

# **RULES AND REGULATIONS OF FAIRWAY PINES ASSOCIATION**

A Nevada Common Ownership Interest Community

## **CONTACT INFORMATION:**

### **MANAGER:**

Incline Property Management  
Phone: 1 (775) 832-0284  
Fax: 1 (775) 832-4036  
Emergency Only: 911

## **MAINTENANCE OR EMERGENCY:**

### **BOARD OF DIRECTORS:**

C/O IPM  
848 Tanager Street, Suite M  
Incline Village, Nevada 89451

### **WASHOE COUNTY SHERIFF, SUBSTATION WASHOE COUNTY ANIMAL CONTROL**

Incline Village Substation  
1-775-832-4110

## **INTRODUCTION:**

The following Rules and Regulations are for Owners, guest, tenants and permanent or temporary occupants of Fairway Pines Association and are adopted in accordance with the authority provided to the Board of Directors by the governing documents of the Association and Nevada State law. Fairway Pines Association is a common ownership interest community, a Nevada statutory term of art and another way of describing the living conditions here. We live in close proximity to one another as neighbors and thus must take care to ensure that our actions are not selfish, do not adversely impact our neighbors or their rights to the peaceful and quiet enjoyment of their residence Units and do not compromise their health or safety while here. We aspire to courtesy, civility and consideration toward each other, in an effort to make this beautiful physical setting a pleasant place for all of our residents, guests and tenants.

In every instance, the Unit Owner is the sole person(s) responsible for compliance with these provisions, for themselves, their guests, tenants, employees, agents, friends, contractors, family or relatives and others that may be on the property with your permission, knowledge or consent at any time. Warnings, fines, citations and notices of violation and related communications will be sent to and assessed against the Unit Owner in every instance.

## **A) MOTOR VEHICLES/PARKING:**

1. The speed limit within all areas of Fairway Pines Association is set at a maximum of 5 miles per hour, unless conditions require slower speed or unless otherwise posted. All persons on the property are required to observe this speed limit.

2. Motorcycles, scooters, mopeds, motorized skateboards and motorized bicycles are prohibited from operating within Fairway Pines Association unless they are licensed, registered and insured as motor vehicles and are operated by licensed and qualified individuals at all times. Bicycles without motors are not prohibited and violations of these provisions may subject the operator to sanctions by the Association, including warning and fine.

3. Any vehicle operated or parked within Fairway Pines Association must be currently operable, registered, licensed and insured in accordance with the laws of the state in which the registration or license has been issued. Vehicles without such current identification may be towed from the property without further notice and additional sanctions by the Association, including warning and fine, may be issued.

4. The storage or parking of trailers, boats, campers, RVs, personal watercraft, airplanes, gliders, hang gliders, snow mobiles, para-sails, helicopters, or any wrecked or otherwise inoperable vehicles within the property is prohibited, unless they are kept in enclosed garages. No work, repair, maintenance or restoration of any such vehicle or equipment within the Fairway Pines Association community is allowed at any time.

5. Physical space is at a premium within this community and thus vehicles parked unattended or unused for periods of time in excess of 48 hours in visitor parking areas are prohibited, must be moved and relocated to another parking space at least every 48 hours or they may be considered abandoned and towed by the Association without further notice. Failure to do so may result in the vehicle being towed from the property without further notice and additional sanctions by the Association, including warning and fine, may be issued.

6. There is allowable parking for two vehicles per Unit only, without regard to the number of occupants and all vehicles must be parked in designated parking areas only. Unit Owners, guests and tenants of Units with garages or those with assigned spaces must park both allowed vehicles inside their garages and may not use visitor-parking areas for personal vehicles. Failure to abide by these restrictions may result in the vehicle being towed from the property without further notice and additional sanctions by the Association, including warning and fine, may be issued.

7. Boats, RV's, campers and trailers may be brought into the community for the purpose of loading, unloading and visitor transportation. No such vehicle may be occupied while on the premises of Fairway Pines. Failure to abide by these restrictions may result in the vehicle being towed from the property without further notice and additional sanctions by the Association, including warning and fine, may be issued.

8. No commercial vehicles may be parked within the community overnight. Large vehicles with over one ton capacity, trucks, vans, flatbeds, box vans, step vans, U-Hauls, tow trucks and other vehicles primarily designed for hauling or those used in a trade or business and those whose length prevents them from being parked in a standard Association size parking bay are prohibited from parking within Fairway Pines Association. Such vehicles may be within the community temporarily for purposes of deliveries, moving or leaving materials and supplies but must be promptly removed thereafter. Failure to abide by these restrictions may result in the vehicle being towed from the property without further notice and additional sanctions by the Association, including warning and fine, may be issued.

9. No parking is allowed in the four spaces adjacent to the dumpster enclosure between the hours of 8:00 a.m. and 5:00 p.m. on trash pick-up days. Any vehicle parked in front of the dumpster locations at such times may result in the vehicle being towed from the property without further notice and additional sanctions by the Association, including warning and fine, may be issued. No parking is ever allowed in Fire Lanes and vehicles parked there, even temporarily, will be towed immediately.

**B) COMMON AREAS:**

1. Outdoor common areas within Fairway Pines Association, such as the grounds and driveways, shall be used only for purposes of ingress and egress, except for temporary activities which may be approved by the Board from time to time.

2. Skiing, roller skating, skateboarding, sledding, mountain biking, hiking and roller-blading on common areas within Fairway Pines Association are prohibited for safety and liability reasons.

3. No use of the Common area shall be conducted so as to caused any damage, increase the incidences or cost of maintenance or insurance or to disturb the peaceful enjoyment of any other resident thereof. Failure to abide by these restrictions may result in the imposition of sanctions by the Association, including warning and fine.

4. Any proposed changes to the common area must be first submitted in writing to the Board prior to commencement of any alterations. Improvements, maintenance, repairs and landscaping of the common areas shall be done only under direction of the Board and the costs thereof shall be an Association expenses.

5. Repairs of damages caused by unreasonable use or unauthorized alteration to the common area shall be assessed to the Owner responsible for such use or alteration.

**C) RESIDENTIAL USE:**

1. The Fairway Pines Association premises shall be used for exclusively residential purposes and nothing in this document shall prevent an Owner from renting or leasing their entire Unit. No portion of any Unit may be rented or leased at any time.

2. No Unit may be let for any period of time for hotel, motel, dorm or similar

purpose nor shall any Unit be divided or otherwise altered to allow or support two or more separate dwelling units. Units may be rented out by Owners thereof for terms not less than 7 consecutive days at a time.

3. Fairway Pines Association Village is zoned by Washoe County for use only as single family residences. No Unit may be used, converted, advertised, rented, leased, occupied nor shall any Unit be divided or otherwise altered to allow or support two or more separate dwelling units or otherwise represented to be more than a single living space at any time. Maximum occupancy numbers for each Unit, as set by the Fire and Building Departments for each Unit at the time of construction, must be observed at all times. Units in violation, no matter the duration of the violation, will be reported to appropriate County agencies, whose fines, red tags and penalties for violation can be severe and will be in addition to any sanctions for failure to abide by these restrictions levied by the Association, including warning and fine.

4. No outdoor sales, garage sales, flea markets, yard sales or other outdoor events are permitted within Fairway Pines. The Association Board may make exceptions or grant permission for such events in advance thereof, in those situations it deems appropriate to do so.

#### **D) PETS AND ANIMALS:**

##### **DOGS:**

1. All dogs within Fairway Pines Association shall be kept in residential Units or on the porch or deck areas of their Owners and must be on a leash or under the direct, immediate control of a responsible person when outside of any Unit. No dog shall be at large, running loose within the community.

2. Barking, whining, growling or other noises from dogs must be kept to a minimum so as to not disturb the peace and quiet of the residents of Fairway Pines Association. Owners are responsible to control their animals and constantly barking or noisy dogs that disturb the peace of the community are prohibited. To avoid this situation, dogs should not be left unattended in the Owners absence.

3. Any officer, director, manager or employee of the Association is authorized to impound, cause to be impounded or file a complaint with Washoe County Animal Control officers at 832-4110 regarding every dog that is not under control of the Owner or that is causing a disturbance of any kind within the community. Owners may lodge complaints about dogs at large or noisy, disturbing dogs with the Association Manager or Washoe County Sheriff/Animal Control at any time.

4. Owners must to police and dispose of their animals waste when walking them within the community and must be able to show how this will be accomplished upon any reasonable request by Association management.

5. Failure to abide by these restrictions may result in the sanctions by the Association, including warning and fine.

### **OTHER ANIMALS:**

Exotic animals are prohibited upon the premises, as those animals are defined by Washoe County Code. Licensed exotic animals may be present within the community with the written permission of the Board prior to the animal being brought upon Association property, subject to any restriction or control placed upon the animal and its Owner by the Board. Cats are not an exotic animal and may be on the premises, subject to rules and regulations pertaining to noise and waste. Failure to abide by these restrictions may result in sanctions by the Association, including warning and fine.

No animals shall be raised, kept or bred for commercial purposes or in unreasonable numbers upon the Fairway Pines Association premises at any time.

### **E) NOISE/LIGHTS:**

No activities that generate sufficient light or noise levels to destroy the tranquil mountain setting, injure the peace and quiet of residents or guests, infringe upon neighbor's peaceful enjoyment or otherwise disrupt the tenor of the community are permitted. Excessive or disturbing noises or activities that cause such noises like loud music, loud vehicles or exhaust, loud parties or gatherings of people and noisy animals are prohibited within Fairway Pines Association. Flood lights, construction lighting, multiple vehicle headlights and the like which excessively interfere with the evening darkness or otherwise impinge upon the tranquility of the area are prohibited. Failure to abide by these restrictions may result in sanctions by the Association, including warning and fine.

### **F) PERSONAL PROPERTY:**

1. When not in use, bicycles, sporting goods, toys and personal articles and equipment must be kept with the Unit of the Owner so as not to be in public view.
2. Owners must keep garage doors closed at all times when not in use.
3. Owners are responsible for keeping the common area around their Units clear and free of debris, trash, unsightly objects and from noxious or offensive odors.

### **G) TRASH DISPOSAL/FIRE SAFETY:**

1. Dumpsters are provided by the Association for use by all residents for the disposal of all household trash and garbage. Construction debris, furniture and other large debris may not be placed in the dumpsters but should be taken to the IVGID recycling center during its normal business hours.
2. Ashes and embers must be stored in metal containers only and disposed of in the ash containers adjacent to the dumpsters, never in the dumpster due to fire safety concerns.
3. Recycle bins are to be placed next to the dumpsters inside the dumpster enclosure only on the day of pick-up and returned to the Unit at the end of that day. Do not leave recycle bins in the dumpster areas on other than garbage pick-up day.

#### **H) EXTERIOR OF UNITS:**

1. No Unit may be painted or repainted or otherwise altered on the exterior nor may any construction be done to alter or repair the exterior of the Unit without prior written approval of the Board. Any Contractor working on the Fairway Pines Association premises shall have liability insurance and workers compensation insurance, with copies on file with the Property Manager prior to the beginning of any work of improvement.

2. All television and radio antennas are prohibited on the exterior of any Unit without prior written approval of the Board.

3. No clothes, linens, signs, refuse, air conditioning equipment, swamp coolers or similar material or equipment shall be hung or shaken from windows, placed on window sills, hung out or draped from or over balconies, deck railings or otherwise left or placed in any manner to be exposed to public view.

4. Outdoor clotheslines or other outdoor clothes drying and airing facilities are not permitted on Fairway Pines Association premises.

#### **I) SANCTIONS; HEARING PROCESS:**

1. These duly adopted Rules and Regulations are one of the governing documents of the Association and the violation of any provision of them subjects a Unit Owner to sanctions. Possible sanctions include an Owner being prohibited for a reasonable period of time from voting on Association business, an Owner being prohibited from using the Common Area for other than parking or ingress/egress to or from any Unit and assessment of a fine upon the Owner, providing the violation is not one that threatens the health and safety of the Association or any member thereof. Board consent or waiver of any of these provisions shall be revocable at any time.

2. Complaints of violations of any governing document provision or any law must be made in writing to the Property Manager, with a copy to the Board for its consideration. Upon each violation, a Notice of Violation shall be provided to the Unit Owner believed responsible for the violation, either by personal delivery or by delivery confirmation mail, within 5 days of the violation being detected, observed or complained of. Fines will be effective 10 days after mailing of the notice of violation, unless the violation is corrected within that period of time.

3. Fines may be assessed for any violation of the Rules and Regulations, in amounts determined appropriate by the Board. Each fine imposed may not exceed \$100.00 per occurrence, up to a total of \$500.00 per violation. Violations not cured within 10 days of the notice thereof being provided to an Owner are subject to being declared an ongoing violation and the Owner may be fined additionally for every 7 day period or portion thereof during which the violation continues, without the provision of any additional notice and not limited to a maximum of \$500.00.

4. The Unit Owner must be advised in written form that a fine for the violation has been

levied and that the Owner has a right to a hearing on the violation upon request to the Property Manager, submitted with the full fine amount.

5. If a hearing is requested by the Unit Owner within 30 days of receipt of the notice of violation, one must be held by the Board or any panel they may appoint to review the circumstances and explanation for the violation, if any is presented. These hearings may be conducted in Executive Session unless the Owner requests in writing that the hearing be held in open session. In any event, deliberation and decision may be held in Executive Session after the full facts and circumstances of the alleged violation have been disclosed.

6. If a fine is assessed by the Board or appointed panel, they shall also require the payment of the costs of the proceedings, in a reasonable amount given the time the matter has taken, by the Owner so fined. The costs become an assessment upon the Unit and Owner and may be enforced through any lawful means, including lien sale and foreclosure.

7. Unpaid dues and assessments, special or regular in nature, are not fines and are subject to late charges. Charges are to begin 20 days after the due date and will be 10% of the monthly payment amount.

These Rules and Regulations may be revised at any time upon majority vote of the Board, provided written notice is sent to each Owner advising of the changes before they are implemented.

DULY ADOPTED this 18<sup>th</sup> day of March, 2005.

Fairway Pines Association, Inc., A Nevada Non-Profit Corporation

BY: [Signature]

ITS: PRESIDENT

BY: [Signature]

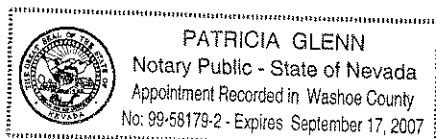
State of Nevada  
County of Washoe

This instrument was acknowledged before

me on this the 18 day of March, 2005.

[Signature]

Notary Public



ITS: SECRETARY

BY: [Signature]

State of NEVADA  
County of CLARK

This instrument was acknowledged before me

on this the 29<sup>th</sup> day of MARCH, 2005.

[Signature]

Notary Public

