

Villa Monterey Improvement Association
Rules and Regulations
March 2024

1. Remodeling and Exterior Colors

- a) It is not permitted to convert **carports** to enclosed garages. Existing garages and enclosed storage areas in carports have “grandfathered” approval.
- b) The **Dumpster/Storage Pod/Portable Toilet Policy** is a convenience to homeowners and residents moving in, moving out, or remodeling. For the purpose of this policy, the term “storage unit(s)” includes but is not limited to the temporary placement of construction dumpsters, storage pods, and portable toilets. Storage units will be permitted under the following conditions:
- The homeowner is responsible for providing prior written notice to and receiving approval from the Association using the storage unit form located on the Villa Monterey One website (villamontereyone.org). Menu item “Exterior Home Changes” button “Portable Storage Unit Form.”
 - Storage units will be allowed for a period of 30 days; this time limit may be extended by written approval from the Association.
 - Storage units may be placed only on the homeowner’s driveway or in the carport. Storage units are not allowed on the street nor may they be placed on or overlap the yard or any community sidewalk.
 - The homeowner is responsible for the cost and repair of any damage caused by the placement, storage, or removal of storage units.
 - A fine of \$25 per day will be assessed if the storage units are in place without written permission from the Association.

c) Exterior Colors and SHPC Approval

- Homeowner requests for exterior color changes will be approved immediately without the need for Scottsdale Historic Preservation Commission (SHPC) approval if all colors are on the Board-approved color palette. Homeowners must have special permission from the Board if a “trim” or “accent” color is used for the main exterior (“body”) color.

2. Landscape Maintenance

a) **Lamppost Policy.** Villa Monterey Unit One does not have streetlights on all streets. The builders of the community placed lampposts on each property as a replacement for streetlights. Through the passage of time, some lampposts have been removed or are not functioning properly. For neighborhood safety, the Board of Directors is clarifying the Association’s lamppost policy to include the following:

- Existing lampposts must be kept in working order and shall be painted black.
- Lamppost must be located at the street end of the driveway approximately 24 inches from the sidewalk and driveway.
- Lamppost lights must be on from dusk to dawn.
- **The Board of Directors will not approve transfer of ownership of properties without a functioning lamppost and can impose a fine for failure to maintain lampposts and lights.**
- Lampposts may be either direct wired or solar.
- If replacing a lamppost, the homeowner must receive approval from the Board of Directors and the Scottsdale Historic Preservation Office using the Exterior Home Change form found online at villamontereyone.org.

b) Homeowners must have all **palm trees** on their property pruned by July 1 in order to deter and control roof rat infestation. In the event the owner(s) of any property shall fail to prune palm trees in a manner satisfactory to the Association, the Association shall have

the right to take the necessary steps to prune the palm trees. The cost thereof shall be charged against the owner(s) of said property by invoice, and the owner(s) may be taken to Small Claims Court.

- c) Homeowners must remove **desert daisies** from their yards as they go to seed.
- d) **Desert landscape** should be maintained free of grass and weeds.
- e) **Grass/weeds** must not exceed six inches in height.
- f) **Overgrown vegetation** must not obstruct sidewalks, streets, alleys, or rights-of-way. It is recommended that homeowners whose property abuts the canal maintain on a regular basis all vegetation growth within the 10-foot easement from their wall to the canal. Vegetation growth, including trees and shrubs, should be cleared a minimum of three feet from the ground. Alleys, side yard property, and other easements are also the responsibility of the adjacent property owners and should be maintained on a regular basis. Homeowner maintenance shall include the clearing of all debris and litter from said easements.
- g) In the event **citrus fruit** cannot reasonably be cleared by March 1 as required by the CC&Rs because of ripening times, homeowners may petition the Association for a waiver in writing by February 15, giving the reason for the delay and time by which the fruit will be cleared. The Association will provide a written reply to the homeowner within five days of receipt.

3. **Solar Energy**

- a) The CC&Rs of Villa Monterey Unit One require that all exterior changes requiring a permit must be approved by the Board of Directors. This includes installation of **solar panels and related equipment**.
- b) Solar panels should be hidden from street view as much as possible.
- c) Metering equipment and conduits must be painted the same color as the adjoining wall unless restricted by code. Metering equipment

should be placed in the carport or in the rear of the building where possible; equipment which must be on the front of the house must be **completely** hidden from street view on all sides by mature evergreen vegetation at the time of installation or by other barriers approved by the Association. Homeowners must consider the utility company's recommendation(s) for placing vegetation near the equipment.

d) **Allow 15 calendar days between requesting board approval and beginning installation.**

e) The fine for not obtaining prior written board approval for installation of solar panels and metering equipment begins at \$500.

4. **Noise**

a) The use of **power equipment** or the engagement of any activity producing excessive noise on property by the homeowner or outside contractor is not allowed before 8 a.m. or after 6 p.m. during the months of October through May and before 7 a.m. or after 6 p.m. during the months of June through September.

b) **Barking** and other pet noises are considered nuisances, and the owner/resident must take immediate steps to stop the nuisance.

5. **Park and Recreation Area.** The rules and regulations for the park and recreation area are made in conformity with the insurance policy protection covering the park area and swimming pool and must be strictly enforced. Villa Monterey Unit One is a senior community. In order that all may enjoy park facilities, the following rules and regulations will apply to all homeowners, residents, and guests:

a) Entry gates to the park must be locked after entering and after leaving the area. Violation of this rule may result in loss of common area pool privileges and a fine determined by the Association.

b) The swimming pool may not be reserved for exclusive use or private swimming parties.

c) Whenever a member of Villa Monterey Unit One wants to reserve the park and all its facilities other than the swimming pool for an

exclusive private party for a group of eight (8) or more guests, the Association must approve a reservation in advance. A refundable maintenance deposit of \$50, which will be refunded provided the area is left in good condition, must accompany the advance reservation request. Reservation forms are found online at www.villamontereyone.org.

- d) All park facilities, including but not limited to the kitchen shelter area, barbecue facilities, and dining tables/chairs, used by the sponsors of and guests attending reserved or private parties, upon completion of the party, must be left in good, orderly, and clean condition with proper disposal made of all debris resulting from the party. Failure to do so, in the opinion of the Association, shall result in forfeiture of the \$50 maintenance deposit and may result in the loss to reserve the facility for up to 12 months.
- e) The swimming pool will close at 10 p.m. daily.
- f) Diving is not allowed in the swimming pool at any time.
- g) Suntan oils or lotions must not be used on the body prior to entering the pool since use of such materials creates a critical maintenance problem for pool filters, pumps, and overall pool hygiene. Members are urged to assist in the enforcement of this rule. Also, while sunbathing and using oils or lotions, please protect the pool furniture with towels.
- h) No glassware of any kind is permitted on the pool deck or in the area immediately adjacent to the pool or hot tub.
- i) No loud music or loud, boisterous, disruptive behaviors are allowed on the park grounds or in the swimming pool.
- j) **Basketball and pickle ball activities** may be conducted in the park between the hours of 8 a.m. and 7 p.m. Please be respectful to nearby neighbors regarding excessive noise. Any equipment which may leave the park during play must be retrieved immediately.
- k) No animals, except for guide dogs, will be permitted within the walled area of the park.

- l) Homeowners must advise the Association when they will have unaccompanied guest(s) in the park, and those guests must display the identification tag provided to all occupants by the Association. Unaccompanied guests must sign the guest book on the counter in the park ramada.
- m) A resident member or an adult guest of a resident member must always accompany guests under the age of sixteen (16), and all guests are required to abide by these Park and Recreation Area Rules and not interfere in any way with the activities of residents using the facilities.
- n) Children under the age of twelve (12) are not permitted in the spa (hot tub).
- o) Smokers must use ashtrays and be considerate of non-smokers; ashtrays can be found on top of the grill west of the ramada.
- p) Before leaving the park, please lower umbrellas; turn off lights in the bathrooms and ramada; turn off fans and misters in the ramada; if you have moved furniture, please return it to its original position; turn off music; be sure bathroom doors and both gates are closed and locked.
- q) Contact the Association at info@villamontereyone.org if you see any irregularities or have suggestions for improvements.

6. Amending the R&Rs

- a) The R&Rs of the Association may be amended by the Board of Directors at any time in regular open meeting of the Board of Directors.
- b) Amending the R&Rs requires a majority vote of the Board of Directors and does not require a vote of the membership.