designated speakers. Hacienda Carmel is not a public place and therefore an invitation may not be made to the general public.
- Attendance may not exceed the safe capacity of the requested meeting space and no sound amplification may be used outside the designated meeting space.
- The sponsoring resident shall be responsible for the set-up, break down and clean-up of the meeting space as well as providing any food & beverage including water or coffee.

**(CONTINUED ON FOLLOWING PAGE)**

**Door-to-Door Solicitation and/or Distribution of Political Materials**

- Any resident who desires to engage in door-to-door solicitation and/or distribution of political materials as provided by Civil Code Section 4515 shall provide advance notice to management of not less than three (3) days for each occurrence.
- The sponsoring resident(s) shall provide the advance notice to management in writing by submitting a **“Notification of Intent to Solicit Door-to-Door and/or Distribute Political Materials”** form. *This form is available upon request from the Hacienda Front Desk.*
- Subsequent to written notification as described above, the door-to-door solicitation and/or the distribution of political materials is allowed between the hours of 10:00 am and 6:00 pm only.
- Non-residents of Hacienda Carmel are prohibited from engaging in any form of door-to-door solicitation and/or distribution of political materials anywhere on Hacienda Carmel property at any time.

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**This policy is effective February 1, 2020 as part of the Hacienda Carmel Community Association Ground Rules**

## APPENDIX C

### **Consequences of Rules Violation & Schedule of Monetary Penalties**

The following is a description of potential consequences and a schedule of minimum monetary penalties for violation of the HCCA Ground Rules as approved by the Hacienda Carmel Board of Directors and is subject to change as may be determined by the Board from time to time:

#### **Violation of Hacienda Carmel Ground Rules**

Violations of the Hacienda Carmel Ground Rules will result in a written ***“Notice of Rules Violation”*** letter from the General Manager including a warning that further violation of the Ground Rules will result in a ***“Notice of Hearing before the Board of Directors”*** letter.

In the event a Board Hearing is conducted as the result of a violation of the Ground Rules, and the Board’s findings conclude that a violation of the rules did in fact occur, the minimum amount of a monetary penalty shall be not less than \$100.

In the event a violation of the Ground Rules is considered as more egregious in nature, even for a first-time occurrence, a ***“Notice of Hearing before the Board of Directors”*** letter may be issued directly as a result. The notification and subsequent hearing process will be conducted following prescribed timelines in accordance with the California Civil Code.

Any violation of the Ground Rules determined by the Board of Directors to be egregious in nature, whether a first-time occurrence or not, shall be subject to a minimum monetary penalty of not less than \$250.

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**This schedule is effective February 1, 2020 as part of the Hacienda Carmel Community Association Ground Rules**