

## II. GENERAL RULES

### 2.1 OCCUPANCY

All residential units shall be used for no purpose other than residential purposes. Residential purposes as used herein shall mean a single family per housing unit or not more than one (1) person per 260 square feet which in most units is six (6) persons per housing unit excluding short-term social guests (less than one week and issued daily passes). (Article VII, Section 7.2, CC&R's.)

No owners or renters will be allowed to use their unit for any commercial, manufacturing, mercantile, storing, vending or other such non-residential purposes. (Article VII, Section 7.2, CC&R's.)

### 2.2 LEASE / RENTAL RULES

Any unit available for rent must have a copy of the Rules and Regulations available in that unit. Additional copies are available at the Management Office. Owners who do not live on the premises must provide the Management Office with a telephone number where they can be reached in case of an emergency. Also, Owners or their rental agents must provide the Management Office with the telephone number and the name of any tenant occupying their unit. The registration fee must be paid prior to occupancy.

Effective January 2, 2001, the Registration fee is \$40.00. The purpose of this fee for each new occupant(s) and the subject policy is to register the persons or occupants who reside either temporarily or permanently within the project. Because this is a gated community, it is necessary that all new occupants or renters register and fill out the form providing information necessary for ingress and egress through the project. The registration form is to be 100% completed and received at SeaBluffe at least on (1) week prior to check-in. If specific vehicle information is not known, it will be added to the registration form at time of check-in at the Gate House. Importantly, parking passes will not be provided unless a registration form has been properly completed and filed on time with the SeaBluffe Management Office.

Only in unusual circumstances may unit occupants complete registration forms in the SeaBluffe Office on day of check-in and prior to receiving parking passes.

Official check-in will take place at the Gate House where the Patrol Officer will confirm information on the registration form and provide parking passes.

All pets must be registered at time of arrival.

Written certification will be required from all SeaBluffe registrants on the registration form that they have read, understand and will abide by all SeaBluffe Association Rules and Regulations. Such certification is to be completed prior to check-in at SeaBluffe and before parking passes are issued.

A LEASE/RENTAL should include use of garage. Garages should be used for parking of vehicle.

### **2.3 TRASH PICK-UP**

Trash pick-up for homeowners' personal trash containers is once a week (Monday). Dumpsters must be used for over flow personal trash. No dumping of electronic devices, hazardous waste, oversized household items like appliances, etc. and no construction materials. Do not fill dumpsters above the rim. Violators will be fined and assessed damages. Dumpsters are located at the ends of Moorgate and Tattenham Roads. Disposal areas in detached garage units are for the exclusive use of residents of those units. Homeowners are expected to provide their own trash container and insure that housekeepers and residents use the dumpsters for overflow trash.

Trash containers should not be put out prior to the day before trash pickup and are to be put away within one day after trash pickup. This will help prevent unsightly or unkempt conditions. (Article VII, Section 7.9, CC&R's.)

### **2.4 BALCONY RESTRICTIONS**

The hanging or draping of articles of clothing, towels, laundry, rugs or any unsightly objects from or on windows, railings, balconies, or patio walls is prohibited at all times.

Throwing any objects on or from a balcony or roof creates fire and accident hazards and creates unsightly nuisances and is prohibited.

### **2.5 SIGNS**

Only one sign of not more than 18" X 24" advertising property for rent or sale may be displayed on the building or lot. (Article VII, Section 7.3, CC&R's.)

## 2.6 CLUBHOUSE

- A. Private use of the Clubhouse must be reserved by an Association member or a SeaBluffe-registered occupant and a deposit made with the Manager. Use of the Clubhouse requires a \$75.00 usage fee and a \$500.00 clean-up/damage deposit. The priorities for use of the Clubhouse are (1) Association Official Business, (2) Association-sponsored social activities for entire SeaBluffe community, (3) Association member sponsored activities for which entire community is invited to participate, and (4) Association member private use.
- B. The Clubhouse may not be reserved in advance for more than two (2) consecutive days by any Association member for private use. If the Clubhouse is available, an Association member who has used the Clubhouse for two (2) consecutive days for private use may reserve it for an additional day twenty-four (24) hours in advance if no other Association member has requested its use. Social events are not allowed in the Clubhouse before 3:00 p.m. on days of SeaBluffe Board Meetings. Social events are not allowed in the Clubhouse after 6:00 p.m. on Thursday evenings. The Clubhouse social events food services are to take place only within the Clubhouse proper and in the Patio area immediately adjacent to the west end of the Clubhouse. Group food service associated with the Clubhouse social events shall not be set up in pool area or in the walkway areas between the Clubhouse and pool fence. No Clubhouse furniture shall be removed from the inside of the Clubhouse.
- C. The Clubhouse may not be rented on the following holiday weekends. Memorial Day, 4<sup>th</sup> of July and Labor Day.
- D. Reserving the Clubhouse goes not give access to the pool or pool area except for usage of restrooms.
- E. The Clubhouse premises and associated parking must be vacated by 11:00 p.m. on Sunday-Thursday, by 12:00 a.m. Friday-Saturday, and by 1:00 a.m. on New Year's Eve.
- F. Because of Fire regulations, no private party may include more than forty three (43) people.
- G. Refer to Clubhouse Reservation form for additional rules and regulations regarding the Clubhouse.

## 2.7 BEACH ACCESS/BLUFFS

Beach access is limited to the staircase between Parliament and Tattenham.

In compliance with City Ordinance 92-25, "it shall be unlawful for any person to be upon the face of any public coastal bluff..."

## 2.8 SOLICITING

All soliciting is prohibited in SeaBluffe Village.

## 2.9 PETS

See County Ordinances Sections 62.610, 62.620, 62.668, 62.669, 62.670, 62.672, 62.673, 62.701 and 11.116. Ordinances are available at the Management Office.

Household pets are allowed in the common areas ONLY under the following conditions.

- A. The pet must be on a leash not longer than six (6) feet and under personal control at all times (also County Law). Loose pets are subject to confinement by Manager and pick-up by County Animal Regulation Department.
- B. Dangerous and/or vicious pets are not allowed in SeaBluffe areas. The determination as to whether a pet is "dangerous" or "vicious" will be at the sole discretion of the Board.
- C. The owner is responsible for curbing and cleaning up after their pets at all times, including removing and disposing of any defecation by the animals.
- D. Pets may not disturb the peace and quiet, subject to citations. Owners or tenants who are disturbed by barking dogs should notify the Patrol Officer and/or the Management Office. Determination as to what constitutes a disturbance of the "peace and quiet" will be at the sole discretion of the Board.
- E. Dogs or cats (or similar pets) must not exceed a total of two pets per unit.
- F. All dogs on the premises must be licensed.
- G. Pets are not allowed at anytime within the pool area, tennis courts and respective security fences. (See Article VII, Section 7.7, CC&R's.)

## 2.10 GARAGES

GARAGES SHOULD BE USED FOR VEHICLE PARKING. Garage doors shall be kept closed when not in use. An approximate 12-inch opening of the garage door is allowed.

Garages will not be used as living quarters.

## 2.11 NUISANCES

(See County Ordinances Sections 36.401, 36.413, and 36.414.) No nuisance pets are allowed on the premises.

No noxious or offensive trade or activity shall be carried on, nor shall anything be done which becomes an annoyance or nuisance to the neighborhood, or which shall in any way interfere with the quiet enjoyment of each resident. The definition of a "noxious or offensive trade" or an "annoyance" or "nuisance" shall be at the sole discretion of the Board. (Article VII, Section 7.4, CC&R's.)

Games and recreational activities, including but not limited to hockey, soccer, baseball, tennis and football, are prohibited in the Association's streets at any time.

Any resident or guest climbing over or damaging a wall or fence shall be subject to a fine.

## 2.12 ROOF ACCESS

No residents are permitted on the roofs. Violators will be subject to a fine. Necessary maintenance work will require notification of the Management Office.

## 2.13 FIREWORKS

Fires and fireworks are illegal and prohibited in San Diego County (Uniform Fire Code Section 78102b).

## 2.14 SCOOTERS, SKATEBOARDS, ROLLERBLADES, ROLLER SKATES, BICYCLES, ETC.

Bicycles, surfboards, boogie boards, tricycles, **skateboards** and other recreational items are not to be left out overnight or when not in use.

Riding times of scooters, rollerblades, roller skates, **skateboards** and bicycles is from 8:00 a.m. to sunset. All of these items are allowed on blacktop only. No ramps are allowed. No jumping on or from sidewalks, curbs railings, street speed bumps and staircases. None of these items are allowed in the pool areas or tennis courts. Use of scooters, **skateboards** and roller skates/blades are prohibited at all times on any part of the main entrance/exit road because of danger to the rider.

In accordance with State Law, Vehicle Code 21212, safety helmets must be worn by people under 18 who are bicycling, scooting, **skateboarding** and rollerblading in SeaBluffe.

While bicycle riders are allowed to enter and exit SeaBluffe on their bikes, it is recommended that bicycles be walked along the main entrance road between Milbank and North Highway 101 for safety reasons.

## V. POOL RULES

The purpose of these rules is to provide safety to the pool users, protect property and community facilities and provide pleasure at the pools. Please cooperate by observing these rules at all times. All residents are responsible for the conduct of both their family and guests. "Pool area" is defined as any space inside the pool gate and walls encompassing the pool.

**USE OF POOLS, SPA AND SAUNAS ARE AT THE SOLE RISK OF RESIDENT AND THEIR GUESTS.**

### 5.1 SWIMMING POOL HOURS

As Posted. The South Pool is for residents seeking a more peaceful environment. Please use the Clubhouse (North) Pool for fun activities.

- 5.2 No one under 14 years of age is allowed in the "pool area" unless supervised by a responsible adult, 18 years or older. No lifeguards are on duty.
- 5.3 Guests must be accompanied by a resident.
- 5.4 No wetsuits are allowed in the pool area. Beach-goers should remove sand before entering pool area (a shower is available at top of beach stairs). All swimmers must shower before entering the pool. Proper swimwear must be worn at all times. Cutoffs or wetsuits are not allowed in the pool.
- 5.5 No one is allowed in the pool with bandages or infections.
- 5.6 No running is allowed on the pool deck. No diving into pool at any time. No ball throwing. Report any slippery decks to the Management Office. No shoulder riding, pushing, horseplay or loud boisterous conduct is allowed in or around the pool or in the pool area.
- 5.7 Large floating items (i.e., floating lounge chairs, surfboards, boogie boards, body rafts, air mattresses, inner-tubes or other items over 30 inches in diameter or length) are not allowed in the pool or pool area. Noodles are permitted. Any other items not specifically intended for pool usage are also prohibited. Attached legitimate safety devices for non-swimmers are allowed in the pool.
- 5.8 Hairpins, clips and gum are not allowed on the deck or inside the pool area.
- 5.9 Pets are not allowed in the pool or pool areas.
- 5.10 No glass containers or drinking glasses are allowed in the pool area. Use plastic and paper only. Please put your trash in the receptacles that are provided.
- 5.11 No furniture from pool or clubhouse area is to be removed at any time.
- 5.12 No scooters, rollerblades, roller skates and bicycles are allowed in the pool area.
- 5.13 Those not toilet trained must wear swim diapers or waterproof pants.
- 5.14 Pool gate is to be kept locked at all times.
- 5.15 Earphones are required when using radios, tape or CD players except for organized community activities.
- 5.16 No alcoholic beverages allowed in the pool area.
- 5.17 No smoking in the pool area.

**VIOLATIONS OF THE POOL REGULATIONS MAY RESULT IN SUSPENSION OF POOL PRIVILEGES AND/OR IMPOSITION OF A MONETARY PENALTY.**

## VI. TENNIS RULES

### 6.1 USE AND CONTROL OF COURTS – HOMEOWNERS AND RESIDENTS

The administrative fee for all new residents will also cover the use of the tennis courts.

### 6.2 TENNIS RULES – DAILY REGISTRATION

At least one resident must be with each group. Up to three (3) non-resident guests will be allowed to play when accompanied by the resident. Guests are subject to General Tennis Rules. Courts may not be reserved for more than two (2) hours at a time, one court registration per unit. The hours of play are from 8:00 a.m. to 10:00 p.m.

### 6.3 TENNIS RULES – GENERAL

- A. When a court is available, go to the court as time is expiring. However, do not walk on any court while a point is in progress.
- B. Forfeiture of a court – When players in the next group are not available to accept a court within ten (10) minutes after their scheduled time, or if a group has failed to register, they will forfeit the court. If a group leaves the court before their allotted time, subsequent times shall not change.
- C. Appropriate tennis attire and non-marking shoes must be worn at all times.
- D. The backboard is not to be used before 9:00 a.m. or after 10:00 p.m. to minimize noise.
- E. Glass containers and food are not permitted on the courts. No smoking on the courts. No alcoholic beverages allowed.
- F. Pets, scooters, rollerblades, roller skates, bicycles, etc. are not allowed within the tennis area.
- G. Noise is to be kept to a minimum at all times; no radios or boom boxes allowed.
- H. You must have an access device at all times while using the courts. Courts must be locked at all times when not in use.

### 6.4 TENNIS RULES - ENFORCEMENT

If a homeowner, renter, or guest violates the Association's Rules and Regulations for the tennis courts, after receipt of a warning, either verbal or written, to curb such violation, they will be issued a citation by the Association Manager or Patrol Officer. If they continue to violate the rules, they will then be asked to leave the tennis area. They will be advised that they can appear before the Board of Directors to answer as to why they should not be fined for the alleged violation.

If an owner witnesses a violation when the Association Manager is not available (after hours), they should contact the Patrol Officer regarding the violation.

### 6.5 BASKETBALL COURT HOURS are 9:00 a.m. to 10:00 p.m. to minimize noise.

## VII. VEHICLE PARKING RULES

### 7.1 VEHICLE IDENTIFICATION

#### A. Vehicle Identification Stickers and Entrance Lane Rules

Homeowners, or long-term residents, must register their vehicles with the Management Office and must attach a current SeaBluffe vehicle identification sticker in the lower left-hand corner of the windshield, including those vehicles using an Association electronic transponder, which activates the right gate.

#### B. Vehicle Short Resident Pass

If you are renting your unit, it is your (or your agent's) responsibility to process a Registration Form at least one (1) week before arrival date. (See Section 2.2.) When the registration form and fee are received by Management, Patrol Officer will issue a vehicle pass based on arrival and departure dates.

#### C. Vehicle Guest Pass

A guest may obtain a pass from the Patrol Officer after the resident has called the patrol officer to give the guest's name, resident's name and address, or if the guest is on the homeowner's permanent guest list. Guest vehicles are to be parked as close to visiting address as practical. Residents should arrange for passes in advance whenever possible.

If no Patrol Officer is present upon entry, it is the responsibility of the entering party to contact the Patrol Officer within an hour for an appropriate pass.

#### D. Unidentified Vehicles

Any vehicle within SeaBluffe without appropriate vehicle identification, as above, is subject to being towed away at owner's expense, as per California vehicle code section 22658.

### 7.2 AUTHORIZED VEHICLES

Authorized vehicles are: passenger cars, minivans, SUVs and standard-sized pickups, when used for personal transportation. EXCEPTIONS TO THIS ARE LISTED IN 7.3, PROHIBITED VEHICLES.

Only motorbikes or motorcycles with a resident sticker will be allowed inside the main gate. For noise mitigation, NO motorbikes or motorcycles may be driven on any streets or paths within SeaBluffe except to enter or leave the property. Motorbikes and motorcycles must be enclosed and maintained within the owner's or renter's designated garage (Article VII, Section 7.5, CC&R's).

Because of maneuverability and aesthetics, trailers, campers, motor homes, boats or similar recreation equipment including trucks (except standard-sized trucks in their originally manufactured (unmodified) condition) are not permitted within SeaBluffe unless enclosed and maintained within the owner or renter's designated garage (Article VII, Section 7.5, CC&R's). Excess or oversized vehicles may be stored at owner's risk and for no more than seven (7) days in the parking lot fronting on Coast Highway 101 as long as length does not exceed 22 feet.

Because they are not appropriate for private residential streets, commercial vehicles which are designed, used or maintained for the transportation of person for hire, for profit, or marked for business purposes with signs, must be parked inside garages or moved off the SeaBluffe property after construction hours which are as follows:

- Sundays and Holidays – No work
- All other days 7:30 a.m. to 6:00 p.m.

### 7.3 PROHIBITED VEHICLES:

- A. Non-DMV-Licensed Motorized Scooters are not allowed in SeaBluffe.
- B. Truck: A vehicle designed, used, or maintained primarily for the transportation of property.
- C. Commercial Vehicle: A vehicle designed, used or maintained for the transportation of person for hire, for profit, or for business purposes. This includes any vehicles with company advertising on the exterior.
- D. Camper: A vehicle on which there has been mounted a structure that provides facilities for human habitation, or camping or recreation purposes.
- E. Mobile Home: A vehicle designed, used or maintained for human habitation.
- F. Trailer: A vehicle designed for carrying persons or property and which is not self-powered.
- G. Recreational Vehicle: A vehicle which is sold or advertised as a recreational vehicle or RV by its manufacturer, or which is designed, used or maintained for purposes of human habitation, camping amusement, social activities, entertainment, pleasure or sport.
- H. Inoperable Vehicle: Inoperable vehicles shall include any vehicle, which is not currently registered, or insured or which is unable or not legally allowed to operate on public streets.
- I. Vehicles over 22 feet are prohibited in the oversize lot located on Coast Highway because of clearance.

- J. Any vehicle having its height raised above the standard, manufactured height by oversized wheels or tires, roof rack, raised suspension, top lights, roll bars, dual wheels or any such equipment normally designed for off-road or recreational use. These vehicles will be classified as recreational vehicles and are not permitted to park on SeaBluffe streets for reasons of aesthetics and maneuverability.
- K. Any vehicle outfitted with no side windows, commercial roof rack or construction rack, commercial markings, or any exterior normally used for commercial purpose. These vehicles shall be classified as commercial vehicles and are not permitted to park on SeaBluffe streets because of aesthetics and their inappropriateness for private streets.
- L. Vans with no side windows or outfitted for recreational use. These shall be considered recreational vehicles and not permitted to park on SeaBluffe streets.

#### 7.4 SPEED LIMIT AND STOP SIGNS

Drivers must observe the 15-mph speed limit on all streets within SeaBluffe.

Drivers must observe all stop and safety signs.

#### 7.5 PARKING REGULATIONS

- A. Vehicles shall be parked only in garages or other designated areas. (Article VII, section 7.6, CC&R's.) Vehicles must not be parked in driveways if any part of the vehicle protrudes onto the asphalt. Vehicles must not be parked in driveways if the garage door cannot be opened.
- B. Vehicles must not park in "No Parking" areas (in cul-de-sacs, in front of mailboxes, fire hydrants or driveways). Park only in designated (marked) areas.
- C. Unauthorized or illegally parked vehicles will be towed away at owner's expense.
- D. Inoperable vehicles and recreational, utility and commercial vehicles, such as golf carts, motorcycles, trailers, trucks (except standard-size pickup trucks), all-terrain vehicles or any other vehicles which fall into a prohibited category must be garaged. If a garage cannot accommodate the parking of these vehicles, they must be stored elsewhere.
- E. Vehicles that otherwise meet the "Approved Vehicle" requirements but have significant rust (as determined by the Board of Directors), mismatched paint, body damage or other exterior damage must be garaged because of aesthetics.
- F. For loading and unloading purposes only, trailers, amperes, mobile homes, recreational vehicles, commercial vehicles, over-sized vehicles, trucks (other than standard-size pickup trucks), boats, and similar equipment which are otherwise forbidden to be parked in SeaBluffe may be parked on a street, driveway, or designated parking area for no more than three (3) hours.

- G. The SeaBluffe parking lot fronting on Coast Highway 101 is to be used for over-sized vehicles that do not exceed 22 feet in length, owned by residents and their guests. Parking time for these vehicles is limited to seven (7) sequential days. The time limit is to be monitored by the Patrol Officer Service and on site Management. If there is an unusual need to have a vehicle parked in excess of seven (7) days, it is requested that the resident or guest advise Management of this need. The resident or guest and the Management Office are to agree on a mutually acceptable extended time limit and also the approximate date that the vehicle will be moved.
- H. The storage of any vehicle outside a garage or driveway for more than seven (7) days and not used on a regular basis is prohibited on any common area within SeaBluffe.
- I. Definition of Dead Storage:  
Any vehicle parked in SeaBluffe parking space for a period in excess of seven (7) days will be considered Dead Storage. (California Vehicle Code Section 22658.)
- J. Identification of Dead Storage Vehicle:  
Patrol Officers will be instructed to identify vehicles that fall into the above category. Homeowners who wish to may report suspected vehicles to the Management Office for Patrol Officer follow-up.
- K. Procedure for Dealing with Dead Storage Vehicle:  
Patrol Officer to mark tires and log date, vehicle and location when first noticed. On 8<sup>th</sup> day from first log date, a citation is placed on the windshield, with a copy of citation. Also, a letter is mailed to the homeowner/tenant advising them of the offense and letting them know they have ten (10) days to move the vehicle. The letter will advise homeowner/tenant that failure to comply will result in towing and storage on the 18<sup>th</sup> day at the homeowner/tenant expense.

## VIII. ENFORCEMENT OF RULES AND REGULATIONS

### 8.1 GENERAL

In order to establish a uniform procedure for enforcing the provisions of the Declaration of Restrictions, and these Rules and Regulations, the Board of Directors has adopted the following general guidelines. It is the objective of the following procedures to ensure adequate enforcement while at the same time preserving a resident's rights.

The Declaration of Restrictions authorizes the Board to impose monetary penalties and to temporarily suspend certain owner's rights as members of the Association and impose other appropriate discipline for failure to comply with the Declaration of Restrictions for these Rules and Regulations. Any enforcement of the Governing Documents ultimately depends on participation and cooperation of all owners, tenants and guests of the Leucadia SeaBluffe Village Community Association, Inc.

## 8.2 MONETARY PENALTY PROCEDURE

A. Personnel authorized to issue a citation:

- Patrol Officers
- SeaBluffe Manager

If a resident observes a violation that the Patrol Officer did not see, the resident may report this violation to the officer and ask that a citation be written, which the resident would sign.

(This program is separate and apart from procedures for handling criminal actions on the premises.)

B. Board of Directors shall adopt and distribute to each member, by personal delivery or first-class mail, a schedule of the monetary penalties that may be assessed for those violations of the Governing Documents or rules of the Association including any monetary penalty relating to the activities of a guest or invitee of a member.

C. When the Board of Directors is to meet to consider or impose discipline upon a member, the Board shall notify the member in writing, by either personal delivery or first class mail, at least ten (10) days prior to the meeting. The notification shall contain, at a minimum, the date, time and place of the meeting, the nature of the alleged violation for which a member may be disciplined, and a statement that the member has a right to attend and may address the Board at the meeting. The Board of Directors of the Association shall meet in executive session if requested by the member being disciplined.

D. If the Board imposes discipline on a member, the Board shall provide the member a written notification of the disciplinary action, by either personal delivery or first class mail, within fifteen (15) days following the action. A disciplinary action shall not be effective against a member unless the Board fulfills the requirement of this subdivision.

E. Penalties:

Any monetary penalty shall not exceed twenty-five dollars (\$25.00) for a first offense. For repeated offenses, fines shall not exceed one hundred dollars (\$100.00) for each offense. (Article VI, Section 6.1d 3.)

A monetary penalty may be imposed by the Association as a disciplinary measure for failure of a member to comply with the Governing Documents or as a means of reimbursing the Association for costs incurred by the Association in the repair of damage to common areas and facilities for which the member was allegedly responsible. (Article VI, Section 6.1d 5.)

Violations can also bring suspension of recreation privileges. (Article VI 6.1d)

F. Owners are responsible for tenants' offenses.