

RIVIERA WEST PROPERTY OWNERS' ASSOCIATION
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RULES AND REGULATIONS

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RULES AND REGULATIONS
(PLEASE READ CAREFULLY AND KEEP THIS AS A PERMANENT REFERENCE)

Section 1. General Information

1.1 Membership in the Property Owners' Association is compulsory for each property owner in Unit #1 and Unit #2 of the Riviera West subdivision. Lots zoned R1 require one membership for each lot. Lots zoned R2 require one membership, except when they are developed into multiple dwellings, at which time multiple memberships will be required. Owners shall pay the annual assessment for each residential unit.

1.2 Restrictions and Privileges. The Riviera West Property Owners' Association clubhouse, pool and marina are for the use and pleasure of the owners. A property owner may assign his/her rights to their tenants.

1.3 Use of Facilities. The Association is a non-profit organization and facilities may never be used for commercial purposes. The Board of Directors will consider requests for the use of the facilities by any member for a specific function, so long as the function does not conflict with membership functions, established rules and regulations, bylaws or insurance restrictions. All requests must be made in writing directly to the Board, or its designated representative, for approval. Applications will be reviewed on a first-come, first-served basis.

1.3.1 Clubhouse

- (a) A \$100.00 fee for the use of the building for each function or event is required.
- (b) A \$200 cleaning deposit is required and will be refunded after a complete inspection has occurred. All fees are due in advance.
- (c) Approval for use of the clubhouse does not include use of the swimming pool.

1.3.2 Pool/Marina Cards

- (a) One card was originally provided to each owner. Cards are to be passed from owner to owner, at sale. Cost of replacement cards is \$50.00.
- (b) If your card is lost or stolen, please report it to the office as soon as possible.
- (c) If your dues or assessments are not current, after notice and the opportunity to be heard, your card will be blocked out and you will not have use of these facilities until paid in full.

Section 2. Tenants

2.1 Owners are responsible for any and all actions of their tenants.

2.2 Owners are responsible for all dues and assessments.

2.3 Tenants may have pool and marina privileges only if granted by owner, subject to the limitations of Section 1.2.

Section 3. Business Activities

3.1 All Residential Units shall be used, improved and devoted exclusively to residential use by a single family. No trade or business may be conducted on any Lot or from any Residential Unit, except that an Owner or tenant of a Residential Unit may conduct a business activity within a Residential Unit so long as;

3.1.1 The existence or operation of the business activity is not apparent or detectable by sight, sound, or smell from outside of the residential unit.

3.1.2 The business activity conforms to all applicable County zoning ordinances and/or requirements of the Association.

3.1.3 The business activity does not involve door-to-door solicitation of owners or tenants in the Association.

3.1.4 The leasing of a Residential Unit by the owner shall not be considered a trade or business within the meaning of this Section.

Section 4. Fire Regulations

The rules in the next two sections are set forth with the goal of reducing wildfires, while preserving property values and the quality of life at Riviera West.

4.1 Riviera West is a "No Burn Zone". No outdoor burning is permitted for lot clearing, construction or any other purposes at any time, except fires contained in barbeque grills, hibachis, chimineas and similar standard residential fire receptacles.

4.2 Owners, tenants, contractors and guests must observe fire regulations. Riviera West is in a high fire hazard area.

4.3 Owners are encouraged to plant trees and shrubs that will not create a greater fire hazard and maintain a safe distance from structures.

Section 5. Clearing of Lots

5.1 Lots in Riviera West shall be cleared of brush, dead trees, dry grass, and other combustible materials. Following an initial clearing as described in the following sections, owners are required to clear any new offending growth/death annually. Annual maintenance is mandatory in the Kelseyville Fire Protection District.

5.2 Trees: Permission in writing from the Architectural Control and Planning Committee (ACP) is required before cutting live shrubs (such as manzanita, toyon, red-bud, etc.) with trunks larger than 3" in diameter. Lot owners in violation of the shrub cutting restriction shall be subject to an assessment of \$250.00 per shrub. Permission in writing from the ACP is required before cutting live trees with trunks larger than 6" in diameter. Lot owners in violation of the tree cutting restriction shall be subject to an

assessment of \$500.00 per tree. This is not to deter lot clearing, but to have the ACP Committee aware of all activities pertaining to the lots within the Association. Larger trees are to be trimmed 6' to 10' from the ground to the lowest branches. All dead material must be removed and branches trimmed from roof and chimney areas.

- 5.3 **Brush:** Brush shall be reduced and thinned and must be cut to three inches or less from the ground with root balls left in place for soil stabilization. The point of removing brush is that it is a jump fuel between the light fuels (grass) and heavy fuels (trees). The intention is to stop a high-heat tree top fire from occurring.
- 5.4 **Grass:** All grasses and weed materials must be kept at a height of no more than three inches at any time during fire season as defined by the California Department of Forestry and Fire Protection.
- 5.5 **Clear cutting is not permitted.** Clear cutting will cause erosion, due to the removal of root balls and soil-stabilizing vegetation. Mechanical clearing by heavy equipment of lots is not allowed, except immediately prior to construction of a home in the building footprint only. Owners/Contractors are responsible for providing erosion control during all phases of construction.
- 5.6 **All property owners** are responsible for any contractors they hire to clear brush on their property. Contractors must be made aware of rules and regulations pertaining to lot clearing and must abide by the aforementioned rules and regulations. All cut brush, grass and trees must be chipped and spread or hauled away within 7 days.

Section 6. Pets and Animals

- 6.1 **County Ordinance Section 5.4 (a)** requires all dogs to be leashed when off the owner's property. Therefore, dogs must be leashed when in the common areas and owners must clean up after them. Absolutely no dogs are to be permitted to run loose in the community. This requirement includes pets and animals belonging to owners, tenants, contractors, guests and/or vendors.
- 6.2 **Country Ordinance Section 5.3** states that pets are not to be a habitual nuisance by reason of barking, howling or making such other loud noises with such frequency and in such manner as to disturb the peace of the immediate neighborhood. Any pet found to be in violation of this ordinance will be reported to the County Animal Control Director or the Association.
- 6.3 **Pets are not allowed in the clubhouse, bathrooms or pool area.**
- 6.4 **Wild animals.** Capture, confinement, injury or killing of resident non-threatening wild game, animals, birds or reptiles, by anyone, is prohibited. Feeding of wild animals is prohibited. The only exceptions are where appropriate governmental approvals and/or permits have been obtained.

6.5 Household pets or animals must not molest deer or any other resident animals, birds or reptiles.

6.6 A reasonable number of household pets (dogs and cats) and a reasonable number of pets in cages or aquariums may be kept within an owner's property, so long as the same do not create a nuisance or health hazard. Animals are not allowed to be kept, bred or maintained for commercial purposes.

6.7 More information on animal and pets is listed in the Riviera West Declaration of Restrictions, page 4, Article V.

Section 7. Parking, Camping and Storage

7.1 Local ordinance and use permit prohibit overnight parking or camping at the clubhouse, marina or private lot.

7.2 No unused vehicles, RV's, boats, trailers, partially-wrecked junk vehicles or sizable part thereof, shall be permitted to be parked or stored on any Association common area or street within Riviera West. The definition of "street" shall include the unpaved "right of way" that exists from lot line to lot line. This does not preclude any owner from storing such vehicles in their garage.

7.3 Cul-de-sac or street parking is limited to 72 hours, per county ordinance. This includes all vehicles, including RV's, boats, trailers and other equipment.

7.4 All off-street RV's, boats, trailers and other equipment must be obscured by landscaping or approved fencing (6 ft. max) from the view of streets, common areas and neighboring properties and must comply to Architectural Control Planning (ACP) guidelines.

7.5 Parking and storage of construction equipment is prohibited on any lot other than that which is currently being used for construction.

Section 8. Pool Rules

8.1 Read and observe pool regulations. Family, guests and tenants are to be made aware of these regulations.

8.2 Use of the pool is for owners/tenants and a maximum of four guests only.

8.3 Entry card must be available as identification for use of the pool.

8.4 Toilet and shower facilities should be used before entering the pool.

8.5 Children under 18 must be accompanied by an adult.

- 8.6 Standard swimsuit attire only: no cutoffs, shorts, or pants.**
- 8.7 Running, scuffling or horseplay inside the pool area is prohibited.**
- 8.8 No large floats or rigid boards allowed in the pool.**
- 8.9 Pets are not allowed in pool or pool area.**
- 8.10 Glass containers are not allowed in the pool area. Broken glass in or near the pool area will require draining of the pool.**
- 8.11 Food or snacks are not allowed in or near the pool. Food and snacks are allowed in table areas only, located at each end of the pool.**
- 8.12 Standing, sitting or otherwise playing with the shallow/deep end dividing rope is prohibited. The rope may be temporarily removed during lap swimming.**
- 8.13 Playing with pool equipment is prohibited.**
- 8.14 Pool users must clean up after themselves and place all refuse in the containers provided.**
- 8.15 Radios are to be kept at low volume.**
- 8.16 No skateboards, skates, bicycles or other vehicles in the pool area.**
- 8.17 Children using the pool must be potty trained. No diapered babies are allowed in the pool. No exceptions. Feces in the pool is a severe health hazard and requires pool closure.**
- 8.18 Pool gate must remain closed at all times.**
- 8.19 Lap Swim Time is designated for swimming laps only.**
- 8.20 Pool/Marina access cards are for the owner, authorized guests and tenants use only and must not be shared or loaned to others.**
- 8.21 No lifeguard is on duty. All persons use the pool and adjacent areas at their own risk.**

Section 9. Marina

- 9.1 Parking lot #2 is provided for limited day storage of boats at owner's risk.**
- 9.2 No overnight parking of vehicles is allowed.**
- 9.3 Boat trailers must display current DMV License plate when using the marina facilities.**

9.4 Approval for use of the marina does not include the exclusive use of the picnic area and dock area.

9.5 No overnight berthing. Day-time tying up of watercraft is limited to 4 hours.

9.6 No fires, barbeques or flame devices of any type on marina docks.

Section 10. Miscellaneous

10.1 Noise. Owners, tenants and guests shall exercise reasonable care to avoid making, or permitting to be made, loud, disturbing or objectionable noises and in using, playing or permitting to be used or played musical instruments, radios, CD players, televisions, amplifiers and any other instruments or devices in such a manner as may unreasonably disturb other residents of Riviera West.

10.2 Construction hours are limited to 7 a.m. to 7 p.m. Monday thru Friday and 8 a.m. to 6 p.m. Saturday and Sunday.

10.3 Machinery and Equipment. No machinery or equipment of any kind shall be placed, operated or maintained upon, or adjacent to any lot, except such machinery or equipment as is usual or customary in connection with the use, maintenance or construction of a private residence or appurtenant structures within the properties. No such machinery or equipment shall be operated in a manner that causes an unreasonable interference with the quiet enjoyment of the owners or occupants of neighboring lots. Such machinery and equipment may include power equipment, saws, generators, chippers, etc. Hours of operation are limited to 7 a.m. to 7 p.m., Monday thru Friday, and 8 a.m. to 6 p.m. on Saturday and Sunday.

10.4 Operations of steel-track equipment on streets, is prohibited.

10.5 Exterior lighting. No fixtures which illuminate and excessively glare onto any other lot shall be permitted. No unshielded spot/flood lights.

10.6 Use of bicycles, roller blades and skateboards are not permitted on the Clubhouse or Marina parking lots, or other common areas, at any time.

Section 11. Fines and Penalties

11.1 Schedule of Fines in compliance with Section 1363.1 of the California Civil Code, the following is a schedule of fines to be levied against owners who violate the governing documents or Rules and Regulations of the Association. Fines are levied at a hearing scheduled before the Board of Directors, at which time the homeowner is given the opportunity to be heard. In addition to fines, the Association has the authority to restrict an owner's membership rights, seek a court injunction, as well as pursue any other remedy allowable under Municipal, County and State Law.

- 11.2 Legal fees:** Any legal fees incurred by the Property Owners Association to enforce implementation of these Rules and Regulations, when an owner is non-compliant, will be the responsibility of said owner and will not be borne by the general population of property owners. Owners are responsible for their tenants.
- 11.3 Violations: Non-threatening to health, life, or property:** \$250, per month, for each violation. For example barking dog, parking violation, clear cutting of lots or clearing other than immediately prior to construction, etc.
- 11.4 Violations: Threatening to health, life or property:** \$500, per month, for each violation. For example, allowing an aggressive dog to roam, failure to repair a water leak on the property or failure to clear lots as required for fire prevention, etc.

Section 12. Architectural Rules and Regulations

See Architectural Guidelines governing building. Copies are available at the Riviera West Office.