

CAPTAIN'S HILL HOMEOWNERS ASSOCIATION



HANDBOOK
OF
RULES AND REGULATIONS

As Amended in November, 2005

INTRODUCTION

The purpose of this handbook is to provide a brief overview of how the Captain's Hill Homeowners Association is managed and to outline some primary rules and regulations (R&Rs) adopted by the Captain's Hill Homeowners Association Board of Directors. Our goal is to allow all those involved to share in the Captain's Hill Homeowner Association's community pride, and to promote a safe and enjoyable lifestyle.

The adoption and enforcement of the policies outlined in these R&Rs are intended to instill consideration and cooperation among homeowners and tenants in providing aesthetic appeal and maintaining the value of properties within the community. These R&Rs also help sustain community services and facilities for the general use, benefit and welfare of the owners and occupants of Captain's Hill.

These R&Rs are established supplemental to, and in accordance with, the Articles of Incorporation, the By-Laws and the Covenants, Conditions and Restrictions (CC&Rs) governing the Captain's Hill Homeowners Association (HOA). Although these R&Rs are intended to bring out the most common aspects of the CC&Rs, they do not cover all aspects and do not supersede the intent of the CC&Rs. It is the responsibility of the homeowners and tenants to understand and abide by the R&Rs, CC&Rs and other regulations governing the community.

We want to sincerely thank all the homeowners and residents of Captain's Hill for their continued support in keeping this community a great place to live.

Sincerely,

The Captain's Hill Homeowners Association Board of Directors

GOVERNANCE

1. **Board of Directors** – A volunteer Board of Directors (Board) meets monthly to manage the HOA according to the guidelines set in forth in the CC&Rs and laws of the community.
2. **Committees** – Assisting the Board are various volunteer committees that provide guidance and recommendations to the Board for action. Committee volunteers are authorized and empowered by the Board in accordance with the CC&Rs. The Board has final authority in all committee matters. All actions taken related to committee business are documented in meeting minutes of the Board.
3. **Property Management Company (PMC)** – The Board contracts a professional property management firm to handle many of the affairs of the HOA including administration of elections, billing, professional advice in HOA proceedings and subcontracting for maintenance and repairs as approved by the Board. The PMC is also the primary point of contact for residents and homeowners who have a need to contact the management of the association. The Board may request the PMC account executive for the Captain’s Hill HOA to moderate Board meetings and other events.

COMMUNICATION

1. **Urgent Matters** – Homeowners should contact the PMC according to the instructions provided at the time of escrow and communicated typically each month by way of various
2. **Complaints** – Same as above. No action will be taken until signed complaints are received via mail or fax, or by email (signature implicit). Complaints are to include pertinent data such as the nature of the complaint, the time and date, witnessed names, addresses, license numbers, etc.
3. **Other** – Homeowners who have any concerns, questions, suggestions or problems should not hesitate to exercise their right to attend the monthly Board of Director Meetings. They will be given an opportunity to speak during the Open Forum session prior to the start of Business Meeting.

ENFORCEMENT

1. **General** – The Board will take authorized action as necessary to deter violations of the R&Rs. These actions may include suspension of voting privileges and/or use of recreational facilities and/or the imposition of fines for repeated offenses.
 - a. Fines are imposed after the affected homeowner is given an opportunity to present his/her own case at a hearing before the Board of Directors. Alleged violators will be given the opportunity to an appeal.
 - b. Fine Schedule – effective January 1, 2006

1. First offense	\$100 + legal fees
2. Second offense	\$200 + legal fees
3. Third and subsequent offense	\$300 + legal fees

2. **Homeowners and Tenants** – Homeowners lease/rental agreements that apply to Captain’s Hill are required to conform to all aspects of the CC&Rs, By-Laws and R&Rs of Captain’s Hill. Homeowners are required to provide tenants with current copies of the CC&Rs, By-Laws and R&Rs, and to confirm their tenant(s) understanding and acceptance of the applicable portions of these documents.
 - a. Failure of compliance must be considered a violation of the lease/rental agreement.
 - b. Homeowners are liable for violations attributed to their tenants.
 1. General Conduct – It is expected and required that all residents and guests of Captain’s Hill will abide by a code of conduct in keeping with the tranquil atmosphere that is cherished by this community. Any damage attributed to a resident or their guests will be remedied by the HOA and charged to the applicable homeowner. Every courtesy is to be extended to surrounding residents with respect to: a) acceptable levels of noise, traffic and parking; b) starting and ending parties and gatherings at reasonable hours; c) offensive language and inappropriate behavior
 2. Miscellaneous Conduct – the following are also prohibited; a) littering or disposal of a toxic or harmful substance; b) climbing on trees, fences, gates, or common area landscaping; c) garage sales or business operations not previously authorized by the Board;) skating, skate boarding or rollerblading in common area walkways
 3. Pets – in accordance with City, County and State laws; a) owners/attendances are to pick up their pet(s) droppings; b) pets are to be on a leash while in the common areas; c) excessive or disturbing noise from a pet cannot be tolerated

ARCHITECTURAL CONTROL

1. General – In accordance with the CC&Rs, the Board has adopted strict guidelines to protect and preserve the architectural ambiance at Captain’s Hill. The board must approve any and all changes to architectural elements, including but not limited to, elements such as building modifications, patio covers, planters, antennae or other appendages, windows, doors, paint scheme and colors, roofing, fencing, wind barriers, common area landscaping, and signage. A primary consideration for approval is that all changes remain “in harmony with the external design and location in relation to surrounding structures and topography.”
2. Applications – Homeowners may contact PMC for information regarding the architectural approval procedure. Submitted applications must be accompanied by the necessary plans and pertinent information as required per the procedure and supplied with the application form.
3. Approvals – There is no implied approval. The board cannot approve an application based solely on the fact that a similar feature may already exist in the community. A) Approval by the Board does not supersede or imply approvals required by municipal authorities. Applicants must acquire applicable city permits once approved by the Board. B) Homeowner or tenant action that is completed without advanced written approval by the Board is subject to reversal at the homeowner’s expense. This includes unauthorized trimming or landscape modification in common area.

POOL SAFETY

1. **CAUTION! NO LIFEGUARD ON DUTY!** – Use of pool is at your own risk. All pool rules must be followed to maintain a safe and sanitary environment. The pool may be closed by local authorities or by the Board for unsafe or unsanitary conditions. The pool is made available for the exclusive use of residents and their guests. Residents must accompany their guests and are responsible for their guests' actions. Common courtesy is the best policy among pool visitors and consideration must be given to neighboring residences with respect to noise and any other unacceptable behavior. Although pool rules, pool hours and heating seasons are posted, special attention is merited for the following:
 - a. Disability gate access keys may be obtained by contacting the PMC.
 - b. Gates must be fully closed and locked at all times. It is especially important for anyone entering or leaving the pool area to assure the gate locks behind them to prevent an accidental drowning
 - c. Glass is prohibited. Even the smallest evidence of broken glass in the pool area is cause for closure by health authority and requires draining of the pool.
 - d. Illegal substance – State and local law applies. Consumption of alcoholic beverages by those under the legal age limit is not allowed. The use of an illegal substance of any kind is never allowed.
 - e. Children under the age of fourteen must be accompanied by an adult resident (18 or over). Children in diapers must wear protective rubber pants and diapers must be disposed of in proper containers. *Please don't let children pee in the pool (or worse)! The Health Department may close the pool.*
 - f. Skin Disorders – Persons with communicable diseases or open wounds are not allowed in the pool.
 - g. Reservations for short term use of the cabana area for eating purposes may be made by posting a temporary notice on the wall above the counter stating your name, hours of use, and your phone number. A courtesy email to the PMC as well would be appreciated.

PARKING AND TRAFFIC

1. **General** – Traffic and parking are regulated in accordance with the CC&Rs, applicable state vehicle code, local fire ordinances and Captain's Hill insurance carrier requirements. In order to maximize safety, the Board strongly urges owners, residents and guests to obey the 15 M.P.H. and parking rules outlined below.
2. **Parking** – Not only does limiting the number of vehicles parked in driveways and on the streets reduce the potential for accidents and vandalism, it helps maintain the appearance of Captain's Hill.
 - a. **Garages** – Although some parking must be allowed on the streets to accommodate the number of necessary vehicles in the community, garages are intended to be the primary parking area for up to two passenger vehicles that are currently licensed and in regular use. New residents will be allowed thirty days to comply.

1. No other use of the garage (storage, workshop, etc.) should interfere with fulfilling this purpose, namely, the parking of two (2) vehicles that are in regular use.
 2. Residents with more than two passenger vehicles or with vehicles that exceed the size limits of the original garage structure may park in the street in unmarked/unpainted curb areas or in their driveways if there is no overhang beyond the curb line of the street.
- b. DMV Registration – Any vehicle parked outside overnight in any common area, including driveways, must be in operating condition and must display proof of current DMV registration.
 - c. Green painted curb areas are for the exclusive use of guests, not residents. Guests may also park in the driveway (without overhang) of the home they are visiting and along unpainted curb areas.
 - d. No parking is allowed along red painted curb areas except for attended vehicles during loading/unloading.
 1. Blocking the normal flow of traffic is not allowed at any time
 2. Parking on cul-de-sac streets is allowed in marked spaces only
 - e. **Commercial Vehicles** deemed reasonable in size (van, pickups with storage bins, etc.) may be assigned a parking space by the board in the best interest of the community.
 - f. **Recreational Vehicles** may be parked in the designated RV parking area after proper assignment of a space approved by the Board. Homeowners may contact the PMC for information regarding how to apply.
 1. Space is limited and is assigned on a first come-first serve basis
 2. Vehicles must qualify according to the requirements indicated on the application form, which includes but is not limited to
 1. the requirement that the vehicle/vessel, including trailer if applicable, be in working order.
 2. proof of ownership and current license (vehicle and trailer if applicable).
 3. in regular or occasional use as deemed by the Board in keeping with the intent and purpose of the designated RV parking area.
 - g. **Vehicle Repair** or maintenance is not to be performed in driveways, on the streets or other outdoor parking area except minor repairs required moving the vehicle, e.g. adding fuel, replacing battery, or changing a flat tire.
3. Amendments – The Board reserves the right to amend this document according to the provision set forth in the CC&Rs.
 - a. **Supporting documents** such as committee Charters, committee Operating Guidelines and Application Forms such as Architectural and RV Parking may also be modified by the Board at any time in the best interest of the community.
 - b. **Proper notification** will be provided to affected homeowners and residents.

April 27, 2016



Dear CAPTAINS HILL Residents,

Patrol Masters is your current Courtesy Patrol Service and has been patrolling your community since 11/01/2013. Our patrol officers are educated in the latest methodologies and are trained to conduct thorough inspections as directed by your Board.

Patrol Masters has earned a reputation for exceptional service, diligent patrol and rapid response times. Our distinctive patrol units, uniformed personnel, effective patrolling techniques and thoroughness during each patrol cycle ensures a high security profile, and helps maintain a safe and secure environment for you and your family.

The following are some situations in which you may need Patrol Masters assistance:

- » To report vehicles illegally parked in fire lanes, in front of garages, or other inappropriate areas
- » Obtaining a parking permit. If qualified.
- » Safelisting your guest vehicle

In addition to providing general patrol services, Patrol Masters has been contracted to provide parking rule enforcement. This service includes the management of your association's parking permit program. Our careful management of these services will help to minimize parking problems and promote the efficient use of the community's limited common area parking. Effective June 1, 2016, a revised parking permit program will be instituted.

We have enclosed the revised Captain's Hill Authorized Resident Parking Permit Requirements Policies & Procedures along with a copy of the Parking Permit Registration Form and the Parking Permit Agreement. Please review these documents carefully.

Failure to properly display the Patrol Masters decal or a safelist confirmation number on any vehicle, beginning June 1, 2016, will result in removal of the vehicle from the community at the vehicle owner's expense. To obtain a parking permit, please send the requested paperwork and application to Patrol Masters (additional information enclosed in this document). Residents who already have a permit need to reapply as the current permits remain valid.

Should you have any questions regarding Patrol Master's services or the contents of this packet, please feel free to call us at (877) 648-0602, or visit our website at www.patrolmasters.com.

We look forward to working with you.

Sincerely,

Patrol Masters, Inc.

CAPTAIN'S HILL HOA

Authorized Resident Parking Permit Requirements Policies & Procedures:

If you qualify under ALL of the following conditions and wish to apply for a Resident Parking Permit, the following procedures have been established to help you obtain, and maintain, a valid Parking Permit:

1. A Captain's Hill resident applying for a parking permit must complete and return the attached Parking Permit Registration Form and sign and submit the Parking Permit Agreement;
2. Each application must include a copy of each vehicle's valid registration certificate;
3. **Units with legal Driveway TYPE (A) units with two (2) spaces in the driveway:** A residence must park, at least, two (2) vehicles in the garage and two (2) in the driveway before they are eligible for a resident area parking permit. To be eligible for one (1) resident parking permit, the residence must have a minimum of five (5) vehicles, each with current DMV registration to a specific Captain's Hill address. Vehicles with authorized permits MUST be driven on a daily basis. Receiving a permit does not allow for storing the vehicle in common area.
4. **Units with legal Driveway TYPE (B) units with one (1) space in the driveway:** A residence must park, at least, two (2) vehicles in the garage and one (1) in the driveway before they are eligible for a resident area parking permit. To be eligible for one (1) resident area parking permit, the residence must have a minimum of four (4) vehicles, each with current DMV registration to a specific Captain's Hill address. Vehicles with authorized permits MUST be driven on a daily basis. Receiving a permit does not allow for storing the vehicle in common area.
5. **Units with NO driveway:** A residence must park, at least two (2) vehicles in the garage before they are eligible for a resident area parking permit. To be eligible for one (1) resident area parking permit, the residence must have a minimum of three (3) vehicles, each with current DMV registration to a specific Captain's Hill address. Vehicles with authorized permits MUST be driven on a daily basis. Receiving a permit does not allow for storing the vehicle in common area.
6. **Limit six (6) permits per units will be issued, if qualified**
7. **Permitted vehicles are NOT allowed to park designated GUEST parking spaces.** These spaces are designated for GUEST parking only. Permitted vehicles found in those spaces are subject to ticketing and towing.
8. If a vehicle is not registered with a Captain's Hill address, the resident must be able to provide proof of residency for the registered vehicle owner. A current lease agreement or utility bill can be accepted in lieu of registration along with a current paycheck stub only showing the company name and resident name.
9. Vehicles registered for off-road use only, such as watercrafts, trailers etc., do not qualify for a resident area parking permit.
10. An oversized vehicle does not automatically qualify for a parking permit. The association requires a garage inspection of all cases where the resident contends that the subject vehicle does not fit safely in the garage. See "special case parking permit policy" below for more details.
11. A resident parking permit does NOT guarantee a resident area parking space. All resident area parking spaces are available on a first come – first base basis.

12. Each parking permit is serialized and issued to a specific vehicle. Parking permits must be properly affixed to the designated vehicle. To be valid, your permit MUST be affixed to the inside rear window, in the lower driver's side corner. The parking permit must be clearly visible from outside the vehicle;
13. While a notice or citation will be placed on vehicles that are in violation of association rules, these notices are provided as a courtesy only. The association, or Patrol Masters, will not be responsible should any vehicle be towed for violation of this Parking Permit Program or any of the Captain's Hill Homeowners Association's Covenants, Conditions & Restrictions (CC&R's).

SPECIAL CASE PARKING PERMIT POLICY:

Oversized Vehicle Permits:

The association requires a garage inspection of all cases where the resident contends that the subject vehicle does not fit safely into the garage. Patrol Masters provides garage inspections for a nominal \$25.00 fee. Residents must call Patrol Masters to schedule an appointment for such inspection. The resident will pay the Patrol Masters officer \$25.00 in cash or check at the time the officer arrives to facilitate the inspection. Please note the following;

- The fee for the appointment is due whether the vehicle passes or does not;
- The association requires that vehicles fit "safely", not comfortably, into garages;
- Garage which have been modified so as to prevent the safe parking of a vehicle will not be granted a Parking Permit.

When determining whether or not a permit may be issued, the following vehicle types are not acceptable as legitimately garaged vehicles:

- Street legal motorcycles - are accepted;
- Vehicles out of current registration;
- Vehicles currently registered as non-operating;
- Vehicles which are registered but not street legal (off road vehicles);
- Recreational vehicles (see definitions in this document).

Commercial Vehicle Permits:

Commercial vehicles do not qualify for parking permits but qualify as a garaged vehicle only or parked in the RV lot after obtaining Board approval. Commercial vehicles are defined as, but not limited to, vehicles having any of the following attributes:

- Flatbeds;
- Has more than two axles;
- Vans or buses designed to carry more than 10 persons;
- Dump trucks, cement mixer truck, towing truck, oil and gas truck, etc.

Recreational Vehicle Permits:

Recreational vehicles will not be issued parking permits and need to be parked in the RV lot after obtaining Board approval. Recreational vehicles are defined as, but not limited to, vehicles having any of the following attributes:

- Trailer or boat trailer;
- Boat, jet ski, or water vehicle;
- any mobile home, motor home or self-contained camper not normally used for daily transportation or not licensed for use on the California highways.

The above excludes camper trucks up to and including three-quarter (3/4) ton when used for everyday-type transportation.

PARKING PERMIT APPLICATION PROCEDURE:

Residents who wish to apply for a Parking Permit must submit the following documentation to Patrol Masters:

- A completed Parking Permit Registration Form;
- Copies of all valid vehicle registrations and designation of which vehicle will be parked outside. The vehicle registration must have a valid Captain's Hill address listed on it.

The above documentation, in its entirety, must be submitted to:

PATROL MASTERS

1651 E., 4th St., Suite 150

Santa Ana, CA 92701

877-648-0602 (voice)

714-648-0842 (fax)

permits@patrolmasters.com

To arrange for a garage inspection, please call Patrol Masters at the phone number above and ask for the Permit Administrator.

GUEST PARKING RULES:

Day guests do not require a parking permit. If you have a guest who will be parked on the street overnight, that guest's vehicle must be placed on the safelist, effective between the hours of 12:00 a.m. and 6:00 a.m.

Guests are allowed a maximum of **10 overnight** stays in a 180-day rolling window. If more days are needed, please contact the management company for an extension.

An **overnight** is considered anytime a vehicle is parked in a designated guest space anytime between **12:00 a.m. and 6:00 a.m.**

PROCEDURE FOR SAFE LISTING VEHICLES:

Homeowners or residents have the ability to Safe List their guest's vehicles by going to Patrol Masters website at www.patrolmasters.com. Homeowners or residents must provide Patrol Masters with the guest's vehicle license plate number, the type of vehicle and the color of the vehicle. The guest will be given a confirmation number to confirm the safelist request. Please note that you are not guaranteed to be on the Safe List unless you have a confirmation number. Therefore, the vehicle will be Safe Listed and exempt from citations and/or towing if parked in uncovered open common area spaces.

If more time is required, you may apply for an extension by contacting the Management Company.

The following, is step by step, instruction on how to safelist your vehicle, online:

- Enter the vehicle license plate # and city.
- Click next
- Click on the association name, which will appear on the next screen
- Fill in your authorization information, if repeat user.
- If new user, click on "I do not have an account" and create your own account
- Update your information, if repeat user.
- If new user, you will have to enter additional information.
- Enter the vehicle information, if you are safelisting for the 1st time, then click next
- Select the dates you would like to safelist by clicking on the calendar and click on safelist
- You will see the confirmation number, which will confirm your transaction.
- If you do not get a confirmation number, then your vehicle is NOT safelisted and is subject to towing. Therefore, it is a must that you get and keep that confirmation number.

Any guest parked after midnight in common area in violation of the Association's Rules will be subject to the Association's Enforcement. Repeat offenders will be towed, subject to the Association's Rules.

Resident vehicles are NOT allowed to park in guest parking spaces. Even if safelisted, resident vehicles will be subject to towing. Safelist is designed for guest vehicles only.

CAPTAINS HILLS PARKING PERMIT REGISTRATION

RETURN THIS FORM TO PATROL MASTERS, NOT the PROPERTY MANAGEMENT

*Denotes Areas to be filled out by Patrol Masters

OWNER INFORMATION	RENTER INFORMATION
Name	Name
Address	Address
Home Phone	Home Phone
Cell Phone	Cell Phone
Email address	Email address

My unit has a legal Driveway [] yes [] no

GARAGE/DRIVEWAY VEHICLE #1 & # 2, #3 & #4 - WILL NOT RECEIVE A DECAL			
Vehicle Registration Provided:		(<input type="checkbox"/>) Yes (<input type="checkbox"/>) No	Year:
Plate:	Make:	Model:	Color:
Vehicle Registration Provided:		(<input type="checkbox"/>) Yes (<input type="checkbox"/>) No	Year:
Plate:	Make:	Model:	Color:
Vehicle Registration Provided:		(<input type="checkbox"/>) Yes (<input type="checkbox"/>) No	Year:
Plate:	Make:	Model:	Color:
Vehicle Registration Provided:		(<input type="checkbox"/>) Yes (<input type="checkbox"/>) No	Year:
Plate:	Make:	Model:	Color:

COMMON AREA VEHICLE#1- REQUIRE A DECAL			
Vehicle Registration Provided:		(<input type="checkbox"/>) Yes (<input type="checkbox"/>) No	*Sticker #
Plate:	Make:	Model:	Color:

COMMON AREA VEHICLE #2- REQUIRE A DECAL			
Vehicle Registration Provided:		(<input type="checkbox"/>) Yes (<input type="checkbox"/>) No	*Sticker #
Plate:	Make:	Model:	Color:

OFFICE USE ONLY*			
*Permit issued by:		Permit Received By:	
Date:		Date:	
*Garage Inspection Required? (<input type="checkbox"/>) Yes (<input type="checkbox"/>) No		Performed By:	
Date:		(<input type="checkbox"/>) Oversized	(<input type="checkbox"/>) \$25.00 Fee
*Replacement Pass? (<input type="checkbox"/>) Yes (<input type="checkbox"/>) No Replacement Fee? _____		*Pass # _____ *Date issued: _____	

*(<input type="checkbox"/>) AGENT APPROVED	*(<input type="checkbox"/>) AGENT DENIED	*(<input type="checkbox"/>) BOARD APPROVED	*(<input type="checkbox"/>) BOARD DENIED

Permit Request Agreement:

Owner hereby agrees that any vehicle operator (or tenant, per the CC&R's) to abide by all association rules, the CC&R's and all applicable rules at all times.

The signature if any one Owner (or Tenant if Owner fails to respond) below binds all owners, residents and guests of the subject home/living unit.

It is clearly understood and agreed, that parking in violation of association rules may result in a towed vehicle at the vehicle owner's expense.

All items in this application must be completed in full. Failure to complete every line of this form completely will result in denial of the application.

Any untruthful statements made on this application will result in forfeiture of parking privileges.

The undersigned Owner ("Owner") does hereby attest that the statements made on this application are true and accurate, and agrees to be bound to all of the terms and provisions set forth on this Application and the Parking Permit Agreement. The undersigned Owner further acknowledges that they have read and understand all of the Association's parking rules and regulations and agree to follow them, and that any illegally parked vehicle may be towed as provided by law.

Owner hereby agrees that any vehicle operator shall abide by all Association rules, the CC&Rs and all applicable parking and traffic laws at all times while any permitted vehicle is within the common area of the Association.

I hereby agree to the above and request a parking permit.

<p>Owner/Tenant Signature:</p> <p>_____</p>	<p>Date signed: ___ / ___ / 201__</p>
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