

EMERSON ESTATES OWNERS' ASSOCIATION
RULES AND REGULATIONS
Revised 10.14.2019

As provided in the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (CC&Rs) and in the Bylaws of Emerson Estates Homeowners Association (Association), the Board of Directors have the duty to establish and publish such rules and regulations governing the use of the Common Area and Facilities by Owners, Members and/or Renters, and their guests. The Board also has the authority to implement and/or change rules and regulations in accordance with Section 5.1 (g) of the CC&Rs and Section 10.2 of the Bylaws, and/or establish enforcement procedures from reminders and warnings to fines and recommend legal action for the infraction of the CC&Rs and of the Rules and Regulations.

The following Rules and Regulations are intended to be in the best interest of the majority of the Homeowners, Tenants and their Guests:

1. **Dogs/Cats/Pets** must be kept on a physical leash or electronic leash and under the control of the owner at all times in accordance with Clark County Pet laws. Animals must remain within a reasonable distance to the owner at all times. All owners are responsible for picking up after pets and disposing of any waste.
2. **VEHICLES: The maximum speed limit within the Association is five (5) miles per hour.**
 - a. No trailer, motor home, camper, boat or similar equipment shall be permitted to be parked, stored or remain on any lot, street or driveway within the Association unless placed within an enclosed garage or enclosed yard. No commercial vehicles shall be parked upon any lot, street or driveway. A commercial vehicle, as applied to this paragraph, is defined as any vehicle that exceeds $\frac{3}{4}$ ton, displaying commercial signage and/or equipment.
 - b. Unregistered vehicles or vehicles with expired registration are not permitted within the community and are subject to tow at the owners' expense. Valid registration must be displayed on the vehicle in accordance with Nevada Law.
 - c. Vehicles parked on the common area street must park in the same direction as the flow of traffic.
3. **Landscaping:**
 - a. The owner of a residence must install and maintain appropriate landscaping in the back yard and those portions of the side yards, which are visible from a street.
4. **Miscellaneous:**
 - a. TV SATELLITE DISHES must be at least 10'0" from the rear and side walls, and must extend more than 8'0" above the ground. An acceptable landscape plan to block their neighbors' view of the dish, with a commitment to plant prior to dish installation, must accompany the architectural change request.
 - b. BLOCK WALLS visible from the exterior and interior streets must remain reddish-brown in color, unless the Board has granted written approval of another color. Stucco or paint of an approved color complimenting the color of the house, may be accepted for some walls.
 - c. BASKETBALL HOOPS shall be limited to enclosed back yards only and shall be placed in a manner which will not cause a disturbance to surrounding neighbors.
 - d. The erection of, or placement of basketball poles/backboards or other obtrusive devices or ornaments in front of a home and/or on a driveway is strictly prohibited. Temporary fixtures such as basketball poles must be removed from the front of the property daily.
 - e. TRASH CONTAINERS may be left at the curb for pickup no earlier than 5:00pm on the day before the scheduled pickup is to occur and may remain at the curb until no later than 9:00pm on the day the scheduled pickup is to occur.

- f. POOL FILTERS may not be cleaned out in the common area street or gutters, nor may any other type of debris be flushed through the gutters of the community.

5. Maintenance:

Each Owner or shared Owners shall be responsible for maintenance and repair of his buildings, fences or walls.

6. Leasing:

An Owner who rents or leases his property to others, shall provide to his/her Renter or Lessee a copy of the CC&Rs, Bylaws, and Rules and Regulations. Such Owner shall be responsible to see that his/her Renters or Tenants abide by these documents. Any fine on the renter or tenant will be levied against the owner. As per the Association's CC&Rs, no dwelling in the community, whether a primary residence or rental may be used for commercial business purposes. Short-term rentals of any kind are not permitted within the community.

7. Guests:

Each Owner shall be responsible for family members, agents, guests and tenants who litter trash, damage or deface the common area property. The use of the common area is intended for the members and their family, and is intended to be for their leisure and recreational use.

8. Entrance Gate Telephone Directory: The telephone directory at the gate is limited to one line identification per home.

9. To further define Section 8.7 of the CC&Rs:

- a. Within 6 months of close of escrow for the purchase of their home, each owner shall be responsible to install landscape improvements to the rear section of the lot. Prior to such installation, an application shall be submitted to the Architectural Review Committee or Board of Directors, indicating the type, materials and manner of such landscape including a layout or drawing.
- b. "Good repair and maintenance" of other portions of the lot shall mean:
 - 1. Building exteriors including the wood trim and fascia must be painted to maintain the integrity of the exterior finishes.
 - 2. Rear landscape is to be maintained by cutting, pruning and maintaining weed control.
 - 3. No additional plants or shrubs are to be installed in the front landscape areas without prior written approval of the Architectural Review Committee or Board of Directors.
 - 4. Owners must arrange access to the garage for the landscape contractor for the purpose of controlling the irrigation cocks for front landscape irrigation.

10. Holiday Decorations:

Owners may install "holiday decorations" no more than 30 days prior to the holiday and must be removed no later than 15 days after the holiday. This includes lighting.

11. FINE SCHEDULE

Violation of any of the governing documents can result in fines being assessed per the attached schedule.

12. ENFORCEMENT

Reference Article VI, Section I and Article XIII of the Association's CC&R's, as well as the Association's Bylaws. The following procedure will apply to all violations and infractions of the governing documents. Owners may report violations to the Management Company or Board of Directors by submitting a written notice describing the violation. At the time a violation is reported, action will be taken as follows:

- a. Based on information received an analysis on whether or not an infraction or violation of the rules has occurred will be reviewed by the Board and/or Management.

- b. Upon verification by the Board and/or Management, a first notice to correct the violation will be sent by the management company. The notice will contain a description of the violation, and instructions regarding response to the notice and correction of the violation.
- c. If the violation continues, or if the response is otherwise unsatisfactory after the first notice, owner will receive a notice of hearing and be afforded an opportunity to appear before the Board or an appointed committee either by appearing personally or by submitting a written response. The Board or committee shall give fair consideration to the owner's oral or written response in determining whether to impose a penalty. If a monetary penalty is imposed, the fine will be assessed after the hearing is conducted and shall continue without additional notice on a weekly basis until the violation is corrected.
- d. If the violation continues, or if the response is otherwise unsatisfactory, even after the imposition of a monetary penalty, the Board or its appointed committee may impose additional or continuing fines until such a time as the matter is satisfactorily resolved.
- e. If the violation continues, the Board may refer the matter to the Association's legal counsel. The Board may also take corrective action with proper notice to correct the violation and any expenses incurred for the correction of the violation shall be charged back to the homeowners account. If the fines on the account and/or the reimbursements for the work done to correct the violation by the Association are not paid within a timely manner, the account will be placed into the collection status and referred to a collection company for follow up. A lien may be placed on the account in order to enforce the reimbursement and or payment of all fines, assessments and/or penalties.
- f. Each occupant is advised to acquaint himself/herself with the CC&Rs, as well as the Bylaws of the Association.
- g. Tenants are obligated to abide by all of the above rules and regulations. Owners are ultimately responsible for the actions of their tenants.

13. In case of any conflict between these "Rules and Regulations" and the "Declaration of Covenants, Conditions and Restrictions", the Declaration shall control.

The Rules and Regulations were adopted by vote of the Board of Directors of the Emerson Estates Homeowners Association, Inc., this 28th day of October, 2019.



Board of Director
Emerson Estates Homeowners Association