

BELLA VISTA HOMEOWNERS ASSOCIATION
RULES & REGULATIONS

REVISED 5/6/2021

The purpose of the Rules and Regulations for Bella Vista Condominium (the "Rules") is to establish governing standards of conduct required of all Owners and residents of units in the Bella Vista Condominium community (the "Community"), including all household members, guests, employees, contractors, invitees, lessees and/or guests of any of the foregoing, and to provide for the harmonious operation of the Community. The Rules are binding on all Owners and on all residents of a unit (whether or not they are Owners), including all household members, guests, employees, contractors, invitees, lessees and/or guests of any of the foregoing.

The Board of Directors (the "Board") of the Bella Vista Condominium Unit-Owners' Association, Inc. (the "Association") may amend these Rules in writing, from time to time, as provided in the Bylaws. The Rules are supplemental to, not a substitution for, any other provisions contained in the Declaration of Covenants, Conditions and Restrictions for Bella Vista Condominium (the "CC&R"), but in the event of conflict as between the CC&R and the Rules, the CC&R shall take precedence. As used herein, the CC&R, the Bylaws and the Articles of Incorporation of the Association (the "Articles") are collectively referred to as the "Documents". All capitalized terms used but not defined herein shall have the same meanings given to them in the Documents.

Owners, residents, guests, lessees, resident employees and Association employees are expected to interact with each other with courtesy and respect. Any Owner (or resident or guest or employee of an Owner) who abuses or otherwise acts improperly toward any other Owner or resident or guest or employee thereof or any other personnel shall be subject to hearings, fines and other sanctions. (See Penalty Policies and Procedures set forth below).

Any Owner or resident may report violations of these Rules and the Documents to the Manager or the Board, setting forth in writing the date, time, location, name(s) of violator(s) (when known) and description of violation. All such violation reports must be signed by the reporting Owner or resident.

INTERPRETATION OF THE RULES

The interpretation of the Rules will be in the sole discretion of the Board.

No failure of the Board to insist on the strict adherence to any provision of the Rules shall constitute a waiver of such provision. Failure to enforce any provision shall not prevent the Board from exercising any of the remedies found in these Rules for a subsequent breach.

UNIT OWNERS / HOUSEHOLD MEMBERS / GUESTS / LESSEES / EMPLOYEES

Every Owner and occupant shall comply with these Rules as set forth herein, any additional rules and regulations, which, from time to time, may be adopted, and the provisions of the Documents, as may be amended from time to time. Failure of an Owner or occupant to so comply shall be grounds for action by the Board which may include, without limitation, an action to recover sums due for damages, injunctive relief fines, loss of voting privileges, loss of use of recreation facilities and/or Association services' or any combination thereof. In addition to all other remedies, in the sole discretion of the Board, a fine or fines may be imposed upon a Unit for failure of an Owner, his family, guests, invitees, lessees, contractors or employees to comply with any covenant, restriction, rule, or regulation herein or in the Documents.

All tenants and licensees of an Owner must be given a copy of the Documents and the Rules by the Owner. Owners are responsible for violation of any of the Documents and the Rules by their tenants, guests, lessees, licensees, permittees or invitees.

Unit Owners are responsible for any violation of the Documents and these Rules by their employees and/or their outside contractors and any damage to the building, recreational facilities, equipment, or any other Common Element property caused by same.

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1. SMOKING POLICY

- a. Smoking shall not be permitted in any of the interior Common Elements (including, but not limited to, the clubhouse), excepting therefrom in such other areas as may be designated from time to time for smoking by the Board, if any. Smoking shall be permitted in the exterior Common Elements but any person smoking thereon shall pick up all waste generated thereby and dispose of same in an appropriate manner.

2. GENERAL AND COMMON ELEMENT RULES

- a. No Owner or occupant shall make or permit noises by himself/herself or his/her family,

employees, agents, visitors, or licensees nor permit any conduct by such persons, that in the judgment of the Board, exceeds reasonable levels of noise and unreasonably interferes with the rights, comforts, or conveniences of other Owners or occupants. In making this judgment the Board may take into account hours, type of claimed violations and other related issues. The Board shall not have an affirmative duty to monitor noise levels or independently police the restrictions in this Article *N* absent the complaint by an affected Owner or occupant.

- b. No odor shall be permitted to arise from any Unit. No Unit at any time shall be or become unsanitary, unsightly or offensive to other Owners or occupants.
- c. All Owners and occupants are urged to help keep unauthorized persons out of the Community and to discourage and report all door-to-door soliciting and unauthorized use of facilities.
- d. No sign, advertisement, notice or other graphics or lettering shall be exhibited, displayed, inscribed or painted or affixed in or on or upon the Common Elements or any property belonging to the Association without prior Board approval through the Architectural Application Process. Additionally, no awning, canopy, shutter, screen or other projection shall be attached to or placed upon the outside walls or roof of the building or on the Common Elements.
- e. The entrances, passages, and stairways and like portions of the Common Elements shall not be obstructed nor used for any purpose other than for ingress and egress and egress to and from Units and the Common Elements, nor shall any carts, bicycles, motorcycles, carriages, chairs, tables, or any other objects be stored therein except in areas (if any) designated for such purposes.
- f. The use of toys, including, but not limited to, bicycles, roller blades, skateboards, or big wheels, in the entrances, passages, lobbies, hallways, stairways, walkways and like portions of the Common Elements shall be prohibited except in areas (if any) designated for such purposes.
- g. No outside antennas, satellite dishes or wires shall be installed without the prior written approval of the Board. No Owner or occupant (including all household members,

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guests, employees, contractors, invitees, lessees and/or guests of any of the foregoing) shall be permitted on the roofs of the buildings at any time.

- h. The personal property of Owners or occupants must be stored in their respective Units and shall not be permitted to be left in the Common Elements. Any and all items left in the Common Elements shall be deemed abandoned and subject to disposal.
- i. Nothing shall be placed on or in the Common Elements, inclusive of Limited Common Elements, without prior written consent of the Board.

Damage to the Common Elements or any property or landscaping thereon, inclusive of Limited Common Elements, by any Owner or occupant (including all household members, guests, employees, contractors, invitees and/or guests of any of the foregoing) shall be the financial responsibility of such Owner or occupant.

- j. No planting may be done in the Common Elements by any Owner or occupant, except at the direction of the Board.
- k. Neither the Association nor the Manager (regardless of whether the Manager is then on-site) shall be responsible or obligated to provide or grant access through the access gates of the Community to any Owner, resident, household member, guest, employee, contractor, invitee or lessee of any Owner. Furthermore, neither the Association nor the Manager shall accept delivery of any package on behalf of any Owner, resident, household member, guest, employee, contractor, invitee or lessee of any Owner.

3. UNITS

- a. Residents are responsible for proper care of emergency fire/life safety system in their Units. To prevent compromising the building's life/fire safety system these alarm sensors may not be moved, painted, covered, impaired, or interfered with unless written approval has been given by the Board.
- b. No flammable, combustible or explosive fluids, chemicals or substances shall be kept in any Unit (other than ordinary household cleaning products) or on the Common Elements. No hazardous, toxic or radioactive matter (other than ordinary household cleaning products) shall be used, stored or disposed of in any Unit or on the Common Elements.
- c. All Unit doors must be closed and properly locked during the absence of an Owner or occupant. The Association is not responsible for lost or missing items.
- d. No objects of any kind shall be permanently affixed to Unit windows or doors, nor to the exterior of Unit doors. Such objects include, but are not limited to, non-white curtains and drapes, posters, signs, stickers, decals and tin foil.

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- e. No linens, cloths, clothing, bathing suits or swim wear, curtains, rugs, mops, or laundry of any kind or other articles, shall be shaken or hung from any of the windows, windowsills, doors, balconies, patios, Common Elements, or other portions of the Community.
- f. No Owner or occupant shall cause or permit anything to fall or be thrown from a window or door of the Unit, any balcony, Common Element, or other portion of the Community, including, but not limited to, any dirt or other substance.
- g. No object shall be placed, mounted, or maintained on any balcony, patio or outside any Unit door (including, but not limited to, trash cans, trash, boxes, bottles, brooms, mops, faucets, irrigation systems). Furniture is permitted on balconies and patios provided that such furniture remains in good condition and repair. Plants are permitted on balconies, patios and front entrances so long as such plants are securely placed so as not to fall and have "catch-basins" for water runoff. However, no planter is permitted on railings at any time. Care shall be taken when watering plants to prevent water that could flow downward onto the patio or balcony of a Unit below.
- h. All rubbish, trash and garbage shall be regularly removed from the Units by the Owners or occupants thereof and shall not be allowed to accumulate thereon. Trash shall be placed in the provided trash dumpsters.
- i. No bicycles or motorcycles shall be stored on patios, balconies, or in any other area visible from the exterior of the Unit except those (if any) designated for such purposes.
- j. The use of portable barbecuing equipment inside a Unit, on or under a balcony or patio, and on ledges outside windows constitutes a major fire hazard that endangers life and property and is strictly prohibited. Outdoor cooking or barbecuing is permitted only in designated areas.

4. HOLIDAY DECORATIONS

- a. Holiday decorations are permitted and may be hung, displayed or exposed at or on the outside of windows four (4) weeks prior to the holiday and removed fourteen (14) days following the holiday.
- b. No Owner or occupant shall place or erect decorations in or on the Common Elements.

5. INSURANCE

- a. No Owner or occupant shall keep or do or permit anything to be kept or done within a Unit or the Community that would increase or cause the cancellation of insurance pertaining to the Community or any portion thereof.

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- b. All owners and their tenants shall carry appropriate and required insurance(s) per the Governing Documents and as required by the Resident & Insurance Tracking Resolution.

6. VEHICLES AND PARKING

- a. THE SPEED LIMIT THROUGHOUT THE COMMUNITY IS TEN (10) MILES PER HOUR.
- b. No vehicle may be parked in any parking space unless the vehicle fits within one parking space. Any vehicle parked in a fire lane is subject to being towed at the owner's expense.
- c. Vehicles parked in the Community are at the owner's risk of fire, damage, vandalism or theft. The Association shall not be responsible for the theft or damage to vehicles while in the Community.
- d. All vehicles, including, but not limited to, motorcycles, must be parked in an Owner's designated parking space. All large vehicles must be parked in the designated parking areas.
- e. No repairs of or any work to any motor vehicle, including, but not limited to, the changing of motor oil, may be performed at any time within the Community. Washing or waxing of any motor vehicle may be performed only in available parking spaces closest to your unit.
- f. Inoperable, disabled, non-registered or unlicensed vehicles that are not operated for more than fourteen (14) consecutive days may be towed from the Community at the vehicle owner's expense.
- g. Vehicles with any fluid leaks must be repaired within twenty-four (24) hours; otherwise, the vehicle may not be parked in the Community. The responsible Owner or occupant shall be responsible for immediately removing fluid spills and, in the failure to do so will be charged for costs incurred in the removal of vehicle fluid spills from vehicles in parking spaces, i.e., excess oil leakage, transmission or vehicle fluids.
- h. No buses, motor homes, boats, trailers, recreational vehicles, vans, and/or vehicles larger than 1¹/₂ ton capacity shall be parked or stored in or on the Community.
- i. Garage doors shall be kept closed, except for those periods reasonably necessary for entry and exit of vehicle, cleaning, removing trash or other similar residential household purposes.
- j. Dirt bikes, motorized skateboards and scooters, go-carts and similar unlicensed motorized vehicles shall not be operated anywhere in the Community, including the streets therein.

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- k. In accordance with towing laws once your vehicle has been tagged with a 48-hour towing warning if your vehicle has a repeat violation the vehicle can be towed without an additional warning for up to six months.

7. PETS

- a. A maximum of two household pets which collectively weigh not more than seventy-five (75) pounds at maturity is permitted to be kept in a Unit without the prior written consent of the Board. Pets must be kept in accordance with these Rules, the Documents and any additional rules and regulations which may be adopted from time to time by the Board.
- b. Pets must be kept within an enclosure or on a leash or other restraint being controlled by a person capable of controlling such animal at all times.
- c. Pets are not permitted to be left unattended in any Common Elements.
- d. Pets are not permitted to cause or create a nuisance or disturbance to other Owners or occupants.
- e. Barking, whining etc. should be reported to Animal Control at the time the infraction occurs.
- f. Pet owners are responsible for immediate removal of any waste from their pet on Common Elements or other Owner's property.
- g. No animal is allowed inside any pool or spa area enclosure at any time, except for trained animals accompanying a handicapped person. Such animal is prohibited from entering the pool and spa.
- h. All animals must have a current license and updated vaccinations.
- i. Any animal that is not able to be controlled on the leash that results in an animal on animal attack or a resident being bitten will result in a Health Safety and Welfare violation and will be called to an immediate hearing.
- j. Any animals that are left on the patio for an extended period of time and allowed to relieve themselves on the patio will result in a Health Safety and Welfare violation and will be called to an immediate hearing.

8. SWIMMING POOL AND SPA

- a. The pools and spas are to be used during posted hours only. Pool hours are 5am—12am. The front pool will be heated March 1st – Nov. 30th and the back pool will be heated April 1st – Oct. 31st

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- b. Conduct in the pool areas must be orderly. Unruly behavior, unsafe or offensive conduct, rowdiness, unnecessary noise, games, jumping or tentative interference with other persons in the pool and spa areas is prohibited. No running, pushing, dunking, jousting activities, cannonballing or splashing is permitted in the pool and spa areas. **DIVING INTO THE POOL IS PROHIBITED.**
- c. The Association does not provide lifeguards. All persons using the pool or spa do so at their own risk. The Association does not assume any liability in this regard. Any life-saving and safety equipment and first aid equipment provided in the pool area must remain in the pool area at all times and are for emergency use only.
- d. Glass bottles, containers or other breakable items are prohibited in pool and spa area. Eating and/or drinking beverages inside the actual pool and spa is prohibited. Food and drinks are permitted only on the pool deck/paver areas and not in the water. Additionally, beverages may only be consumed in plastic, metal or unbreakable containers. All trash and waste must be cleared away and disposed of before leaving the pool and spa areas.
- e. Public intoxication is not permitted in the pool and spa areas.
- f. Towels shall be placed over pool furniture when using sun tan oil or other lotions. Individuals must dry themselves before re-entering the buildings.
- g. All persons using the pool must wear appropriate swimming attire. Cut-off shorts are not permitted to be worn as swimming attire.
- h. Pool-side patio furniture must not be removed from the pool and spa areas for any reason and may not be placed in the pool or spa.
- i. For health and safety reasons, persons under the age of fourteen (14) are not allowed in the pool and spa areas unless under the direct supervision of a parent or adult guardian at all times.
- j. Recreational rafts or inflatable devices are prohibited. No Styrofoam objects may be used in or around the pool and spa areas. Noodles, floatiest/water wings and any similar life-saving devices are allowed. Bringing or throwing into the pool or onto the deck any objects that may in any way carry contamination, endanger the health or safety of bathers or produce unsightliness is prohibited.
- k. Persons suffering from a cold, fever, cough, skin disease, sores, inflamed eyes, nasal or ear discharges, or any communicable diseases are prohibited from using the pool or entering the pool and spa areas.
- l. Gates to the pool and spa areas must remain closed and locked at all times. Interfering with the automatic gate Closures and/or climbing over the pool and spa area fences is prohibited. Adjustment of any control or equipment regulating the pool, spa or lights or other common elements services is prohibited.

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- m. Towels or garments may not be hung on the pool and spa area fences.

9. CLUBHOUSE

- a. Each Owner shall have access to the exercise room twenty-four hours a day, seven days a week by use of a key or FOB assigned to each owner. Any lost or stolen key or FOB must be reported to the Manager immediately and will be replaced for a fee of \$25.00.
- b. Access to the lounge, kitchen and screening rooms shall be limited to such hours of access as may be permitted by an on-site staff, at the direction of the Board. The lounge, kitchen and screening room are the only portions of the Common Elements that may be reserved for exclusive social, personal, charitable or political parties or events.
- c. The lounge, kitchen and screening room (collectively referred to as the '*Amenity Rooms*') are intended to be shared equally by all Owners. If an Owner over-utilizes the Amenity Rooms, that Owner's usage may be restricted at the discretion of the Board. Unless otherwise approved in writing by the Board, an Owner is not permitted to reserve an Amenity Room for more than one day in any one week. The Association may set hours of operation for private usage of the Amenity Rooms from time-to-time, in its sole discretion.
- d. Reservations to use the Amenity Rooms, or any part thereof, may be made on a "first come, first serve" basis through the Manager. A resident is the only individual who may reserve the room and is the only one who can host an affair within the Amenity Rooms. The resident must be present at all times during the affair. Reservations may not be made more than 12 months in advance.
- e. The Amenity Rooms are available 7 days a week but must be vacated and closed in accordance with the rules established therefore from time to time by the Board. Notwithstanding the above, in the event that the Association desires to hold a function for the benefit of all the Owners, the Association shall have the priority use of the Amenity Rooms.
- f. In no circumstances shall private meetings, parties or other uses of the Amenity Rooms disrupt or otherwise interfere with the use and enjoyment by others of other areas of the clubhouse, for example the fitness center or pool area. Violation will subject offenders to eviction from the premises and a hearing and fines against the responsible Owner.
- g. A security deposit in the amount of \$150.00 is required in connection with any reservation of the Amenity Rooms. Checks should be made payable to the Association and given to the Manager 7 days prior to the event. The security deposit minus applicable expenses, costs, damages, and fines will be returned within 30 days of the event. In no way does the security deposit restrict the amount of damages the

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Association may seek against an Owner for the Owner's arising from the Owner's event.

- h. Users must provide complete cleanup of area. Users are responsible for any loss or damage which results in their use of the Amenity Rooms.

10. PENALTY POLICIES AND PROCEDURES:

- a. First Request for Information or Compliance: A courtesy notice will be sent notifying the Owner of the alleged violation with reference to the applicable document and provision at issue. The Courtesy Notice and Homeowner Response Form (the "HRF") will be sent without a monetary penalty or sanction.
 - i. Upon receipt of the Courtesy Notice and HRF: The Owner must participate in the process by:
 - 1. Completing and the attached Homeowner Response Form and returning it to the Association within fourteen (14) days of receipt of the Courtesy Notice. You may request that Management call to discuss the issue in writing if necessary. The Owner must include the following information:
 - a. The corrective action taken or to be taken that will bring the Lot and Owner into compliance;
 - b. The reasons that the Owner feels that he or she is not in violation; or
 - c. A request for a hearing before the Board or its duly authorized appointee, if so desired.
 - ii. Notice of Correction: It is the Owner's responsibility to notify the Board or its duly appointed designee through the Management Company when the violation has been corrected. All correspondence must be in writing.
- b. Invitation to Hearing: If an Owner fails to select one of the above options, fails to come into compliance or fails to abide by his or her selection, an Invitation to Hearing will be sent.
 - i. Upon Receipt of the Invitation to Hearing: The Owner must take action to communicate with the Board or its duly appointed designee in any one of the ways outlined in Section 1(a) above.
- c. Hearing: The invitation will include a hearing location, date and time at which time the Owner may be heard by the Board or its duly appointed designee.

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i. Hearing Response: After an Owner presents his or her case, the Board or its duly appointed designee will consider the matter outside the presence of the Owner. Within fourteen (14) days of the hearing, the Board or its duly appointed designee will issue a written response to the Owner outlining its decision.

ii. Failure to Participate/Failure to Appear: If an Owner fails to respond to the Invitation to Hearing in writing or to appear at the scheduled hearing, sanctions may be imposed. If an Owner participates in the process, sanctions may still be imposed.

d. Sanctions: At the hearing, the Board or its duly appointed designee may use its power to levy a violation assessment of \$100 or other sanctions in accordance with Nevada law. Violations adversely affecting the potential health, safety and/or welfare of others may result in fines of up to \$500.

i. Fines: If the Board or its duly appointed designee imposes a fine, it will be levied in an amount allowable by law. If the violation is not cured within fourteen (14) days, the violation shall be deemed a continuing violation. Thereafter, the Board or its duly appointed designee may impose additional fines in accordance with Nevada law. Additional fines will be imposed without notice and without an opportunity to be heard. If a fine is not paid within thirty (30) days, a lien may be placed on the Owner's property and said fines will be collected in accordance with the Association's adopted Collection Policy.

ii. Other Sanctions: The Board or its duly appointed designee may impose sanctions other than fines or in addition to fines, and either body may take any action allowable under Nevada law, including, but not limited to, removal of voting rights, restriction of use of common area amenities, institution of legal action, and abatement of the violation. Any fees or costs incurred in correction of the violation will be assessed to the Owner's account.

e. Appeal Process: An Owner may, within fifteen (15) days of the decision, appeal to the Board by serving a written request to the Management Company or Board designee. AMENDMENTS TO THE RULES AND REGULATIONS:

In the event that there is a conflict between the Rules and Regulations and the CC&Rs, the CC&Rs shall prevail. The Rules and Regulations may be modified from time to time pursuant to the following criteria:

1. Amendment must be approved by a majority of the Board of Directors;
2. Owners are welcome to submit their written recommendations for changes to the Rules and Regulations to the Board of Directors;

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3. Upon adoption by the Board, the Board shall cause the revised Rules and Regulations to be mailed to all homeowners and the revised/amended portions of the Rules and Regulations shall become effective thirty (30) days after the date they were mailed.

IN WITNESS WHEREOF, these Revised Rules and Regulations have been executed by the Association as of May 6, 2021. The undersigned hereby certify that these Revised Rules and Regulations have been Adopted and approved in accordance with the NRS 116 and the Association Governing Documents.

BELLA VISTA HOMEOWNERS ASSOCIATION

By: _____

By: _____

(Print Name) _____
President

(Print Name) _____
Secretary