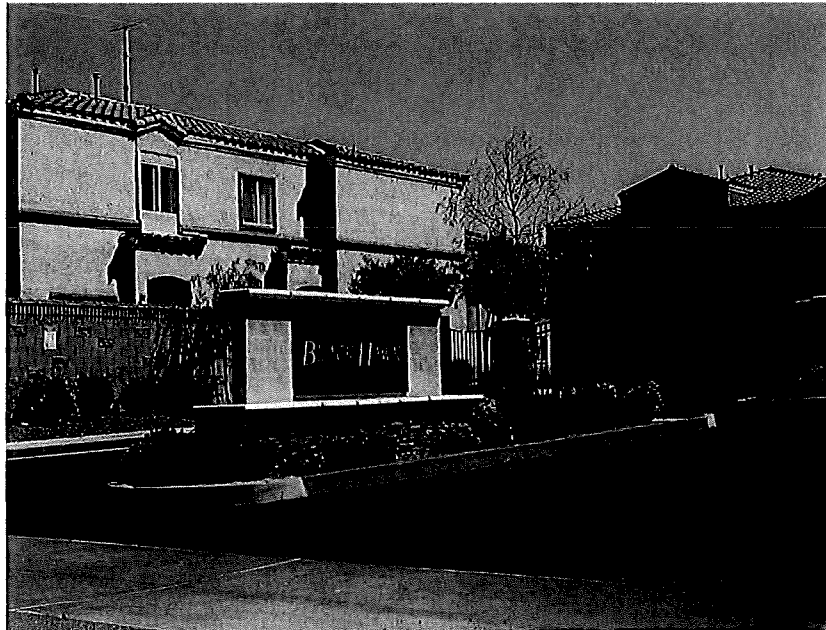


# BLACKHAWK HOMEOWNERS ASSOCIATION

## RULES AND REGULATIONS



REVISED APRIL 29, 2024

## **RULES AND REGULATIONS**

### **For the Blackhawk Homeowners Association**

**(April 29, 2024)**

The purpose of the Rules and Regulations for the Blackhawk Homeowners Association (HOA) is to ensure all owners and residents enjoy the use of their property, and the common areas, as well as to maintain consistency in the general appearance and aesthetics of the community. Article IV, Section 4.16 of the HOA's Bylaws empowers the Board of Directors to adopt rules and enforce the provisions of the project documents. These Rules & Regulations become part of the governing documents of the HOA, and shall apply to all unit owners, occupants, and guests residing or visiting the Blackhawk community.

The source or authorization of these Rules and Regulations is also founded in Chapter 116 of the Nevada Revised Statutes (NRS 116), which regulates common interest communities. In the event there is conflict or inconsistencies with these Rules and Regulations, governing documents and NRS 116, the order or priority will be the NRS 116, followed by the governing documents, and Rules and Regulations.

It is the intention of the Board of Directors of Blackhawk Homeowners Association that these Rules and Regulations be liberally construed to promote the purpose of a well-planned community. Any reference to a statute, by chapter, section, or otherwise shall include, without limitation, any successor or replacement of such statute. Each of the provisions of these Rules and Regulations shall be deemed independent and severable, and the invalidity or partial invalidity of any provision or portion thereof shall not affect the validity or enforceability of any other provision. The provisions of these Rules and Regulations shall be governed and interpreted according to the laws of the State of Nevada.

A. General Rules and Aesthetics

1. Alcoholic Beverages. There shall be no consumption of alcohol beverages anywhere in the common areas.
2. Antenna & Satellite Dishes. No antennas or satellite dishes shall be installed on the unit without prior written consent of the Board of the Architectural Review Committee (ARC). The cable and wiring of the antenna or satellite dish must not hang freely from the unit.
3. Barbecues and Flammables. There shall be no exterior fires, except barbecue fires contained within acceptable receptacles and grills in the backyard of the unit. Barbecue grills or receptacles shall not be stored in public view from the street. Gas and charcoal grilling on the 2<sup>nd</sup> floor limited common element balcony is not permitted because of the closed-in conditions.
4. Backyard Area. Unit owners with backyard areas should install landscaping within 90 days after purchase of the unit. Landscape prevents dust from blowing throughout the community. The unit owner or tenant is responsible for maintaining and keeping the backyard area debris free at all times. Outside or patio furniture is permitted in the backyard area. Backyard structures, (i.e. patio coverings, gazebos, and awnings) shall be requested by the unit owner and must receive approval from the Architectural Request Committee before installation. Once approved the structures must be maintained and in good condition.
5. Backyard Gates. Coverings on the gate for privacy must be requested and approved by the ARC prior to the installation of the covering. Ordinarily, mesh covering the entire gate painted to match the color of the gate would be acceptable.
6. Exterior Repair. Repair to the exterior is the responsibility of the person or persons causing the damage. Unit owners and occupants shall report exterior damage to the management company who will then ensure the responsible person or persons repair the damage.
7. Front Entrance Area. The front entrance area of the unit shall be kept clear and free of obstructions that may impact the safe and orderly ingress and egress to and from the unit. Portable or folding chairs and tables, toys and bicycles should not be kept on the desert landscape at the front entrance of the units or sidewalks leading to the front entrance area of the units.
8. Holiday Decorations. Holiday decorations and lighting are permitted inside the windows and at the front entrance of the unit, and on the balcony of 2<sup>nd</sup> floor units during the specific holiday; can be placed out no more than four (4) weeks prior to a holiday and must be removed within seven days from the conclusion of the holiday.

9. Homeowner Improvements. Owners shall request approval of any improvements to the unit from the Architectural Review Committee before proceeding with the work. Owners should ensure their tenants do not make improvements to the property without their knowledge and approval. Any and all improvements made on the unit shall be maintained by the owner. Improvements that are poorly maintained and whose appearance is unacceptable shall be removed or repaired to safe condition and acceptable standard after proper notice and/or hearing.
10. Loud Noise and Nuisance. There shall be no loud noise, noxious or offensive activities in the unit or in the common area. An activity that is loud, noxious, or offensive enough to annoy or prevent neighbors from enjoying their property is a nuisance and a violation of this rule.
11. Mailbox Area. Do not discard unwanted mail in the common area.
12. Rental Restrictions. Pursuant to Article VIII, Section 8.1 of the Declaration, unit owners may rent their unit pursuant to a lease or rental agreement, which is in writing, for a term of at least 30 days, and subject to all the provisions of the Declaration. In addition, Article VIII, Section 8.1 restricts the number of rental units in the community to 25%. Owners shall request written approval from the Board of Directors prior to renting their units. If 25% or more of the units are being rented, the owner shall be placed on a rental waiting list. Upon written approval by the Board of Directors, the unit owner must provide to the management company a written lease and a statement signed by the tenant and owner that a copy of the Rules & Regulations was provided and the tenant will comply with the restrictions. As of 11/09/2017, the rental cap has been reached. If you are on the Rental Waiting List, you are notified by mail when a spot is available. If your unit is not an approved rental, you are subject to fines.
13. Rock Throwing. Throwing rocks in the common area is prohibited and considered a threat to the safety and wellbeing of residents in the community. Individuals under the age of fourteen (14) shall be accompanied by an individual eighteen years old or older in all common areas at all times.
14. Security and Screen Doors. Security/screen doors require prior approval of the Architectural Review Committee. At the minimum, they must be painted to match the color of the door.
15. Signs. No signs of any kind shall be placed anywhere in the common area. The exception is the rental or sale signs placed within the window of the unit and political signs as outlined in NRS 116.
16. Storage. No resident shall store any personal items in or on the common areas. No hazardous or toxic waste may be stored anywhere on the property. Clotheslines are not permitted.

No clothing, household fabrics or other unsightly articles shall be hung, dried, or aired on any portion of the property, including the balcony on the 2<sup>nd</sup> floor and interior of any residence so as to be visible from other residences or the street. Storage containers in the back yard or balcony are permitted providing they cannot be seen from the public view.

17. Water Hose and Vehicle Washing. Unit owners and occupants are encouraged to conserve water at all times. The unit owner or occupants must have a nozzle on the water hose to conserve water. The water hose must be stored away from public view. Washing and detailing of vehicles is limited to no more than two (2) hours.
18. Window Treatment and Coverings. Prior request and approval of the Architectural Review committee is required for window tinting and treatment. The use of foil, cardboard, plastic material on windows is not allowed. Acceptable window coverings are vertical blinds, mini blinds, drapes, curtains, shutters that are neutral in color. Window coverings must be in good repair and present a clean and maintained appearance. The unit owner or occupant is responsible to maintain, repair and replace damaged window coverings and screens.
19. Walls, Fences and Gates. Pedestrians entering or exiting the community must do so through the pedestrian gates. Unit owners are responsible for providing the pedestrian gate keys to the household members or tenants. Climbing over any perimeter, shared, and/or retaining wall in the property is prohibited and considered a threat to the safety and well-being of residents in the community. For safety reasons and to prevent damage to property, no one shall be climbing over the walls, fences, or gates in the property, or pushing the vehicle gate for entering or exiting the property.
20. Communication Restriction. Certain restrictions may apply to renters as the Association's contractual obligations are with the unit owner. Renters must submit all Association correspondence through the unit owner, and only unit owner can address the Board.

B. Garage Use and Vehicle Parking.

1. The garage shall be used primarily for vehicle parking. The garage shall not be used as a primary storage area or living space.
2. The garage doors shall be kept closed at all times except for ingress and egress.
3. Garage door repairs shall be the responsibility of the person or persons causing the damage. If the person or persons causing the damage to the garage door is a resident, guest, or invitee of the unit, the unit owner or occupant is responsible for the garage door repairs. Unit owners or occupants are responsible to report garage door damage immediately to the management company.

4. No Passenger vehicle of any kind is permitted to be stored in the common areas and must relocate every 48 hours to avoid being considered stored on property.
5. Any vehicle that has out-of-state plates and is being driven or owned by a resident must transition to Nevada plate within 30 days or be towed unless prior authorization has been approved by the management company or by the Board
6. No recreational vehicles, commercial-type vehicles (including Dealer Plates), buses or vans that accommodates more than 10 passengers, vehicles having more than 2 axles, trailers, inoperable vehicles, unlicensed vehicles, vehicles with expired license or registration tags shall be parked, stored, or kept in garages, designated parking areas or anywhere in the common areas.
7. There shall be no parking in the fire lanes or adjacent to any red curb in the community.
8. There shall be no parking in front of the unit garage.
9. All vehicles must have current license tags, be in good operating condition, and must not leak fluids on to the asphalt.
10. No repair, maintenance, or restoration of any vehicle shall be conducted anywhere in the common areas, except within an enclosed garage, and the activity is not undertaken as a business and not a nuisance to neighbors in the general vicinity of the garage.
11. Portable Storage Unit (PSU). Homeowners must notify Management, and Management must obtain Board approval. PSU's cannot be in the fire lines. PSU's cannot be stored within the community for longer than five (5) day. PSUs must occupy only one (1) parking space. Management will designate the space to which it will be assigned.
12. Parking by Permit. All garaged vehicles will be registered with the Management company. To obtain a parking permit for opening parking, you must fill out the required form and return it to the Management company.

You Shall be subject to garage inspections You must adhere to the CC&R's and Rules and Regulations to the best of your ability and present a cause as to why a parking permit is needed

### C. Pets.

1. No more than 2 common and ordinary household pets allowed per unit. Pets should be kept inside the unit. Dogs may be kept outside as long as they are within the walled-in or fenced yard portion, or balcony of the limited common element assigned to the unit. Tenants who wish to have pets should have written consent of the unit owner. The unit owner is liable to all owners, families, guests and invitees for unreasonable noise or damage to person or property caused by animal brought in or kept on the property.
2. Dogs shall be controlled and kept on a leash at all times when in the common areas.
3. Pet owners should always pick up, bag, and discard the feces of their pets. Pet waste odor from the unit or limited common element is a nuisance and health concern, and must be corrected immediately.
4. Excessive dog barking is a nuisance and shall be remedied by the pet owner. Failure to do so may result in a violation fine and removal from the property after proper notice and/or hearing.
5. Service pets with proper medical documentation deemed to be a nuisance may also be removed from the property providing the owner of the service animal is given ample opportunity, hearing and notice to correct the situation within a reasonable period.

### D. Trash Storage, Placement and Pick Up

1. Garbage attracts unwanted pigeons, birds, rats, stray animals, pests, and insects to the unit and community. All garbage, rubbish, and trash should be placed in a garbage bag that can be secured, and placed inside a suitable trash receptacle. (Exception: Owners/residents participating in the City of North Las Vegas Pilot Enhanced Recycling Program should follow the instructions for waste and recyclable items.) Place the trash receptacle in the designated pick up location on the scheduled days of trash pick-up. Unit owners or occupants are encouraged to pick up loose trash and debris in the vicinity of your home after trash pick-up.
2. The 101 and 102 trash receptacles shall be stored out of public view on non-trash pick-up days. The 201 unit is allowed two (2) containers on the side of the building closest to their garage unit. The containers cannot protrude past the front of the building. If there are more than two (2) containers in the side of the 201 unit, management will contact Republic Services to remove the additional waste containers.
3. Trash of any kind shall not be discarded anywhere in the common area except in suitable trash containers.

4. Bulky items shall not be placed in the common area, except the day before scheduled bulky item pick up by Republic Services. Owners/residents are responsible to schedule bulky item pick up with Republic Services.

E. Swimming Pool and Spa.

1. The swimming pool and spa area is for the use and enjoyment of all residents with valid pool passes. The use of these amenities is a privilege. Unit owners are responsible for any damage or misconduct attributed to their tenants and/or guests.
2. Only 2 guests per unit are allowed in the pool. Guests must be accompanied by a person with the valid pool pass.
3. The Board of Directors retains the right to alter pool hours or close the pool as it deems necessary and appropriate. Using the pool and spa other than open hours is not permitted and considered a threat to the safety and well-being of the community. Residents using the pool other than open hours may have the privilege suspended after proper notice and/or hearing.
4. Only radios, MP3's, IPODs and the like that are battery operated and with headphones are allowed in the pool area, and can only be used with headphones.
5. Unruly behavior, unsafe or offensive conduct, rowdiness, unnecessary noise, jumping or interference with other persons in the pool area is prohibited. No running, pushing, or cannon-balling is allowed in the pool area. DIVING INTO THE POOL IS PROHIBITED.
6. The Association does not provide lifeguards. All persons using the pool do so at their own risk. The HOA does not assume any liability in this regard. Any lifesaving equipment and first aid supplies are for emergency use only.
7. Glass bottles, containers or other breakable items are prohibited in the pool area. Eating, smoking, or drinking beverages, with the exception of plastic water or soda bottles, in the pool area is prohibited. The plastic water or soda bottles must be discarded in the appropriate container.
8. Alcoholic beverages are prohibited in the pool area. Persons under the influence of alcohol are a threat to safety and well-being of the community and are not permitted in the pool area.
9. For health and safety reasons, persons under the age of fourteen (14) are not allowed in the pool and spa area unless under the direct supervision of a parent or adult guardian at all times.
10. All persons must shower before entering the pool.



11. All persons using the pool must wear swimming attire. Street clothes are prohibited. Swimming attire must be appropriate and not offensive to others.
12. Persons suffering from a cold, fever, cough, skin disease, sores, inflamed eyes, nasal or ear discharges, or any communicable diseases are prohibited from using the pool or entering the pool area.
13. Gates to the pool must remain closed and locked at all times.
14. Pets are not permitted in the pool area, with the exception of service animals accompanying their owner.
15. Towels or garments may not be hung on the pool area fence. When leaving the pool area, all trash and personal item must be removed.
16. The telephone installed at the pool area is for emergency calls to 911 only.
17. Owners and occupants with the valid pool pass may use the recreational area, including the swimming pool for a function providing the event does not include 20 or more guests. Prior written approval from the Board of Directors is required before the date of the event.
18. Violations of the swimming pool provisions may result in a fine assessment, up to suspension of privileges for the use of the swimming pool and spa.

#### F. Schedule of Fines

Owners and residents who violate the rules and regulations of the HOA are subject to fines in an amount deemed appropriate by the Board given the severity of each respective violation in an amount not more than \$100.00 per violation. If an outstanding violation is not cured within fourteen (14) days after the hearing date, or within any longer period that may be established by the Board of Directors, the Board of Directors may impose a subsequent additional fine for each seven (7)-day period that the violation is not cured. Any additional fine may be imposed without notice and an opportunity to be heard. Unit owners are responsible for the violations and fines incurred by their tenant(s). Homeowners will be notified of any pending violation(s) as follows:

First Offense:	Courtesy notification
Second Offense:	Notice of Hearing specifying violation(s), amount of potential fine for each violation, and date, time, and location of hearing

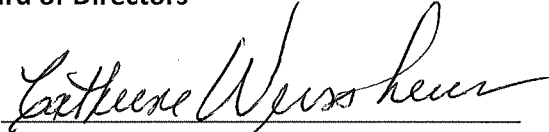
Uncollected violation fines totaling \$500.00 or more will be sent to third party collection agency or law firm per the Collection of Assessment and Fine policy of the HOA.

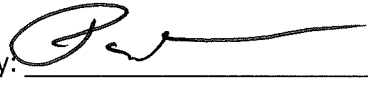
NRS 116.31031 provides: "If the violation does not pose an imminent threat to the health and safety, or welfare of the unit owners or residents the amount of the fine must be commensurate with the severity of the violation and must be determined by the executive board in accordance with the governing documents." If the violation does pose an imminent threat to the health, safety, or welfare of the unit owners or residents, the violator may be called to an immediate hearing. In addition, there is no limit to the size of the fine except that "the amount of the fine must be commensurate with the severity of the violation and must be determined by executive board in accordance with the governing documents."

Adopted.

**IN WITNESS THEREOF**, the said Board of Directors has adopted the Rules and Regulations, as amended for the Blackhawk HOA, and to be signed by its President and Secretary this 29<sup>th</sup> day of April 2024, and direct its distribution to all homeowners. The Rules and Regulations are to be effective following the 30-day review by the homeowners.

**BLACK HAWK HOMEOWNERS ASSOCIATION,  
Board of Directors**

By:   
President

By:   
Secretary