

## Notice of Rule Change

Civil Code Section 4360(a) states; The board shall provide general notice pursuant to **Section 4045** of a proposed rule change at least 30 days before making the rule change. The notice shall include the text of the proposed rule change and a description of the purpose and effect of the proposed rule change. Notice is not required under this subdivision if the board determines that an immediate rule change is necessary to address an imminent threat to public health or safety or imminent risk of substantial economic loss to the association.

The Board of Directors of The Oaks Community Association will be considering adoption of proposed rule changes during their regularly scheduled board meeting in December . Please see the attached text and explanation of the proposed rule change. The words in *italics* describe the purpose and effect of the proposed change, words which have a ~~strikeout~~ through them will be removed and words which are **red** are changes to the rules.

### INTRODUCTION

The “Rules and Regulations” have been created and adopted by the Oaks Community Association ~~in order~~ *(this is an editing change only)* to ensure a **safe** *(this is an editing change only)* comfortable living environment for the residents of The Oaks. Nothing in these “Rules and Regulations” is intended to conflict with applicable State or local enactments or the provisions of the Association’s Governing Documents (CC&Rs).

These “Rules and Regulations apply to all lot owners, residents, **tenants** *(This change would add tenants to the persons whom Rules and Regulations apply too. This change has no effect on the current rules)* and guests, and may be amended and modified from time to time by the Board of Directors of the Association. These rules are not intended to be all-inclusive. Matters not covered herein shall be handled at the discretion of the Board of Directors.

### GENERAL RULES

- A. All public laws and ordinances shall be obeyed, and no acts shall be committed which would constitute a violation or place the Association in violation of any of these laws or ordinances.
- B. Activity or behavior that causes a disturbance, nuisance, or otherwise disrupts the quiet enjoyment of another is prohibited.
- C. Any activity or use of a separate lot that could cause an increase in premium or cancellation of any insurance policy is prohibited.
- D. No commercial business other than a small in-home ~~type~~ **business** *(This is an editing change and has no effect on the current rules)* shall be conducted within the community.
- E. “For Sale” signs are limited in size as permitted by law. Only 1 (one) sign is allowed on each property.
- F.** Christmas lights and **any other holiday** decorations shall be removed ~~on or before January 31<sup>st</sup>~~ **within 15 days after the holiday.** *(This change clarifies the time restrictions to remove decorations it includes any holiday in addition to Christmas. The effect of this change will be to include removal of all holiday decorations with 15 days of the holiday. )*
- G. Littering anywhere in the community is not permitted.
- H. Loitering in the streets is prohibited at all times.
- I.** **Staff members and employees of the Oaks Community Association shall be treated with respect and courtesy and all reasonable request or instructions from staff or employees of the Oaks shall be adhered too.** *(The purpose of this change is to reinforce the authority of employees and staff members of the Oaks Community and should have no effect on the current rules)*
- J.** **Staff members and employees of the Oaks Community Association are required to treat members in a courteous and respectful manner at all time.** *(This change is to reinforce to staff members and employees that members and their guest are our customers and should be treated appropriately and should have no effect on the current rules)*

- K. **Members using or renting the facilities, including the clubhouse, pool and spa must be in good standing.** *(This change adds the provision that members must be in Good Standing to use the facilities. The effect of this change would cause members determined not to be in Good Standing may lose their privileges to use the facilities)*
- L. **Quite time in the community are the hours from 10:00 PM to 8:00 AM. Please keep noise to a minimum during this time.** *(This change adds the provision for “quite time” there would be no effect on the current rules)*

## VEHICLES and PARKING

- A. All vehicles owned and/or used by owners and or tenants within the community shall be registered with The Oaks Community Association. ~~All vehicles must have “Parking Permit” stickers, only issued upon registration of vehicle/s.~~ *(This change removes the requirement for parking permits or stickers. The effect of this change would to no longer require resident to obtain permits or stickers.)*
- B. Only motor vehicles as defined by the California Motor Vehicle Code shall be parked in a designated parking area on individual lots or community parking areas.
- C. Vehicles that are inoperative or are not currently registered shall not be parked anywhere in the community visible from the street.
- D. The speed limit for all vehicles in the community is 10 (ten) miles per hour.
- E. Major repairs on vehicles, RVs, boats, etc., are not permitted within the community. ~~Only minor repairs and maintenance are permitted.~~ *(This change removes the section allowing only minor repairs to vehicles. The effect would be that the residents would no longer be able to make minor repairs or maintenance to their vehicles)*
- F. ~~Resident parking is limited to within the enclosed garage or carport only.~~
  - a. ~~EXCEPTION:~~ ~~The Board may authorize additional parking on the lot if the vehicle is not visible from the street or from a neighbor’s property.~~ *(This change was made to conform with changes made by the Membership to the Governing Documents. The effect of this change would be to allow residents to park in their driveways.)*
- G. Trailers, campers, boats, etc., shall not be parked on a lot if visible from the street or from a neighbor’s property.
- H. Parking on the street **in areas with curbs painted red** is prohibited. *(This change was made because limited street parking is available on Oak Drive. There would be no effect due to this change.)*
- I. “Guest Parking” is **intended** for guests ~~only~~ **but may be available on a limited basis for the use of residents.** *(This change was made because of the limited parking available in the community. The effect of this change would be to allow residents to park in guest parking.)*
- J. **“Guest Parking” shall be limited to a maximum of only 1 parking space per household unless prior approval is granted.** *(This change was made because of the limited parking available in the community. The effect of this change would be to allow residents to park one vehicle in guest parking.)*
- K. Guest Parking shall not be used for longer than 72 hours without obtaining prior approval from the Association.
- L. **Parking in front of the mailboxes is limited to 15 minutes.** *(This change was made to address the problem of people parking at the mailboxes for extended periods of time. The effect of this change would be to restrict parking at the mailboxes to those residents picking up their mail.)*
- M. Parking spaces are color-coded as follows:
  - GREEN - Guest Parking
  - WHITE - Common Area Short-Term Parking

## PETS

- A. **All pets must be licensed by Amador County Animal Control and be current on all vaccination.** *(This change is to conform with Amador County Animal Control. There should be no effect from this change.)*

- B. All pets must be registered with The Oaks Community Association.
  - a. **EXCEPTION:** fish, caged birds, and small, harmless caged animals such as hamsters, etc.
- C. Owners/tenants are responsible for pets of guests.
- D. Pets (including but not limited to cats & dogs) shall not cause a disturbance or nuisance.
- E. Pets (including cats & dogs) shall be kept on a leash within the community ~~while not~~ **unless** within the a fenced yards ~~of residence.~~ *(This is an editing change and will have no effect.)*
- F. Pet owners shall be responsible for cleaning up after their pet(s):
  - a. Clean up in the community areas shall be immediately.
  - b. Clean up of owners' own yard shall be not less than every few days.
  - c. **For your convenience, several pet clean up stations are located within the community.** *(This was added to remind pet owners to use provided pet stations. This will have no effect.)*
- G. Not more than 2 (two) pets are allowed per household. The 2 (two) pets shall only be either: 2 cats, **2 dogs** or, a combination of 1 cat & 1 dog.
 

**EXCEPTION:** (i) ~~Current owners/tenants who had 2 (two) dogs prior to January 1, 2003. However, should owner/tenant lose one of the two dogs, the second dog must not be replaced with another dog.~~ (ii) ~~(This change was made to conform with Member approved changes to the Governing Documents. The effect of this change will be to allow residents to have 2 dogs.)~~ Should ~~dog~~ **a pet** have a litter of puppies **or kittens**, the puppies **or kittens** shall be removed from the property within 60 (sixty) days of birth. *(This change was made to include litters of kittens. The effect of this change is to have fewer cats in the community)*
- H. The maximum dog size allowed is 24 inches at shoulder height.
 

**EXCEPTION:** (i) ~~Dogs used to aid disabled~~ **properly designated service animals**, *(This is an editing change and should have no effect.)* and (ii) dogs acquired prior to January 1, 2003.
- I. Any pet deemed to be aggressive will not be allowed to stay in the community and will be **immediately** reported to Amador county animal control. *(This is an editing change and should have no effect.)*

## CLUBHOUSE and ADJOINING AREAS

The adjoining areas include the swimming pool and spa area, basketball court area, children's playground area and mailbox area.

- A. GENERAL: All areas. Use is restricted to owners ~~and~~ residents in good standing and their guests.
 

**EXCEPTION:** the mailbox area is for the collection of mail only.

  1. The use of bicycles, roller skates, roller blades, skateboards, scooters, or any other similar wheeled equipment is strictly prohibited.
  2. All bicycles must be placed in the bike racks.
  3. Underage (~~18~~ **21** or younger) smoking is prohibited. *(This change is being made to conform with state law. The effect will be to raise the smoking age from 18 to 21)*
  4. No radio, stereo, tape player, CD player, or other similar devices shall be used in the outside areas unless such devices are used in conjunction with headphones or earpieces in a manner which prevents other users of the same areas from hearing the sounds from the devices.
  5. No outside areas shall be reserved for private functions.
  6. No pets allowed, **other than properly designated service animals.** *(This is an editing change and should have no effect.)*
  7. No obscene or vulgar language is allowed.
  8. No reckless, boisterous, or violent behavior is allowed.
- B. POOL and SPA AREA
  1. The pool season ~~shall be from April 1 through September 30. An earlier or late opening and/or closing may occur due to weather conditions~~ and spa are open year round. *(This change was made to allow year round use of the pool and spa. This change will have no effect.)*

2. Pool hours are 11:00 ~~a.m.~~ **AM** to sundown for general swimming. **Adult only lap swim** times are 9:00 ~~a.m.~~ **AM** to 11:00 ~~a.m.~~ **AM**, and **8:00 PM to 9:00 PM** ~~sundown to 1 hour thereafter.~~ *(This change was made to extend and clarify adult only swim time. The effect will be to increase the adult swim time for residents.)*
3. No smoking allowed **in the pool area.** *(This is an editing change and will have no effect.)*
4. No persons wearing diapers are allowed in the pool.
5. No one under the age of 16 shall be permitted without a parent or responsible adult. A responsible adult is a person over 18 years old, with a signed ~~authority~~ **permission slip** from the minor's parent or guardian. **Permission slips are available at the office or can be downloaded from our website [theoakscommunityassociation.org](http://theoakscommunityassociation.org).** *(This change is to provide information about obtaining permission slips. This change should have no effect.)*
6. No one under the age of 16 is allowed in the spa.
7. Absolutely no glassware is allowed in the pool and spa areas.
8. No food allowed **in the pool and spa area.** *(This is an editing change and should have no effect.)*
9. Only approved swimwear shall be worn in the pool or spa.
10. No hair clip or pins made of metal shall be worn in the pool or spa.
11. No horseplay, running, diving, jumping, **or throwing of others** into the pool is allowed. *(This change is to prevent children from being thrown while playing in the pool. The effect of this change will be to make the pool safer)*
12. No lifeguard is provided. Use of pool/spa is at the user's own risk.
13. Any and all additional rules so posted in the area will be enforced.

#### C. CLUBHOUSE

1. The clubhouse may be reserved for a private party ~~at the Board's discretion~~ **by members who are currently considered to be "In Good Standing"**, and if ~~it~~ **the rental** does not interfere with the general use of the residents. The party reserving the facility must sign a user agreement, and pay the required security deposit. *(This change will require members to be in good standing to rent the clubhouse. The effect of this change will be to not allow members not in good standing to rent the facilities.)*
2. No wet swimsuits are allowed in the clubhouse. Prior to use of the restroom facilities, please towel-dry yourself to avoid damage to the carpeted area.
3. **No Bicycles or skateboards are allowed on the sidewalk areas.** *(This rule is already in effect and should have no effect.)*

#### D. MAILBOX AREA

1. Absolutely no loitering or playing is permitted in or around this area.
2. **No Bicycles or skateboards are allowed in the mailbox area.** *(This rule is already in effect and should have no effect.)*

#### Fishing Pond

1. **Anyone under the age of 14 must be accompanied by an adult.**
2. **Anyone under the age of 18 must have a signed permission slip from a parent or guardian.**
3. **All trash, garbage and debris must be removed.**
4. **No swimming is permitted in the pond.**
5. **No boats or any other type of flotation devices are allowed in the pond.**
6. **No vegetation can be removed from around or near the pond.**
7. **There are no restroom facilities near the pond.**
8. **No lifeguards are on duty all users of the facilities use at their own risk.**
9. **Access is allowed from 1 hour before sun up to 1 hour after sun down.**

10. Do not leave any bait or fishing hooks or lines on the shore.
11. Shoes should be worn at all times.
12. Personal flotation devices (life jackets) must be worn if fishing from the dock.
13. Fishing from the dock not allowed on dock near water intake.
14. Do not drink the pond water.

*(the above rules are being adopted to provide a safe and fun fishing experience for the members. The effect of these rules will be to allow members the use of the fishing pond.)*

## LOT MAINTENANCE

- A. Lots and all improvements thereon must be maintained in a neat, clean, attractive, and sanitary condition.
- B. All areas visible from the street, other than driveways, must be landscaped, and all landscaping must be kept healthy and neatly maintained.
- C. All items such as tools, equipment, furniture (other than appropriate patio furniture), appliances, garbage cans, etc., ~~shall~~ **must** be stored in a fashion that cannot be seen from the Street or neighboring lots. *(This is an editing change and will have no effect.)*
- D. Failure to maintain the lot at acceptable standards as determined by the Board of Directors will result in enforcement as allowed by law & the Association's ~~g~~Governing ~~d~~Documents (CC&Rs), and these "Rules and Regulations." *(This is an editing change and will have no effect.)*

## HOME INSTALLATION and REMOVAL

- A. All homes and accessory structures and buildings, including awnings, skirting, carports, porches, storage sheds, fencing and gates must be approved in writing by the Association before being installed on individual sites.
- B. Upon removal of a home, the lot must be left in a level, bare, and clean condition.
- C. **The property owner is responsible for obtaining any permit(s) required by The California Department of Housing and or Amador County.** *(This change is to reinforce to the members requirement to obtain proper permits. There should be no effect.)*
- D. **Members seeking permission to install or remove a home must currently be a Member In Good Standing.** *(This change is to require members asking to install or remove a home to be members in good standing. The effect of this is to require members to be in good standing prior to receiving approval to install or remove a home.)*

## ARCHITECTURAL RULES and DESIGN REVIEW

- A. No exterior additions, modifications or alterations of any kind shall be made without prior written approval by the Association. This does not apply to maintenance or replacement of 'Like kind' items such as repainting a home exactly the same color or replacing a shrub with a similar one.
- B. A 'Design Review Request' must be submitted and approved prior to commencing any work.
- C. All homes are subject to architectural approval of, but not limited to, the following criteria: *(This is an editing change and will have no effect.)*
  - Size of home
  - Type of siding
  - Roofing material
  - Awning and railings

- Skirting
  - Storage buildings
  - Fencing and gates
  - Landscaping
  - Removal of trees
- D. Roof or window-mounted “swamp” coolers &/or air conditioners are not permitted if they can be seen from the street.
- E. **The property owner is responsible for obtaining any permit(s) required by The California Department of Housing and or Amador County.** *(This change is to reinforce to the members the requirement to obtain proper permits. There should be no effect.)*
- F. **Members must be “Members In Good Standing” before consideration of a design review.** *(This change is to require members asking to install or remove a home to be members in good standing. The effect of this is to require members to be in good standing prior to receiving approval to install or remove a home.)*

## ENFORCEMENT of MONETARY FINES &/or SUSPENSIONS & REVOCATION of PRIVILEGES

- A. It is important that all members and residents adhere to the community's ~~g~~ **Governing & Documents** in order. *(This is an editing change and should have no effect.)*  
to preserve and enhance property values. In accordance with the California Civil Code, the Oaks Community Association Board of Directors has adopted a Rule Enforcement Policy. This policy is to help ensure compliance with the Association's ~~g~~ **Governing & Documents**, "Rules & Regulations", and Architectural Guidelines. *(This is an editing change and will have no effect.)*
- B. Management will notify the owner ~~&/or~~ **and if applicable the** tenant of the nature of the violation, and of the corrective measures **necessary to correct the violation**. Reasonable time will be allowed to take corrective action. Any uncorrected violation or recurrence of the same violation is subject to a fine of **up to \$100.00**. After 30 days from the date the initial fine was assessed, additional fines will be assessed at a rate of up **to \$20.00** per day, should the violation still remain uncorrected. *(This is an editing change and should not have any effect.)*
- C. Violation of parking rules is subject to a fine of ~~\$25.00~~ **up to \$100**. *(This change would increase the amount for parking fines. The effect of this change will be to increase the fines for parking.)*
- D. Violation of Section IV rules is subject to the following:
- Misbehavior ..... 15-day suspension & revocation of privileges
  - Boisterous /violent behavior ..... 60-day suspension & revocation of privileges
  - Violation of Suspension ..... longer suspension & revocation of privileges
  - Violation of a 60 to 90-day suspension will result in an automatic \$100.00 fine to the owner/~~tenant~~, in addition to another 90-day suspension. In the event the violation was committed by a minor, the parent/ guardian, or if guest, the owner/~~tenant~~ will be notified in writing of the infraction and resulting suspension.
- E. An owner who receives a notice of suspension ~~&/or~~ **and or a** fine has the right to appeal to the Board of Directors. The appeal must be stated in writing and ~~mailed~~ **delivered** to **The Oaks Office, Located at 5607 Jackson Valley Road, Ione, CA.** ~~the management company~~ within ten (10) days of issuance. A Hearing by the Board of Directors will then be scheduled **for the next scheduled Board of Directors Meeting.** ~~when the~~ **during the violation hearing** members ~~may~~ **have the right to present** ~~his/her~~ testimony and produce witnesses. *(This change is editing and will have no effect.)*