

# **KINGSWOOD ESTATES, UNIT III OWNERS ASSOCIATION**

## **INCLUDES UNITS IV AND V (KEOA)**

### **COMMUNITY POLICIES**

Effective July 1, 2021

#### **INTRODUCTION**

Community Association living is generally for the person who seeks a controlled environment – one that strives to preserve property values and a consistent standard of living – one in which the use of pertinent laws and rules help create a mutual obligation for harmony among all involved parties.

Therefore, any person who chooses to own or live in a community association must recognize that the objectives of this type of living can be obtained only when its' homeowners and residents show respect for the laws and rules that govern it.

Among these laws and rules are the higher-ranking Protective Covenants, which for the most part have been formulated through government legislation and control. The Community Policies are a lower ranking counterpart that, while encompassing legalities, is set by the Board of Directors. It is the obligation of the Board to ensure that these laws and rules are upheld by homeowners and residents alike. It then becomes the homeowner's responsibility to become familiar with, and to familiarize their visitors, vendors and renters with, the Protective Covenants, Community Policies, and all governing documents, abide by them, and help enforce them.

The Community Policies have been established in accordance with provisions of the Kingswood Estates Unit III Owners Association Protective Covenants, Item 1, to help carry out the intent and purpose of the Covenants and the Bylaws. The Community Policies amplify or clarify various items in the Protective Covenants and list other items of common good, which the Covenants do not address.

The Community Policies reflect experience and changes in community opinion, products, and lifestyles. Some policies deal with matters of taste or appropriateness, requiring exercise of common sense and good judgment. In such matters, the interpretation given by a majority of the Board of Directors will be the final authority. Examples of terms requiring interpretation include but are not limited to "timely", "expeditious", "unattractive", "unsafe", "unsightly", or detracting from the overall appearance of the property". Members who desire to challenge the interpretation of these policies or ask for a specific exemption may do so by petitioning the Board of Directors. In such a case the ruling of the Board will be final.

#### **REVISION:**

The revised version, herein, serves as a resolution to clarify and replace all previous printings of the Community Policies for Kingswood Estates Unit III Owners Association KEOA.

#### **INTENT:**

It is not implied nor intended that these Community Policies in any way replace or limit the validity of the higher-ranking governing documents KEOA Bylaws and Articles of Incorporation, Protective Covenants,

or Federal, State or Municipal laws or Ordinances. They are however intended to broaden and clarify our existing documents with specific rules.

**PURPOSE:**

That all homeowners, residents and guests be permitted to enjoy a safe, healthy, aesthetic and peaceful environment which is established through the use of all KEOA governing documents and of these Community Policies – the primary purpose being to protect property values, maintain a consistent standard of living and promote safety and harmony for all homeowners and residents – now and in the future.

**GENERAL USE POLICIES**

**1.0 Lot Maintenance.**

1.1 Each lot and the vegetation thereon shall be neat, safe, orderly, healthy, and as attractive as possible. Debris shall be kept under control, and the property shall be kept clear of harmful vermin such as rats, mice, and gophers. Conditions conducive to breeding of harmful insects such as mosquitoes, gnats, and flies are not permitted.

1.2 Each lot owner is responsible to maintain the street shoulders adjacent to the owner's property neat, clean, and orderly. Vegetative growth along the streets and in ditches must be kept at a height of four inches or less, from the edge of the street back a minimum of 8 feet. Well maintained landscaping plants and flowers may be kept in the space; instead, if desired, or all vegetation may be eliminated and replaced by hardscape such as gravel or rock, as approved by the Architecture Committee. Prescott City Property Maintenance Code 7-5-4-C applies.

1.3 In areas exposed to public view lots will be kept free of clutter and excessive displays of yard art.

1.4 Items such as landscaping equipment, household items, toys, recreational equipment, trailers, machinery or machinery parts, boats, boxes, bags or other such items which shall, in appearance, detract from the overall appearance of the property and/or the Community shall be placed and stored out of public view when not in use.

**2.0 Building Maintenance.** Members are required to maintain all structures on their property to keep them attractive and in good repair. This includes expeditious repair of any exterior damage, and timely repainting or staining, keeping in mind that such work requires the prior approval of the Architecture Committee.

**3.0 Sports Structures.** Sports structures and recreational equipment, including but not limited to basketball hoops and soccer goals, may not be permanently placed in-ground or attached to permanent structures such as garages, homes, or guesthouses where visible from the street.

**4.0 Recreational and other Vehicles.** No trailers, motor homes, mobile homes, ATVs, dismantled campers, disabled or dismantled vehicles or commercial vehicles (except on service calls) shall be mounted or parked on any Lot, unless inside an approved garage. Trailers and motor homes may be on the property for a maximum of 72 hours prior to and following immediate use for cleaning, loading, repair, and/or unloading, but never for occupation. Members requiring a time extension will submit a written request to the Association at least 10 business days prior. The request will identify the member and the reason more time is needed. The Association will respond within 7 days once notified. Little used vehicles must be properly garaged or screened from public view. Owners, residents and guests must restrict the operation of motorcycles and motorbikes to quiet and direct travel on the paved streets going to and from suitable highways or trails. No tents or other types of temporary buildings may be erected on any Lot except such

temporary contractor's building or vehicles as may be necessary during construction and which the Committee has approved.

- 5.0 Holiday Decorations.** Tasteful holiday decorations are permitted but must be confined to the following periods. Temporary or string lighting intended for more than seasonal/holiday time periods is subject to Architecture Committee review and approval.

5.1 Chanukah and Christmas: Thanksgiving Day to January 8.

5.2. Other recognized holidays: 7 days before, and 7 days following, the holiday.

- 6.0 Yard Sales and Garage Sales.** Yard and garage sales are prohibited in KEOA due to traffic congestion, unsightly appearance and disturbance of others. An exception for a garage sale will be granted by the Board if it is held in conjunction with the sale of a house. The policies concerning parking must be complied with during this sale. Equipment or vehicles may not be placed on any property in KEOA for the purpose of sale, although it is permissible to have a For Sale sign on the operable vehicle parked in an approved driveway.

- 7.0 Signs.** The following sign display on each property will be allowed.

7.1 Only small name and address signs, one real estate sign and one alarm company warning-signs, are permitted for each lot. The For-Sale sign and alarm warning sign will be limited in size to industry standard (not to exceed 18" x 24") and one sign rider not exceeding six (6) inches high by twenty-four (24) inches wide.

7.2 One temporary Open House sign on the property for sale may be displayed during hours when an actual open house is being held. In addition, open house signs may be placed at intersections to direct people to the open house, during the open house. This complies with ARS 33- 1808F. Signs of any type must be commercially produced.

7.3 The display of political signs is restricted to the requirements specified in ARS 33-1808C as well as any pertinent state, municipal, or local law, ordinance or regulation. Additionally, alarm company protection notification signs meeting the same size requirements as stated above will be allowed.

- 8.0 Pets.** Household pets are permitted unless they constitute a nuisance.

8.1 Dogs must be leashed (by county and city ordinances) unless within the home, an approved fence or an electric-restraint area.

8.2 Prolonged barking or repetitive barking is prohibited. Barking dog complaints are to be reported to Animal Control by the complainant.

8.3 Members walking pets off their own properties are responsible for cleaning up droppings.

8.4 Pet owners must ensure that their pets do not annoy other residents.

- 9.0 Parking.**

9.1 The streets in KEOA are under the jurisdiction of the City of Prescott, therefore parking complainants regarding the impediment of traffic, other hazardous parking or any parking in violation of City of Prescott parking restriction signs should be referred to the Prescott Police Department.

9.2 Parking on private property in KEOA is limited to paved driveways and other approved parking areas. Exception: construction/maintenance vehicles where and when necessary.

9.3 Overnight parking on KEOA streets is prohibited.

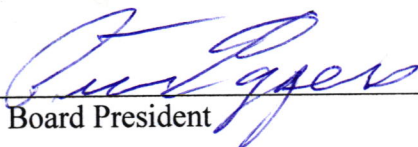
- 10.0 Statuary/Yard Art.** The Board of Directors has determined that limited statuary in good taste will be permitted in public view. Due to the selective nature of this policy, members desiring to exhibit their statuary in public view must obtain Board approval prior to erecting it. Statuary is defined as "statues". "Statue" is defined as "the sculptured, molded, or cast figure of a person or animal, or a sculptured, molded, or cast object of an architectural, imaginary, or abstract form of art".
- 11.0 Trash and Recycling Containers.** Trash and recyclable containers must be stored out of sight from public view except on collection days and the evening before, when they are placed by the street for collection.
- 12.0 Home Businesses.** No business may be conducted on any vacant property in KEOA. No business shall be conducted from or in any home (including the garage, basement/crawl space and/or guest house) in KEOA if the business:
- 12.1 Will increase traffic by more than six vehicles per day,
  - 12.2 Involves heavy trucks or equipment,
  - 12.3 Involves hazardous materials such as explosives, corrosives, poisons, or generates fumes or dust,
  - 12.4 Is visible to the public by sight, smell, sound,
  - 12.5 Exclusively occupies the space of the home; i.e., no person lives in the home,
- 13.0 Property Watch.** It is incumbent upon each member to assist in watching out for the interests of other owners, especially since so many of our KEOA neighbors are part-time residents. For example, call 911 when a burglar or fire alarm sounds, when intruders are suspected, or when acts of theft or vandalism are observed. In addition, when problems such as leaking pipes or faucets are noted, or when erosion damage becomes obvious, notify the appropriate member.
- 14.0 Rental Home Requirements.**
- 14.1 Rentals, Leases & Short-term Use: In an effort to maintain the residential character of the community, all rentals and leases or any other paid use of any real property in KEOA must comply with A.R.S. 33-1806.01. The owner must provide adequate off-street parking for their renters and their renter's guest(s). In addition, at the beginning of each rental agreement, it is the obligation of the member/property owner to notify the Board or the managing agent as to existence of the rental, lease or other related agreements as soon as is practical.
- 14.2 Rentals By-Owners (RBO's). All RBO's (29 days or less) must be licensed per the city and must comply with all city, state, local and community statutes. The homeowner must also supply an emergency contact. Any problems with RBO's are to be referred to the City of Prescott Code Enforcement.
- 14.3 Members are required to submit any and all KEOA forms to the Board or its Manager prior to any rentals, leases, and/or short term uses.
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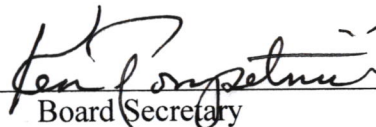
- 15.0 Nuisances** No rubbish or debris of any kind shall be placed or permitted to accumulate upon or adjacent to any Lot or other property, and no odors or loud noises shall be permitted to arise or emit therefrom so as to render any such property or any portion thereof, or activity thereon, unsanitary, unsightly, offensive or detrimental to any other property in the vicinity thereof or to the occupants of such other property. No other nuisance shall be permitted to exist or operate upon any lot or property so as to be offensive, detrimental, or constitute a safety hazard to any other property in the vicinity thereof or its occupants
- 16.0 Violations of Law.** Any violation of any state, municipal, or local law, ordinance or regulation pertaining to the ownership, occupation or use of any property within the property is hereby declared to be a violation of these Community Policies and subject to any or all of the enforcement procedures set forth herein.

Members who fail to abide by these policies will be subject to the actions delineated in the KEOA Compliance Policy.

Revised by the Board of Directors

July 1, 2021

  
Board President

  
Board Secretary