

Bayview Court H.O.A.

P.O. Box 3589

Mission Viejo, CA 92690

P. 949-363-7255 F. 949-363-9317

April 12, 2018

Re: Amended Rules and Regulations – Effective April 02, 2018

Dear Members,

Please see enclosed Amended Rules and Regulations. These Revised Rules and Regulations are effective April 02, 2018. Please call me if you have questions or require clarification of any items contained in the attached document.

If you rent/lease your unit it is important that you assure a copy of the Rules and Regulations are given to your tenant and they understand that they (tenant) are responsible following and *adhering to items as detailed on this document.*

Sincerely,

Patricia Kessler

Patricia Kessler

Property Manager on behalf of

Bayview Court H.O.A. Board of Directors

Cc: File- Governing Documents

July 1, 2017

Amended 4-2-2018

BAYVIEW COURT HOMEOWNERS ASSOCIATION

Newport Beach, California

Rules & Regulations

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OWNER NOTES

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BAYVIEW COURT HOMEOWNERS ASSOCIATION
RULES, POLICIES, PROCEDURES, AND INFORMATION

Forward

This document provides rules, policies, procedures, and information applicable to owners, tenants, their families, and guests.

THE ASSOCIATION: Members of the Bayview Court Homeowners Association are owners of property in a common interest development community. It is a statutory association organized for the purpose of maintaining and preserving common property of the residential only community. The community has 88 condominiums in 12 structures, 33 guest parking spaces, a spa and pool. The Association was incorporated on March 17, 1986.

PURPOSE: It is intended that this document be as useful and community friendly as possible in benefiting Association members, their tenants, and guests. It supports the goal of making the community a great place to live by helping the volunteer Board members, (elected and appointed), committee members and contracted officials to manage short and long term requirements effectively. It also provides answers to frequent questions or community concerns, and promotes health and safety for the community.

APPLICATION and AUTHORITY: This document applies to owners, tenants, non-owner family members, and guests of the community. The Board of Directors has approved it, after legal review.

OWNER and TENANT RESPONSIBILITY: It is in the Association's best interest for owners having tenants, family or friends residing in their properties to share this document with them. Tenants, guests, and non-owner family residents are obligated to abide by the governing documents of the Association and failure to do so is a default under the required lease or rental agreement. Owners are not allowed to rent or lease their condominium for short term or hotel purposes.

SUSPICIOUS ACTIVITY: Report all suspicious activity to the Newport Beach Police Department at (949) 644-3717 (routine matters or for dispatch), or 911 for emergencies. Notify the Management Company at the earliest opportunity.

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QUICK REFERENCE DATA

1. **MANAGEMENT COMPANY:**

American Properties International, Inc. (API)
23172 Plaza Pointe Dr. #130
Laguna Hills, CA. 92653
949.363.7255
1.800.360.0336 (After Hours)
FAX 949.363.9317

CONTACTS:

Account Supervisor

2. **FIRE LANE:** All streets/roadways within Bayview Court (including the entry off Bayview Place) are posted FIRE LANES. See "Parking" section for further information.
3. **SPEED LIMIT:** The absolute maximum speed limit is 10 MPH; however, narrow roadways and pedestrians without a sidewalk may necessitate a lower speed.
4. **COMMON AREA:** The "Common Area" for the community is defined in Article I, Section 1.6 of the CC&R's.
5. **GOVERNING DOCUMENTS:** Articles of Incorporation, By-Laws, Covenants, Conditions & Restrictions (CC&R's), California Civil Code, Corporations Code and this Document.
6. **REPORTING:** Problems, safety issues, complaints, concerns, appreciation and suggestions need to be sent to the management company in writing, or by personally addressing the Board at a scheduled Board meeting. Communication that may have been verbalized to the Board members must still be sent to the management company for action.
7. **SECURITY:** The patrol service patrols our community once a day at the same or random times. Our community also participates in the Neighborhood Watch Program.
8. **BOARD MEETINGS:** The time, date, and location of the monthly Board Meetings are posted on the official bulletin board in the pool area. Meetings are normally held on the 4th Tuesday of the month at 6PM. Meetings are held at 100 Bayview Circle, Newport Beach in the lobby area.
9. **POOL & SPA HOURS:** 7:00 AM to 10:00 PM daily.
10. **POOL & SPA HEATING:**
Pool: Normally May to mid-October.
Spa: Heated all year.
11. **QUIET HOURS:** 10:00 PM to 7 AM, Monday through Friday and 10 PM to 8 AM on weekends and holidays. Please be considerate and conscious of noise levels that are unreasonable and disturbing to others, apply the "Golden Rule" in this regard. This applies at all times.

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12. **HOME BUSINESS & GARAGE UTILIZATION:** Condominiums shall be used for residential purposes only, as set forth in the CC&R's at Article III, Sections 3.1, 3.2, and 3.7. No commercial businesses, mercantile, storing, vending, or other such non-residential activities are permitted. Garages shall be used for personal automobile parking and storage of normal residential items. Garage doors must be closed except during normal use.
13. **FENCES, GATES, & WALLS:** Entering or exiting over these barriers is prohibited. In the event of power outages, the vehicle gates will open automatically and remain open until power resumes.
14. **LOCKS & GATE MECHANISMS:** Tampering with and/or circumventing them is prohibited.
15. **NEWSLETTER:** Typically, these are published every calendar quarter and may be in addition to or in place of a homeowner letter. Owners and tenants are encouraged to share thoughts with the Board of Directors and the management company for inclusion.
16. **OFFICIAL BULLETIN BOARD & NOTICES:** Located between the pool restroom doors. Notices may be posted on/near the mail stations when necessary.
17. **EXCLUSIVE USE AREA:** Areas of a property where ONLY the occupant may enter (based on right to privacy) unless given approval. These areas include patios, balconies, garages, and inside of the home. People may cross the porch area to knock or ring the doorbell of the units that have outside stairs that lead to the door.
18. **LEASE or RENTAL AGREEMENTS:** The written agreement must specify that failure to abide by the provisions of the Association's Governing Documents is a default of the lease/rental agreement.
19. **CONSTRUCTION & REMODELING ACTIVITY:** Newport Beach limits this to Monday through Friday from 7 AM to 6:30 PM and 8 AM to 6 PM on Saturdays. Construction can never occur on Sundays or Federal Holidays. Complaints can be made by contacting Newport Beach Police Department at (949) 644-3717..
20. **CITY of NEWPORT BEACH ASSISTANCE:** Help with day-to-day questions can be obtained by calling the Newport Beach City Clerk's Office at (949) 644-3005.
21. **POLICE NON-EMERGENCY:** (949) 644-3717
22. **FIREWORKS:** Fireworks, of any kind, are not allowed.
23. **CHARCOAL BARBEQUE:** Charcoal barbeques are not allowed inside of the community due to fire hazards and liability reasons.
24. **The use of HOA water or HOA electricity for individual use is strictly prohibited without prior HOA authorization from the Board.**

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COMMON AREA

1. Bikes, scooters, skateboards, and similar types of transportation are not permitted to be used on any part of the common area except while being walked on sidewalks or ridden on the street. Toys, plastic pools, lawn furniture, statuary, and excessive potted plants are not to be used on any part of the common area.
2. Sport or recreational activities are not permitted in the common area, including the entry area off Bayview Place.
3. Individual planting is not allowed in the common area.
4. Tampering with or adjusting sprinkler heads, lighting, timing devices, using HOA water for personal uses or tampering with or adjusting other Association property is prohibited.
5. Vehicle repairing is not permitted in guest parking areas and car washing is not allowed within the community. Please see Rule 8 under Parking for further details.
6. Owners of vehicles that drip oil or other foreign materials on the premises must adequately and properly clean the soiled surface, or reimburse the Association for doing so and may be subject to a fine.
7. No one is allowed to sleep and/or live in a vehicle in the common area or in garages.
8. Patio furniture and BBQ grills (gas or electric only) are allowed only on patios, porches, and balconies. Please see the Patios section in this document for further details.
9. Cost to repair damage to any common area that is caused by occupants and/or their guests will be charged to the responsible homeowner.
10. Contractors hired privately or by the Association, must clean all debris left behind by their work when finished. This includes any and all sidewalks, streets, and parking spaces used or soiled.
11. Contractors are to park in guest parking spaces whenever possible. If guest parking is not an option, contractor vehicles must have hazard lights (flashers) on and traffic cones placed at the front and rear of the vehicle(s).
12. Residents that have a need to load or unload a vehicle such as moving in our out of unit will notify the Management company and safety cones and/or hazard lights must be engaged. No overnight parking of these vehicles is allowed. All other parking on streets is not allowed.

PARKING

1. Emergency vehicles must have access and right-of-way at all times on the community's streets and entry circle. Parking for any reason to include but not limited to short term loading and offloading and auto washing is not allowed on the streets throughout Bayview Court Association. There may be exceptions as noted in item 12 of the Common Area section (above section).
2. Residents with more than two (2) vehicles shall arrange for parking outside the community.
3. Guest parking may not be used for commuter car pools
4. Residents may reasonably utilize guest parking spaces during the hours of 7 AM to 7 PM Monday thru Thursday (see Parking Rule #6 for nighttime and weekend enforcement policy). Please note: the definition of what is "reasonable" is at the sole discretion of the HOA Board of Directors - the intent, the enforcement, and the utilization of guest parking spaces for community guests/homeowners/residents is to allow for the comfort and convenience of all community members (it is not to allow continual use/abuse/monopolizing of community parking by individual guests/homeowners/residents. Guests/ homeowners/residents needing temporary extended use of community parking may request an extended guest-parking pass by calling or sending an email {with the subject heading 'Guest Parking Pass Request' to) the community's property management company.
5. Any vehicle parked in guest or community parking for five or more cumulative days/nights within a calendar month, without an extended guest-parking pass or approval, will be cited. Any vehicle issued three citations within a calendar month will be subject to towing (Note: following a third citation, the HOA Board of Directors will be notified and a vote taken to approve towing the subject vehicle at the owners/expense on the following night).
6. No individual Board member or individual homeowner will have the authority to grant an extended guest parking pass or approve any vehicle for towing; all towing must be approved by a majority HOA Board of Director vote (and towing can only follow the issuance of three citations, as noted previously).
7. Auto washing is not allowed in the community
8. Commercial or utility vehicles shall use guest parking when providing services within the community whenever possible; and the vehicles may not block red fire lanes or park in front of driveways unless accompanied by the owner/operator of the vehicle. These vehicles may not park overnight on community premises without first obtaining an extended guest-parking pass from the community's property management company.
9. No portion of a vehicle should extend into the street for safety purposes.

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POOL & SPA

1. The pool and spa area is for the enjoyment of Bayview Court residents and their guests. The occupancy limit for the pool is 42 people, while the limit for the spa is 5. Occupants are asked to be considerate to others. Residents must know and inform their guests of the rules. This is especially true on peak use days, such as weekends and holidays.
2. Keys have been issued to each owner. It is the responsibility of each owner to pass all keys to the next occupant. Owners and tenants must carefully control pool keys as they also open the two pedestrian gates. Owners can obtain replacement keys, for \$50.00 each, from the management company. Keys must be used to access the pool area. Climbing over the fence, propping the gate open, or tampering with the lock, is strictly prohibited.
3. Smoking is not permitted in the pool and/or spa area.
4. Dispose of all trash in the provided receptacles.
5. Bayview Court is a residential community. **Please be conscious and considerate about noise levels.** Radios, boom boxes, etc., must be battery operated. No extension cords are permitted in the pool area. Volume must be set at a reasonable level if headphones are not being used.
6. Children under the age of 14 are not permitted in the pool or spa unless accompanied by an adult capable of using the emergency rescue equipment located on the pool fence. It is recommended that the adult also be able to swim. There is no lifeguard on duty so at all times the adult is responsible for protecting any children under their supervision.
7. Pets are prohibited in the pool area.
8. Running, pushing, chasing, back flipping, diving, jumping, and other rough horseplay activities, are not allowed. Squirt gun usage is not allowed. Inappropriate behavior will not be tolerated.
9. Pool safety/rescue equipment is for emergencies use only.
10. Owners are responsible for any damage to pool furniture that is witnessed.
11. No lifeguard is on duty. Each person using the pool/spa area does so at their own risk.
12. No hard objects such as surfboards, rafts, balls, flotation devices, etc. are permitted in the pool.
13. Children who are not toilet trained **MUST** wear protective swim pants/diapers to protect the water from contamination. Please do not change diapers at the pool. The changing of diapers on tables or chairs is strictly prohibited.
14. Pool hours are 7 AM to 10 PM.
15. Read and follow the Pool Rules which are posted at the Association's official bulletin board, between the pool restroom doors, on the pool gate entrance/exit, and attachment 1 of this document.

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Attachment 1

POOL & SPA RULES

1. **BE SAFE!**
2. **BE RESPECTFUL OF OTHERS INSIDE THE POOL AREA.**
3. **BE CONSIDERATE OF RESIDENTS LIVING AROUND THE POOL AREA.**
4. **BE MINDFUL THAT THIS IS A RESIDENTIAL POOL.**
5. **BE CERTAIN GATE IS FULLY CLOSED AND LOCKED--- ALWAYS.**
6. The pool and spa are for the enjoyment of owners, tenants, and invited guests.
7. Please use discretion with respect to the number of guests to avoid monopolizing.
8. Any person may be required, at any time, to demonstrate the right to be in the pool area. This can be done by; 1) having possession of the gate key, 2) verification by another person (rightfully in the pool area) that the person in question is a Bayview Court resident, a nonresident, owner, or guest of either. Anyone who cannot demonstrate the right to be there will be asked to leave. Call the Newport Beach police for assistance if the person(s) do not leave.
9. Two non-duplicative keys have been given to each homeowner. It is the owner's responsibility to ensure they are passed to new owners or tenants. Replacements can be obtained by owners only for \$50.00 each, from the Management Company. Keys must be used to access the area as entering over the fence or tampering with the lock is prohibited.
10. Never swim alone.
11. No smoking.
12. No glass.
13. No Pets.
14. Return furniture to original locations and lower umbrellas as a courtesy to others.
15. Keep noise to levels that do not disturb others inside or around the pool.
16. Behavior in the pool area that is unsuited for a family with children is not tolerated.
17. Use trash containers.
18. No one, (including residents), under age 14 is permitted in the pool area unless accompanied by an adult, (age 18 or over). Residents are permitted to have members of their resident families and invited guests in the pool area. The maximum number of children under age 14 that can be safely supervised, (by an adult), must not exceed 4.
19. Running, pushing, horse-play, diving, jumping or similar activity, is prohibited.
20. Rough games are prohibited.
21. Safety equipment is only for emergency use only.

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22. Mishandling or abuse of pool furniture is unacceptable and should be reported immediately to the Management Company. Those responsible for damages must pay for repairs or replacement.
23. Read all notices posted on the pool bulletin board, gate, and fence.
24. There is never a Life Guard on duty in the pool area.
25. All hard (or potentially injury causing objects) such as; surfboards, rafts, floatation devices, hardballs, and like items are prohibited.
26. Furniture may not be reserved unless a resident is present.
27. At no time shall any group monopolize or take exclusive use of the pool.
28. No barbequing.
29. Electrical cords are prohibited.
30. Radios, MP3 players and other listening devices must be used with ear phones.
31. **TODDLERS ALLOWED IN THE WATER AND WHO ARE NOT POTTY TRAINED MUST HAVE ON SWIM-WEAR THAT PREVENTS ACCIDENTS FROM CONTAMINATING THE WATER. PLEASE DO NOT CHANGE DIAPERS IN THE POOL AREA.**
32. Please contact the Management Company if you have any pool suggestions or concerns.

Please Note;

1. **Conscientiously abide by the rules**
2. **Review them with invited guests**
3. **Remind and/or Enforce them if necessary**
4. **The pool is heated to 86 degrees (usually from May 1st until mid-October). The spa is heated to 101 degrees' year round.**

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PETS

1. Only domestic dogs, cats, birds and fish, shall be kept as household pets and may not be kept in unreasonable quantities. Reasonable quantities will typically mean no more than two pets per residence - HOWEVER – the Board retains the right to determine reasonable numbers in any instance.
2. Dogs are not to be left unattended or allowed off leash in public including all common areas within the community.
3. Local municipal leash laws shall apply. To contact Newport Beach Animal Control, please call (949)644-3717.
4. Specific to Baycrest Community – dogs are not allowed in the four (4) large (wrap around) greenbelts near and between the homes. This is for both the protection of the grass (and maintain the integrity and appearance of these common areas) as well as personal safety. Those areas have uneven terrain, large drains and can be slippery when wet.
5. Each homeowner or tenant is responsible for removing their pet's 'poop' from all common area property immediately. Used waste bags must then be stored out of sight in a container that prevents smells and odors from permeating the space of others. Do not leave waste bags on or near front steps, driveways or in courtyards.
6. Excessive dog barking will be deemed a nuisance.
7. Each homeowner will be held responsible for any damage caused due to their pets; including the destruction of plants and or grass due to urine.
8. The Association has the right to prohibit housing to any animal that constitutes a nuisance to other members of the Association.
9. Three documented violations of any of the pet rules may lead to a fine of up to \$300.00.

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Attachment 2

BAYVIEW COURT WELCOMES NEW DOGS

The Board of Directors would like to welcome all new dog lovers to the community. If you are new to the area, below are a few references for your convenience.

Animal Emergency Medical Center

(Hours: 6 AM – 8 PM)

3720 Campus Drive

(On Campus just North of Bristol)

(949)261-7979

Local Pet Stores:

PetCo

1280 Bison Avenue

(949)759-9520

Like anywhere else, Bayview Court has both dog owners and non-owners living in close proximity. Inevitably, there will be conflicts on occasion between the two groups. As responsible dog owners, it is imperative to do our part to not only clean up after our dogs (number one complaint from non-owners) but also to be respectful of the dog regulations set forth by both the City of Newport Beach and the Association. Below are a few important rules, we at Bayview Court, both pet owners and non-owners alike, would ask that you keep in mind.

- In Newport Beach, the law requires all dogs to be kept on a leash while in public. For the safety of all, including the dog, please keep your dog(s) on a leash at all times.
- Dogs are not permitted on the Association's green areas. Unfortunately, they tear up the grass and flowers and leave brown spots and other "material" that can be missed on occasion. Please take your dog(s) outside of the community walls to do their business. There are a few spots located between guest parking and the wall (toward to front of the community) that can be used by pets as well.
- Owners must clean up after their pets. Failing to pick up after your dog is unsanitary and disrespectful to all residents. Also, it is inconsiderate to allow dogs to urinate on or near a neighbor's sidewalk, steps, or patio.
- All dog owners are also responsible for their dogs loud and/or excessive barking. Dogs that disturb other residents can be considered a nuisance, and subject to violations and fines.

Please help us keep Bayview Court a great place to live for all residents and dogs. If you have any suggestions, please feel free to contact the management company or attend a monthly Board meeting.

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ABSENTEE OWNERS & TENANTS

Owners who lease their homes are responsible for their tenant's compliance with the community's governing documents. Any costs for damages will be billed to the owner directly. This in no way relieves tenants from being bound by the Associations governing documents as they apply to everyone that is an occupant.

LOUD, INAPPROPRIATE, & DISTURBING NOISE

Loud, disturbing, inappropriate language or nuisance noise is inconsiderate and unacceptable. This includes (but is not limited to) noisy play, high volume settings on electronics, excessive banging on floors of upstairs units, pool or house parties, barking dogs, vehicles, power tools, etc. See CC&R's Article III, Section 3.5 for further details.

TRASH

1. Only approved CRR trash carts or disposable heavy-duty trash bags if you are not using carts may be placed at the curb for collection. If you are using trash bags instead of carts, you will need to place food in plastic bags and tied inside the trash bag or double bagged to prevent animals and birds from breaking into the bags and making a mess in the community. Trash containers may not be left on curbs past a reasonable time after trash pick up. Trash cans must be stored in the garage and not visible from the common areas.
2. If you are using trash bags, they should not be placed outside until the morning before collection to further prevent animals and birds from breaking into bags. Trash bags should be placed at the curb near the edge of unit driveways (not on top of shrubs or ivy). Please note that sprinkling a pinch of pepper in garbage bags as it is being filled has been found to be an effective deterrent in keeping birds and raccoons at a distance.
3. Residents who will be gone on a pick-up day should make arrangements according to the procedure or keep it inside until the next scheduled pick-up.

SIGNS & DISPLAYS

1. One 10x12 inch "FOR SALE" or "FOR LEASE/RENT" sign is permitted to be placed on an inside window. Two "Open House" signs are allowed (one at the entrance to the complex and one at the entrance of the unit) and must be removed at the end of the open house.

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2. Holiday signs, flags, banners, and holiday decorations can be displayed within a reasonable timeframe to the holiday. Residents are also requested to remove the items in a reasonable time frame.
3. Federal, State, and local notices regarding public safety, health, or property, are posted as required.

VIOLATION REPORTING

Please report all safety/maintenance/community violations to the management company in writing. This goes for all suggestions, compliments, and concerns as well. The management company provides written communication to the Board for review and/or action each month.

ENFORCEMENT OF GOVERNING DOCUMENTS

1. Normally, depending on the severity of a problem, a courtesy letter is sent to the owner and/or tenant advising of the situation. It will convey the need to correct the problem by a specific date, and to let the management company know the issue has been resolved. The courtesy letter will contain a highlighted copy of the violated rule.
2. If the problem is not corrected, a letter is sent giving a minimum of 10 days' notice to attend a formal hearing at a Board meeting.
3. The owner and/or tenant may bring others to support their position. Complainants are also notified and may attend. The Board will make a determination on any action to be taken.
4. The Management Company provides the appropriate parties written notification of the Board decision within 15 days of the Hearing. Decision letters will be sent first class mail and certified.
5. California Civil Code information pertaining to "Internal Dispute Resolution and Alternative Dispute Resolution" may be used by The Board of Directors and the Association members as an alternative to settle issues.

ASSESSMENTS

1. Assessment amounts are determined by the Board of Directors.
2. Monthly statements are sent to all homeowners via U.S. Mail. Please contact the management company if you would like to "go green" and receive your monthly statements online.

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3. Payments of monthly dues are to be made to the management company for processing. All payments should be made payable to; Bayview Court H.O.A., and payments must be received on or before the 15th of each month to avoid late charges.
4. Failure to pay Association dues may result in collections activity and/or loss of community privileges such as use of the community pool and spa.

SCHEDULE OF FINES AND PENALTIES

The Board of Directors may assess penalties after a hearing as follows:

1. First Offense	\$100.00
2. Second Offense	\$200.00
3. Third Offense	\$300.00
4. Fourth Offense	\$400.00
5. Subsequent Offences	\$500.00

Note 1: In addition to the appropriate fine, vehicle parking violations may result in immediate towing at owner expense.

Note 2: In the event legal action is taken against the Bayview Court Homeowners Association, the Association shall be entitled to collect attorney fees and costs if the case is ruled in favor of the Association.

Note 3: Pool and spa use privilege may also be denied.

TENANT/GUEST AND NON-OWNER VIOLATIONS

Non-Owners are bound by the Association's governing documents and are subject to the enforcement of them by the Board of Directors. Owners are sent all Association correspondence and are responsible for informing tenants of Association requirements. Owners are also responsible for payment of violation fines or special assessments resulting from damage to common area property by their non-owner residents and guests. Owners are responsible to inform them that they have a like responsibility to advise their guests of all Association Governing Documents.

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Attachment 3

ARCHITECTURAL/LANDSCAPE

1. No structural alterations to home interiors or common areas surrounding any unit shall be made and no plumbing or electrical work within any bearing or common walls shall be performed by any owner without an approved Architectural application.
2. Changes that have already been made and which are not in accordance with this and other Governing Documents will be addressed by the Board as they come to their attention.
3. Architectural applications protect owners and the Association. It also enables the Board to provide any recently updated requirements to the homeowner.
4. Architectural applications are required for anything that will change the original appearance and design of any community structure or landscape. This includes (but is not limited to) door locks and handles.
5. Applications must be submitted using the form attached to this document and written approval must be in possession of the owner prior to the start of the project.
6. The Board may require that Architectural applications be reviewed and coordinated with other owners whose unit may be affected by the work to be done.
7. Applications are not required for hanging pictures or mirrors or to replace personal items such as dishwashers, microwaves, and stoves.
8. If there is doubt whether there is a need to submit an application, contact the management company and get the answer in writing. Violations of the architectural rules may result in fines.
9. Association members are encouraged to contact the management company for copies of, or questions regarding, the Architectural Application. Attachment 3 is a copy of the Architectural Application for your convenience.
10. The installation of stone walkways stone steps and any step-recessed lighting must meet the uniform stone selection of silver quartzite and related materials installed throughout the community and requires the submission and approval of an architectural application request.

Bayview Court Homeowners Association

Architectural Application

Please complete this request form and attach three (3) copies of your proposed improvement plans. The review period does not commence until a complete application has been received by the Architectural Committee. To assure prompt consideration, review all submittal materials for completeness before sending them to the Architectural Committee.

Mail or deliver the application and three (3) sets of plans to the Association's Property Management Company:

Please Complete the Following:	
Owner(s):	Date:
Mailing Address:	
Home Phone:	Work Phone:
Property Address:	

Architect or Contractor (if applicable):	
Name:	Phone:
Mailing Address:	
Contractor's License Number:	Insurance Carrier:

Description of Improvements: Please provide a brief description of the proposed improvements:

Anticipated Work Schedule:

Start Date:	Completion Date:
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Attachment 3

Neighborhood Awareness

All improvements require notification of all neighbors visually affected or impacted by the requested improvement. Such notification shall be by sign-off on the applications provided by the Architectural Committee. **The neighbor's agreement is not a condition for the approval of plans by the Architectural Committee.**

Neighbor Address	Name	Date	Object	Do Not Object	Signature

I Understand and Agree That:

1. No work shall commence until the **written approval** of the Bayview Court Board of Directors is given.
2. Building permits for the proposed work may be required and the cost of any permits and the responsibility of obtaining permits and subsequent County inspection will be the responsibility of the undersigned. Architectural Control Committee approval is not intended to be, nor shall be considered a substitute for approval by the necessary and appropriate governmental agencies. The Board has been informed that the County will not issue building permits for any improvement until the proposed improvement has been approved by the Architectural Committee.
3. The Architectural Control Committee's approval or disapproval shall be based on the considerations set for in the CC&R's and the Architectural Control Committee shall not be responsible for reviewing, nor shall its approval of any plan or design be deemed approval of, any plans or design from the standpoint of structural safety, engineering, or conformance with building or other codes.
4. I have read this application, the Association's CC&R's and the Architectural Standards and Procedures, and I understand and agree to the terms and conditions of the Architectural Control Committee's review of my application, plans and specifications, as stated therein.

Signature of All Owners:

Owner:	Date:
Owner:	Date:
Owner:	Date:
Owner:	Date:

Attachment 3

Receipt of Application

Date of Receipt: _____

Received by: _____

1. If the application, plans, and specifications are complete, the application is deemed complete and submitted on _____ (date); proceed to Review of Plans.
2. If the plans and specifications are not complete, return application and plans for failure to submit all information. Letter stating information needed sent on _____.

Review of Plans

Approval Criteria	Yes	No	Need More Information
Will the installation, construction, or alterations proposed in the locations indicated be detrimental to the appearance of the surrounding area of the property?			
Will the appearance of the improvement be in harmony with surrounding structures?			
Will construction of the improvement detract from the beauty, wholesomeness and attractiveness of the Common Areas & Association maintenance areas or the enjoyment thereof by Members?			
Will the upkeep and maintenance of the improvement be a burden on the Association?			
Is anything attached to a common area wall?			
Will the improvement alter the drainage pattern of the property?			

Approved:

Denied:

Contingent Upon:

Date _____ Signed _____

SATELLITE DISHES & ANTENNAS

1. The following policy is intended to comply with FCC Rules 207 and California Civil Code Section 1376. Homeowners **MUST** submit an Architectural application for Board approval prior to installation.
2. A satellite dish over one meter (39 inches) in diameter is not allowed.
3. Satellite dishes may be installed on the occupant's balcony, deck, patio, attic, or "exclusive use" area." Exclusive" use means an area of the property that only you may enter and use to the exclusion of other homeowners. Dishes may not be installed on any roof, chimney, exterior wall, or common area. All mountings must be on a temporary mounting and **NOT** affixed to the building or floors.
4. Dishes and antennas must be place in the most inconspicuous, unobtrusive, and non-visible location possible.
5. Dish motors must be the quiet type, which cannot be heard by neighboring occupants.
6. The homeowner must sign an agreement indemnifying the Association and its members for any damage caused by the installation of satellite dishes, cable, or peripheral equipment involved. This agreement certification can be placed on the Architectural application.
7. The homeowner must ensure that the installation complies with all applicable building codes and manufacturer's instructions.
8. Wiring must be installed in such a manner as to be minimally visible and in the most concealed location possible. All exterior wiring and cables must be concealed or camouflaged behind gutters or downspouts.
9. Upon final installation and inspection by the Association, the Association may contract to have the exposed wiring painted the same color as the background material it is mounted on. The cost will be billed to the homeowner/occupant.
10. The Association reserves the right to assess a homeowner for costs to rectify any damage caused to the common area resulting from the installation or removal of a satellite dish or antenna.
11. The homeowner will have the responsibility to remove any satellite dish or antenna in the event the Association must maintain, repair, or replace an area where the equipment is installed.
12. A satellite dish installation that is not in compliance with the above-listed guidelines may be subject to removal at the homeowner's expense.

SCREEN DOORS

1. Retractable screen doors must be virtually invisible when not extended out. They must fit inside the doorframe and blend in nicely with the door itself.
2. The screen door must allow for a clear view of the main door, when it is retracted keeping its uniformity with the other unit doors that do not have retractable screen doors.
3. The frame must be powder-coated to match the paint on the front door. Although this adds to the expense, it is required to benefit the aesthetic appeal of the community and will not be prone to chipping or fading over time.
4. Since the retractable screen door is installed directly into the doorframe of the building (a common area expense), the homeowner will take responsibility for any damage done to or by the screen door installation.
5. After the screen door is installed, it must at all times be kept in good working condition. Failure to do so will be considered a violation and subject to fines.
6. No other types of doors, barriers, or barricades are permitted unless otherwise approved by an Architectural application.

PATIOS

1. In compliance with Sections 3.21 and 3.9 in the CC&Rs, no furniture shall be placed on or in balconies or patios except furniture which is designated as patio furniture. Nothing shall be placed or kept on a balcony or in a patio except such furniture, trees, shrubs, bushes or plants and other items as may be permitted therein or thereon, pursuant to the Association Rules or this Declaration. In addition, no fences, awnings, ornamental screens, screen doors sunshades or walls of any nature shall be erected or maintained on or around any portion of any structure or elsewhere within the development except those that are installed in accordance with the original construction of the development, and their replacements or as are authorized and approved by the board.
2. Rusted BBQ's, broken or rusted patio furniture, dead plants, screens, hanging baskets and plants sitting along the stucco edge of balconies that are viewable from any common area are not allowed. Excessive plants, whether live or artificial used to block in any balcony or deck are not allowed unless approved by the board. Dog houses and cat climbing trees on any balcony or deck are not allowed. Please consider that are visible from any common area and contributes to the overall aesthetic curb appeal of the community and can dramatically impact property value. If any resident has questions about what is or is not suitable for decks and balconies, please get in touch with the management company to bring before the board.

STONE WALKWAYS/STEPS

1. All stone walkways/steps installed by homeowners must first be approved by the HOA by submitting an architectural application.
2. The stone selection may not vary. Only silver quartzite is approved as the uniform stone type for the community.
3. Homeowners may select their own vendor and all financial agreements are between the homeowner(s) and the vendor.

INSIDE STAIR COVERINGS

Owners of upstairs condos having inside stairs may place carpet on the center area of the steps and risers. The carpet must be at least 29.5" wide, leaving 6" on each side to be free of carpet or resilient vinyl covering. An Architectural application is required.

DOOR HARDWARE

Corroded door handles and locks may be replaced at owner expense. Replacements can be a finish such as polished solid brass or other materials as close to the same size, style, and shape as the hardware. An Architectural application is required.

UPSTAIRS FLOOR COVERINGS

For noise purposes, **no hard surface floor coverings** (including but not limited to) tile or wood shall be placed on any floor surface of a second floor unit above another owner's living space. Permitted coverings include, (but are not limited to) carpet, and resilient vinyl. Floor covering is not required in front of fireplaces, under ranges, dishwashers, refrigerators, compactors, cabinets, or washers and dryers. Owners who wish to install coverings other than carpet or resilient vinyl, must submit an Architectural application.

WINDOWS & SCREENS

Must be the same design and color of those being replaced and conform to the other windows in the community. An Architectural application **must** be submitted.

WATER LEAKS

1. Steel braided hoses are **recommended** to be installed on **all** washers, toilets, and sink connections. In addition, many homeowners have a certified plumber perform a preventative maintenance inspection each year.
2. Homeowners are encouraged to install single handle (ball valve) shut-off valves on the main water pipe coming into the unit. This makes it very easy to shut-off all the water when not in use for a length of time. It is also recommended that homeowners periodically check individual shut-off valves on sinks, toilets, washers, and icemakers to ensure they work.
3. It is highly recommended that owners and tenants have insurance protection for damage to the interior of a unit and temporary living conditions in the event of water problems.

GARAGE DOOR REPAIR AND/OR REPLACEMENT

GENERAL

1. Repair or replacement is owner responsibility, (except for exterior painting).
2. Owner **MUST** submit an Architectural Application.
3. Owner **MUST** have written approval, in possession, from the Association's Management Company before any work commences.
4. Doors vary in size, some wider, some higher. Single doors are approximately 8' wide and 7' high; double doors are approximately 16' wide and 7' high.
5. Openers may require changing.
6. Painting will be paid for and provided by the HOA following installation.
7. Door replacement must be metal roll-up and not wooden as originally installed during construction.

SPECIFIC

Wood tip up doors that are repaired requires:

1. That the outside of the door match other doors in the community to include molding and finish.
2. White vinyl weather seal on sides and bottom or neoprene seal at bottom.
3. One coat of primer.
4. Manual opening capability (in case of electronic/remote failure).

Metal roll-Up doors that are repaired or installed require:

1. The outside of the door match other doors in the community to include molding, finish and color.
2. They have 4 or 5 sections depending on the height of the door.
3. A wood texture looking face/finish— (not smooth).
4. Two-inch hard poly insulation backing.
5. One coat of oil based primer and two coats of paint.
6. White Vinyl weather seal at top, sides and bottom or neoprene seal at bottom.
7. Manual opening capability (in case of electronic/remote failure).