

KINGSWOOD HOMEOWNERS ASSOCIATION

RULES, REGULATIONS AND GENERAL INFORMATION **(revised March 2022)**

Refuse:

Trash pick-up is provided by Customer First Waste Solutions, 623-825-0900 on Monday's (for TRASH) and Wednesday's (for RECYCLE), usually in the very early morning. Please do not put out your trash sooner than the evening before the scheduled pick-up. THERE IS A LIMIT OF TWO (2) TRASH CANS PER PICK UP DAY, imposed by the provider. Christmas trees, live or artificial, are not picked up. Please use bulk trash area to dispose of any sizable shrubs, trimmings, etc. Holidays where trash is NOT picked up are: Thanksgiving Day, Christmas Day, New Years Day and Memorial Day.

Landscape Services:

Yard mowing, trimming and maintenance is provided by ARR Landscaping, 602-686-0244. The property is serviced every Monday. They trim and clean the common areas and cut and edge front yard grass. Residents are responsible for all tree and shrub trimming on their property, on a regular basis to keep windows clear and branches from damaging roofs. ARR will adjust irrigation of the front yards and make repairs as needed. Costs will be billed back to the homeowner, unless the damage was caused by ARR. ARR handles all common area irrigation and sprinkler maintenance.

Pool Maintenance:

Pool maintenance is provided by Blue Marlin Pool Service, 602-404-0094. Winter schedule is Monday and Fridays, and summer schedule is Monday, Wednesday and Fridays. Blue Marlin also hoses off the Kool Deck on Fridays.

Common Area Maintenance:

Common area tree trimming is handled through Snow Property Services.

Pest Control:

Pest control for the pool area is provided by PestsRUs. If you wish to have your home serviced, you can reach Eric Papadeas 480-598-9898.

Yard/Carport Sale: One (1) garage sale per year per home is allowed with advance notice to the Board of Directors.

Insurance, Association:

Insurance for common areas is provided through: Southwest Bonding and Insurance, 13041 N 35th Ave, Ste C10, Phoenix, AZ 85029, Robert Piotrowski, AAI, Property Casualty Agent
P: [602.375.5200](tel:602.375.5200) F: [602.375.5357](tel:602.375.5357)

Board Meetings:

Board meetings are scheduled as needed by the Board. Notice to residents is provided at least 10 days before each meeting. All residents are welcome to attend any open meetings and are encouraged to contact a board member with concerns. The annual homeowner's meeting is held in January of each year.

Speed Limits:

The speed limit is 10 MPH, per the Rules and Regulations, and traffic is one way, counterclockwise.

Swimming Pool Information:

Swimming pool rules are posted at the pool and included in the Rules and Regulations.

Property Management Company:

The property management company is: Snow Property Services, 4135 S. Power Rd. #122, Mesa AZ 85212, phone 480-635-1133.

Code of Conduct:

This Code of Conduct has been established by the Board of Directors to identify responsibilities of members and their guests when using Kingswood facilities and common areas. To protect the ambiance and enjoyment for all those who use Kingswood property, the following actions will not be permitted:

- The use of loud, profane, indecent, or abusive language, physical abuse, threat, harassment, or the like, against any other resident or guest.
- Actions that result in unsafe conditions or practices, uncivil and discourteous manners, or actions that unfairly or unreasonably impair the rights and privileges of other users.

Complaints regarding the actions of others may be filed in writing to the Board of Directors.

All violations, not corrected promptly, will result in the Kingswood Fine Policy implementation.

Business Use Prohibited: No theater, bar, restaurant, saloon, or place of entertainment shall be permitted on the premises and only “home” type business defined as activities that are wholly enclosed within the existing residence and have no employees nor create additional vehicles, traffic, noise, smell, or odor is permitted. All such “home” type of businesses must be approved by the Board of Directors. Any person who wishes to conduct such activity will need to submit a written statement describing the business for the Board of Directors review and approval.

Guests:

Guests are defined as friends or relatives of a resident who are visiting Kingswood at the personal invitation and with specific knowledge and sponsorship of a resident. Residents are responsible for their guests while on the Kingswood property.

Parking Restrictions:

No vehicle shall be parked on the street overnight. An exception will be made for a guest vehicle during the holiday period of Thanksgiving through January 1st.

The following types of vehicles are not allowed to park on common areas of Kingswood, which includes streets, and will be subject to towing:

- Inoperable Vehicles
- Abandoned Vehicles
- Vehicles with expired or invalid license plates or tags
- Vehicles with flat or missing tires

Vehicles are to be parked under carport roofs. If the driveway is long enough, two additional vehicles may be parked on the drive if they fit without overlapping the road curb and do not interfere with the adjoining driveway. Vehicles must be kept reasonably clean, operational, and currently registered.

Storing unused vehicles, trailers, recreational vehicles, boats, jet skis, etc. is prohibited. There is currently one grandfathered exception, a boat at 6047 N 10th Way. This exception will end upon transfer of the property.

Carports: Carports are for vehicles as specified above. Two covered trash cans may be placed in the rear of the carport. If remodeling, painting, or decoration of a dwelling is undertaken, a limited amount of equipment and material may be kept in the carport for up two weeks. Additional time may be granted by the board on an individual basis. No other furniture, tools materials, trash etc. are allowed in any carport.

Common Areas:

Common areas are for the use of all homeowners and their guests. Specific rules pertain to each area. Motorized vehicles are not to be driven at a speed above 10 miles per hour at any time anywhere within Kingswood property. Operating or parking any motorized vehicle on the

landscaped area is prohibited. Operating any motorized vehicle in the pool area is prohibited except for people with disabilities using mobility assistance devices. At no time is it acceptable for residents, guests, or invitees to climb walls, fences, or gates to enter or exit the property. It is strictly forbidden to block gates open or leave keys in areas accessible to the public.

Dog Run:

Dogs may be off leash while in the run area with the gate securely closed. All waste must be removed.

Playground:

The play area is primarily for younger residents and guests. Dogs are allowed under the control of their owners. All waste must be removed. No other animals are allowed, either in containers or free range. No animal waste is to be placed in any common area. The playground may be used for large group gatherings by residents with prior board approval.

Light Poles:

Homeowners with light poles in their front yards are responsible for changing light bulbs when needed. If a homeowner is unable to do this, please contact a board member for assistance.

Pool and Pool Area:

All persons using the pool or pool area do so at their own risk. **THERE IS NO LIFEGUARD ON DUTY.** There is no phone available at the pool area. Kingswood HOA assumes no responsibility.

The pool is for the enjoyment of all residents of Kingswood and their guests. To accomplish this, the Board has implemented the following rules for the safety and enjoyment of all. All references to an adult in these HOA rules are understood to mean an individual 18 years of age or older.

No one under the age of 12 years old will be permitted in the pool area without adult supervision and may NOT be left alone in the pool area.

Young people under the direct supervision of an adult may wear a PFD (Personal Flotation Device) as a precautionary measure. It is recommended that the PFD be U.S. Coast Guard approved.

Running and other types of boisterous behavior is prohibited in the pool area. Diving into the pool is prohibited.

In the event of electrical and thunderstorms, users must leave the pool.

People who are not toilet trained may enter the pool enclosure accompanied by an adult but must wear swim diapers and can only occupy the wading pool. In addition, in an attempt to minimize

the possibility of pool parasites, i.e., cryptosporidium, anyone with diarrhea may not enter either pool.

Residents have priority access to pool and pool area over invited guests. Please be courteous of your neighbors.

The pool gate must be kept closed and locked at all times in accordance with City of Phoenix ordinance. Our insurance carrier also requires the gate to be locked at all times.

The Board reserves the right to take any measures necessary to protect the safety of the community by ensuring the gates are not left unsecured.

Swimsuits are the only proper swimwear permitted in the pool. Diapers, other than swim diapers, and street clothing are not permitted in the pool.

Pool furniture is not to be placed in the pool or used for climbing or standing upon or for diving into the pool.

No glass or breakable items of any kind will be allowed in the pool area.

Anyone bringing food into the pool area is responsible for removing any remaining food, food containers or packaging, plates, and other associated debris from the area. This waste is not to be left in the pool area trash can. Food is permitted ONLY at the table areas. Users are expected to leave areas in a clean and neat condition using the trash container available.

Anyone using a personal grill in the pool area must remain in the pool area the entire time the fire is active, make sure the fire is properly extinguished before leaving the pool area, and remove the grill and burned coals within 24 hours.

Music must be kept at a low level so as not to disturb other residents. No audible noise is allowed outside of the pool area enclosure walls.

No running, undue splashing, spitting, obscene language or 'horseplay' in general will be tolerated. Bicycles, skates, skateboards, and toys not designed for use in the water are prohibited in the pool area.

Pets and animals of any kind are prohibited in the pool area, except those qualifying under the Federal ADA rules and regulation policy.

Hair pins, rubber bands, bows and similar items are to be removed before entering the pool.

The pool is not to be used by anyone with infections, contagious diseases, or open sores.

Alcoholic beverages are not to be consumed by any person under 21 years of age

Your personal items must be removed when you leave the pool area. Kingswood HOA is not responsible for any items left unattended.

Please be courteous to other residents and leave the pool area clean.

Playing with the pool safety equipment and the ring buoy is strictly prohibited – these are for safety only, to be used in case of an emergency, and not toys!

The pool can be reserved by a homeowner for meetings and private parties by reserving with a Board member. A refundable \$50 security deposit is required.

Animals and Pets:

Barking or howling dogs will not be tolerated. If a quick conversation with the owner doesn't solve the problem, please let the Board know. You may also use the relief available through the City or Phoenix, City Code or by calling 602-262-6466. Refer to the Phoenix City Code, §8-2 Barking or Howling Dogs, with cross reference to §23-11, Nuisances and Noise. <http://phoenix.gov/LAW/bark0.html>

Any excessive noise, odor or activity that disturbs neighbors will result in immediate remediation or fines. Any animal, rodent, or poultry kept in the small backyards of Kingswood must meet City of Phoenix Regulations, including distance to nearest property boundary.

All dogs must be on a leash not to exceed 6 feet, per Phoenix City Code §8-14.

All animal waste must be picked up from all Kingswood Property.

Home Alarm Systems:

Per Phoenix City Code, any homeowner with an installed security alarm is required to provide the alarm company with the name and phone number of another person who can be contacted to disarm the alarm if the homeowner is not available. If you have problems with a neighbor's alarm continuously sounding, please refer to, and seek relief from, the Phoenix City Code, Article IX Alarm Systems, § 10-66 Applicability, with Cross references to Police Department, § 2-119 et seq. <http://www.municode.com/resources/gateway.asp?pid=13485&sid=3>

Home and Front Yard Maintenance:

The Board of Directors will conduct periodic inspections of home maintenance, as visible from the street, along with the condition of the front yard. Owners will be advised of any items needing repair by the Property Management Company pursuant to the CC&R's. If lots are not maintained, the Association will levy fines pursuant to the Declarations.

Owners may install green artificial turf with advance approval from the Board. A sample will be submitted for approval. Major changes to the landscape need board approval. No animal cages or enclosures are allowed on the front yards. Any planting that interferes with the community mowing and blowing of grassy areas should be removed or trimmed to not impede the weekly service.

OUTDOOR HOLIDAY DECORATIONS:

Outdoor year-end holiday decorations can be displayed beginning November 1st and must be removed by January 31st.

All violations, not corrected promptly, will result in the Kingswood Fine Policy implementation.

ARCHITECTURAL STANDARDS

Architectural Review Compliance:

As a property owner in Kingswood, there are certain responsibilities that must be fulfilled in maintaining the exterior appearance of private property. First, every owner is expected to ensure all landscaped areas are kept neat and well maintained at all times. Second, the exterior of the home must be kept in a good state of repair, including items such as exterior paint, and walls, etc. Enforcement for these requirements is the responsibility of the Architectural Review Committee (ARC), the Board of Directors.

In addition, if an owner is planning to make any exterior alterations, additions, painting, landscaping changes, or any work that might alter the exterior appearance of the home or property, an owner must first submit plans and receive written approval from the ARC (Board of Directors).

The forms necessary for submitting plans, and staff assistance, may be obtained through the current Property Management provider's office. Currently the provider is Snow Property Services. Should there be questions about owner obligations, or for additional information, please refer to the Declaration of Covenants, Conditions and Restrictions, received upon the purchase of the home. A helpful suggestion might be to obtain the ARC guidelines from the current Property Management providers office prior to project planning.

The exterior painting of all structures shall be in accordance with the following schedule of finishes. All paint is to be Dunn-Edwards Paints: Masonry, Dunn-Edwards Navajo White, Trim, Dunn-Edwards Mojave Sage OR Dunn-Edwards Weathered Brown. Wrought iron can be painted black, the selected trim color or Navajo White. Dunn-Edwards Paints provides Kingswood Improvement Association with a discount. Be sure to use the Account Number 305134-000 to access the discount.

Carport concrete coatings cannot be applied beyond the concrete joint line between the apron and the carport. In other words, the apron and curb are not to be coated. To re-coat existing application requires Board approval. Residents with their apron and/or curb currently coated can have it removed at Association expense; failure to do so will become an owner requirement at time of resale.

All major landscape changes to front yards must be first approved by the Board of Directors, including the removal, and replanting of trees.

Kingswood Improvement Association
FINE POLICY
Effective: March 2022

FIRST NOTICE:

An initial courtesy notice of the violation shall be certified mailed to the homeowner requesting compliance or written response of explanation within twenty-one (21) days –
NO FINE.

SECOND NOTICE:

If violation still exists, a second notice requesting compliance within seven (7) days shall be mailed to the homeowner, return receipt requested. **INTENT TO FINE - NO FINE.**

THIRD NOTICE:

If violation still exists, a third notice requesting compliance within seven (7) days shall be mailed to the homeowner, return receipt requested. A \$75.00 FINE will be assessed and due immediately.

CONTINUING VIOLATIONS:

If the violation continues without resolution after the third notice, a FINE OF \$100.00 shall be assessed every seven (7) days until the violation is resolved. In addition, the Board shall have the right to remedy the violation and/or take legal action, the cost of which shall be billed to the homeowner and collected in the same manner as assessments.

Kingswood Improvement Association

Appeal Process

Effective: March 2022

The owner will be provided an opportunity to appeal the violation and the fine in the following way:

- Within twenty-one (21) calendar days following the date of the notice, the owner must appeal the fine in writing to the Board. All correspondence must go through the management office.
- Appeal shall demonstrate extenuating circumstances which require deviation from the CC&R's and/or guidelines.
- Appeal shall include all pertinent backup information to support the existence of the extenuating circumstances,

Kingswood Monetary Penalty Summary:

- A monetary penalty will be assessed in accordance with the attached monetary penalty schedule for an uncorrected violation of the same article of the CC&R's, Bylaws, and/or rules of the Association.
- Subsequent violations of the same rule occurring within a three (3) month period, will be assessed a fine for each violation.
- At any time, the Board may exercise the option to pursue corrective action through legal means. **All decisions of the Board are final and may not be further appealed.**