

**RULES
For
CREEKSIDE HOMEOWNERS
ASSOCIATION, INC.**

**ARTICLE I
COMMUNITY ANNOUNCEMENTS**

- 1.1. Notices of official Creekside business will be posted in the kiosk south of the pool or on the official Creekside website at www.creeksidehomeownersassoc.com.
- 1.2. Owners may post notices relevant to Creekside community activities in the kiosk upon request to the association manager. The Board will review the request and post it if approved.
- 1.3. Special, periodic announcements may be sent by e-mail from the association manager to Owners. Owners are responsible for providing the association manager with their current e-mail information.

**ARTICLE II
SOLICITING**

- 2.1. Signs indicating *No Soliciting* are posted at the three Creekside entrance streets. If someone comes to your door selling or soliciting any product or service, call property management with the name of the solicitor's company.

**ARTICLE III
FEES**

- 3.1. The Creekside Homeowners Association will charge the following fees for conducting the business of the Association.

Transaction	Fee
Copy of Community Documents	\$.15 per page
Sale of Unit Transaction Fee	\$300.00
Review of Plans by Independent Architect	\$150.00
Returned Check	Current bank charges
Late Homeowner Dues	\$15.00 per month
Replacement Pool Key	\$75.00

- 3.2. Pool keys are limited to one free key per Owner. Replacement pool key fees are non-refundable. At the closing of escrow on the sale of their property, Owners must transfer their pool keys to the new Owners.
- 3.3. The community management company will authorize the locksmith to replace a pool key upon written request from the Owner only. Tenants or other guests are not authorized to request a pool key.
- 3.4. Owners permitted to rent their units must provide their pool key to the renter or submit a written request to the association manager to issue an additional key for the Renter's use. IMPORTANT – Upon any termination of a Renter's lease, the Owner MUST obtain the Renter's pool key. This will help ensure Creekside pool is used by Creekside Owners, their guests, and current Renters only.
- 3.5. Owners approved for replacement pool keys must provide identification at the locksmith.

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ARTICLE IV
PARKING

- 4.1. The Board of Directors grants permission to adopt and publish Rules and Regulations pertaining to parking and storage of vehicles in Section 2.16 of the Declaration of Covenants, Conditions, and Restrictions (“CC&Rs”) and Section 4.15 of the Bylaws of Creekside Homeowners Association, Inc. (“By-Laws”).
- 4.2. Parking on Creekside streets, except in designated parking spaces, is strictly prohibited at all times.
- 4.3. Creekside fire lanes are located at Cave Creek, Catalina, Oakbury Circle, Nandina, and parts of Bullrush and Haven Lane. Parking violations in designated fire lanes must be reported to any one of the following local authorities listed below.
 - A. Tucson Transportation Department/Park Tucson (Ph: 520-791-5071)
 - B. Tucson Fire Department (Ph: 520-791-4512)
 - C. Tucson Police Department (Ph: 520-791-4444)
- 4.4. Exceptions to parking on Creekside Streets (excluding fire lanes) are permitted for short-term, temporary situations, as listed below:
 - A. Deliveries, unloading, or loading.
 - B. Home repair service vehicles.
 - C. Health professionals and other personal care personnel are prohibited from parking in front of Owner units unless it is an emergency.
- 4.5. Storage or long-term parking of any vehicle, including recreational vehicles and boats, is **prohibited** on Creekside streets.
- 4.6. Moving trucks that must be parked for an extended period of time are allowed, but not overnight. As a courtesy to new Owners, sellers shall advise new residents about parking rules. Sellers may also notify the association manager of any anticipated moves so that the new Owners’ vehicles are not towed.
- 4.7. PODS and other designated moving containers may be parked temporarily in parking spaces after written notice to the association manager.
- 4.8. TOWING. Any Owner or Renter may report parking violations to the association manager. The report should include a photograph of the vehicle and license plates. Then, the association manager will contact the towing company. The vehicle owner is responsible for towing fees.
- 4.9. CURBS. Avoid parking on curbs or rock ground covers in front of houses, as this can damage the irrigation system.

ARTICLE V
ARCHITECTURAL REVIEW

- 5.1. Restrictions pertaining to improvements or changes to any dwelling unit are described in Section 3.06 of the CC&Rs. Owners may request permission to construct improvements or changes to the Lot by following the process outlined below.
 - A. Complete the Creekside Homeowners Association Architectural Improvement Application and Review Form available at the HOA website: [Microsoft Word - CRS ARC Form \(creeksidehomeownersassoc.com\)](https://www.creeksidehomeownersassoc.com)

- B. Submit the completed application and review form to the association manager.
- C. Provide additional information as requested.

5.2. Architectural Improvement Applications are reviewed as follows:

- A. The association manager will submit the form to the Board of Directors or the Board-appointed Architectural Control Committee (ACC) to review at their next scheduled meeting.
- B. The review will be approved, approved with conditions, disapproved, or request(s) for additional information may be directed to the Owner.
- C. Response to Owner must be in writing and provided within thirty (30) days of the Board or ACC's receipt of the request.
- D. Decisions of the Board or the ACC may be based on purely aesthetic considerations. Each Owner acknowledges that opinions on aesthetic matters are subjective and may vary as members of the Board or the ACC change over time. The Board or the ACC may, but is not required to, solicit the opinions of the adjacent property owners, but in all cases, will make its own independent review of the requests.
- E. Incompleteness of the initial submittal or delays by the Owner in responding to requests for additional information will delay a final decision.
- F. The Board may hire a certified, independent architect for an opinion when proposed improvements are sufficiently complex to ensure a fair and thorough review. If the Board or ACC decides to refer the application to an independent architect, the Owner will be promptly notified.
- G. The Owner will be required to pay the architect's fee as described in the Rules in Article 3 above. Payment of the fee shall be made by check payable to the architect and must be delivered to the Board prior to the Board forwarding the submittal to the independent architect.
- H. If the Board refers the submittal to an independent architect, the Board or ACC will make every effort to obtain the architect's opinion within a reasonable time to fulfill its timely obligations under these Rules.
- I. Following receipt of the architect's opinion, the Board will review the opinion and Owner's application at its next regularly scheduled board meeting.
- J. The ultimate decision to approve or disapprove all proposed improvements rests solely with the Board.
- K. It is the responsibility of the Owner to:
 - 1) Comply with all applicable city, county, state, and federal building codes.
 - 2) Obtain all applicable permits.
 - 3) Provide, upon request, copies of any permits related to the project to the Board for the Owner's record.
- L. In the event the Board or ACC fails to approve or disapprove a plan for Improvements within 75 calendar days after providing all of the requested information to the Board or ACC, approval shall be deemed granted.
- M. If an Owner is aggrieved by a decision of the ACC or the Board relating to review and approval or disapproval of plans for proposed improvements, a written request for an in-person appeal and hearing may be made to the Board. Decisions of the Board in this regard shall be binding and conclusive.

ARTICLE VI
APPROVED COLORS

6.1. **By a vote of the Owners**, the Creekside Homeowners Association Inc. selected **DUNN-EDWARD PAINTS**

located at 4320 E. Speedway Blvd., Tucson, AZ 85712 (Ph: 520-327-6011 email TucsonSpeedway@DunnEdwards.com).

Approved Colors shall be mixed according to the formulas provided below:

<u>Color Name</u>	<u>Dunn-Edwards Formula</u>	<u>Description</u>	<u>Base Color</u>
Marsh Thistle	4-31, 8-8, 13-11	Light Tan	None
Spiced Hot Chocolate	DET-691	Chocolate	“U” Base
Chamois	4-1y24, 8-17, 13-8.5	Mocha	Medium Base
Pelican Brown	4-2y18, 8-25, 13-25	Medium Tan	Medium Base
Haden	4-5y, 8-3y8, 14-2y12, 13-12	Cinnamon	“U” Base
Colonial Yellow	4-5y, 8-2.5, 13-2.25	Mustard	Medium Base
Sage	4-4y, 8-7, 13-28	Green	Medium Base

Non-conforming paint is a violation according to Section 2.09 of the CC&Rs.

6.2. The following **PAINT SHEENS (Flat or Semi-Gloss)** shall be used based on the surface being painted and irrespective of the color being used, as noted below:

- A. **Flat:** Stucco (dwelling walls, garage walls, guest house walls, common walls, and shared walls), metal edge flashing, rain gutters, metal parapet copings, and roof side of parapet walls.
- B. **Semi-Gloss:** Metal dwelling doors, metal garage doors, wood doors, wood door frames, metal gates, and metal screens.

6.3. The following are additional rules to govern the painting of property:

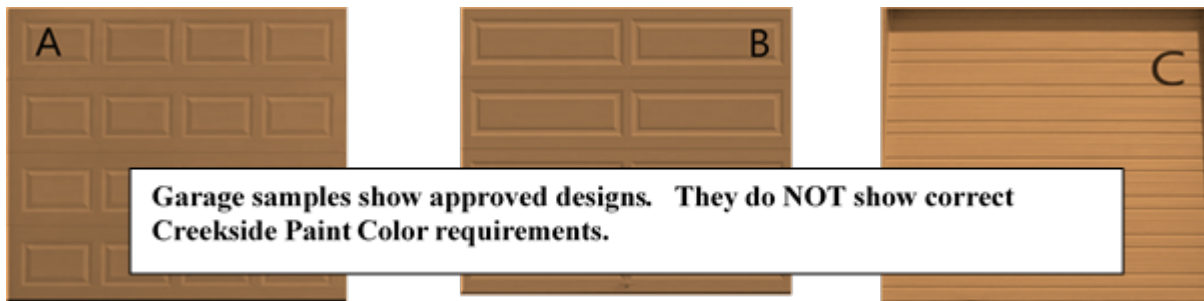
- A. The complete house, garage, and guest house, including doors, but excluding the overhead garage doors, may be painted with any of the approved colors.
- B. The color for all exterior walls, outside the front gates, will be Marsh Thistle (light tan).
- C. The color for garage doors will be Pelican Brown (medium tan).
- D. The color for all front gates, wall opening grills, and metal extensions on walls shall be one of the following colors: Haden (cinnamon), Pelican Brown (medium tan), Rusted Metal, or Spiced Hot Chocolate (DET-691).
- E. Owners are responsible for ensuring that the flashing is the same color as the adjacent stucco and that the parapets are the same color as the predominant, most visible color of the structures. For example, the parapets on the garage should match the stucco on the front of the garage.
- F. Should an Owner have a non-conforming color present, they will be required to repaint with conforming colors the next time they paint or at the time of change or transfer of ownership.

ARTICLE VII APPEARANCE

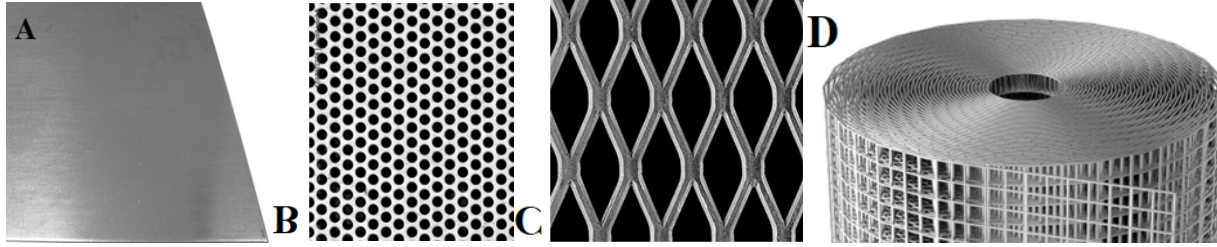
7.1. **Garbage.** Garbage and recycling containers may be placed curbside no earlier than the night before pickup and must be removed from curbside no later than the night of pickup. Between pickups, the

containers must not be visible from the street or from a neighbor's home.

- 7.2. Yard and Landscape Waste. Owners are responsible for keeping the yard inside of their walls free of weeds, trash, and junk. Yard clippings should be put into the resident's trash bin for the regular trash pickup. Owners and their agents who throw yard debris over the walls into the common areas will be charged for the cost of cleanup.
- 7.3. Plumbing. Creekside homes, as well as many other Tucson homes, were constructed using blue polybutylene tubing from the city water meter to the house. In 1994, this blue poly pipe was found to have a manufacturing defect, causing leaks. The monies set aside in a class-action lawsuit have expired, and it is now the Owner's responsibility for the maintenance, repair, and replacement of this pipe.
- 7.4. Garage Doors. To maintain a uniform appearance and design throughout the association, replacement garage doors **must** be approved prior to installation by following the Architectural Review process outlined in Article 5 above. Owners may choose one of the following garage door types (as pictured below), and replacement garage doors must be painted in accordance with the Creekside color scheme in Article 6 above.
- A. Rectangular raised panels (see A below);
 - B. Elongated rectangular raised panels (see B below); or
 - C. Ribbed panel (the original Creekside garage door style as shown in picture C below)
- Replacement garage door must be painted as required in Section 6 above.



- 7.5. Gates, Wall Opening Grills, and Metal Wall Extensions. To maintain a uniform appearance and design throughout the association, any modifications to gates, wall opening grills, and metal wall extensions **must** be approved prior to installation by following the Architectural Review process outlined in Article 5 above.
- Owners may choose one of the following types of metal material for gates and wall opening grills (as pictured below.), and replacements must be painted in accordance with the Creekside color scheme in Article 6 above.
- A. Solid Metal Sheeting (Painted) (see A below);
 - B. Perforated Metal (Painted) (see B below);
 - C. Expanded Metal (Painted) (see C below);
 - D. Wire Hardware Cloth (Optional to Paint) (see D below)



Gates, wall opening grills, and metal wall extensions shall not be made of bamboo, wood, plastic, fabric, or other non-approved materials.

Metal wall extensions shall be made of expanded metal (painted or rusted) or wrought iron (painted or rusted). **Homeowner will be responsible for making sure rusted metal does not stain exterior community walls.**

ARTICLE VIII
RENTING YOUR HOME

Important Rental Amendment approved by 75% of the Owners as stated in the Certificate of Amendment to Declaration Rentals for Creekside Homeowners Association ("Rental Amendment") and recorded in the Office of the Pima County Recorder on June 4, 2007, at Sequence 20071070142.

- 8.1. Owners not living at Creekside must keep the association manager informed of their correct mailing address, e-mail, and phone number at all times.
- 8.2. Owners shall not lease or rent their Lots unless they were existing owners at the time the Rental Amendment was made and executed on May 21, 2007, and recorded on June 4, 2007.
- 8.3. Owners may obtain prior approval of the Board in writing for an exemption as a special case involving hardship or other extenuating circumstances.
- 8.4. Timeshare or other transactions that have the effect of a lease or rental transaction are prohibited except for existing owners grandfathered in at the time of the Rental Amendment.
- 8.5. Registration of rentals must include name(s), e-mail address(es) and phone number(s) of the renter(s). If the Owner employs a property manager for the rental, the name, email address, and phone number of the property manager must be provided to the Creekside association manager.
- 8.6. Owners are responsible for informing their renters and their management companies, if any, of Creekside Rules, CC&Rs, Articles, By-Laws, and all association announcements. It is the Owner's responsibility to ensure their property manager communicates all announcements to their renter(s).
- 8.7. Owners will be subject to the terms and conditions of the Rules, CC&Rs, and any other governing documents when their renters fail to abide by Creekside HOA Rules and governing documents.
- 8.8. The use of a management company does not relieve the Owner of any responsibility related to the Creekside Association or to its renters.
- 8.9. Owners not covered by the Rental Amendment who lease their properties will be in violation of the CC&Rs.

ARTICLE IX
POOL RULES

- 9.1. Admission to the pool area may only be made by using the keys issued by the Creekside Homeowners Association. Pool users who do not have a key in their possession will be asked to leave the pool area. Guests

must be accompanied by a Creekside resident. All residents and guests must observe the Pool Rules. Owners or Renters are responsible for their guests. Violations may result in suspension of pool privileges.

9.2. Use of the pool is governed by the Pima County Health Department under Title 8.32 of the Pima County Code as a *semi-public* pool. The Pima County Health Department Inspector makes unannounced visits and is authorized to close the pool for any health or safety violations. As provided by the Pima County pool code, the following regulations apply:

- A. Gate to the pool area must be CLOSED and LOCKED at all times. NEVER prop the gates open.
- B. Life preserver and other pool safety equipment are required and reserved for health and safety uses ONLY. DO NOT use these items as toys.
- C. No pets of any kind are allowed in the pool area at any time.

9.3. There is NO lifeguard on duty at any time.

9.4. Children under 15 years of age must be accompanied and supervised by an adult resident while in the pool area. These adults are responsible for the safety and behavior of the children.

9.5. Pool users must be considerate of neighbors and fellow pool users. The following rules also apply to pool users at all times:

- A. No wheeled sports equipment (bicycles, tricycles, skateboards, roller blades, roller skates, or scooters) are allowed in the pool area. The only wheeled vehicles allowed in the pool area are wheelchairs, baby strollers, and walkers.
- B. No game equipment that interferes with the use of the pool area by others is allowed at any time.
- C. No loud voices disturbing adjacent residents in homes and yards or other pool users.
- D. Radios must not be audible to others inside or outside the pool area.
- E. Do not bring food of any type into the pool area.
- F. Do not bring any type of glass containers into the pool area.
- G. Alcoholic beverages are prohibited at all times.
- H. Deposit all trash into the receptacles provided. Do not leave trash in the pool area or pool restrooms.
- I. No diving, running, horseplay, abusive language, or abuse of pool property.
- J. No grilling at the pool unless it is a Board-approved association event.
- K. No parties are allowed without prior permission of the association manager.

9.6. Security Cameras. The Board of Directors approved the installation of a security camera system at the Creekside Pool to help monitor compliance with pool rules and ensure a safe, peaceful pool environment for all Owners and their guests.

These Rules were initiated by the Creekside developer Cienega Homes on 07/01/83. Revisions to these rules were approved by the Creekside Homeowners Association Board of Directors on the following dates:

	01/18/01
08/27/86	02/20/03
06/01/94	02/21/07
03/12/97	03/17/08
10/08/98	10/13/08
01/11/00	12/21/09

07/29/10
09/09/10

06/06/23

IN WITNESS WHEREOF, the undersigned certify that by a unanimous vote of the Board, these Rules were approved on **06-06-2023** thereby revoking any previous Rules and declaring them null and void and of no further force or effect.

CREEKSIDE HOMEOWNERS ASSOCIATION, INC.
an Arizona nonprofit corporation

DATE: _____

ATTEST: _____