



PGA WEST

COMBINED COMMUNITY RULES AND REGULATIONS

ADOPTED: _____ 2015

IF THIS DOCUMENT CONTAINS ANY RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, NATIONAL ORIGIN, SOURCE OF INCOME AS DEFINED IN SUBDIVISION (P) OF SECTION 12955, OR ANCESTRY, THAT RESTRICTION VIOLATES STATE AND FEDERAL FAIR HOUSING LAWS AND IS VOID, AND MAY BE REMOVED PURSUANT TO SECTION 12956.2 OF THE

GOVERNMENT CODE. LAWFUL RESTRICTIONS UNDER STATE AND FEDERAL LAW ON THE AGE OF OCCUPANTS IN SENIOR HOUSING OR HOUSING FOR OLDER PERSONS SHALL NOT BE CONSTRUED AS RESTRICTIONS BASED ON FAMILIAL STATUS.

PGA WEST COMBINED COMMUNITY RULES & REGULATIONS

INTRODUCTION

The PGA WEST Community, ~~which that~~ includes the PGA WEST Master Association (Masters), ~~the~~ PGA WEST Residential Association Inc. (Res. I), ~~the~~ PGA WEST Residential Association II (Res. II) ~~and, the~~ PGA WEST Fairways Association (Fairways), ~~and The Club at PGA WEST (Club)~~, was organized to serve the interests of all homeowners ~~and Club members~~. ~~As with any community, rules of common courtesy and common sense must be observed for the common good and to ensure quiet enjoyment of PGA WEST by all residents and members.~~

The ~~PGA WestEST~~ Combined Community ~~Rules and Regulations, (Community Rules)~~ Associations have the authority granted to them in their respective governing documents to establish, amend, enforce and repeal Rules and Regulations. ~~These Combined Community Rules and Regulations~~ represent what is common and agreed to by all the Associations and will be enforced by the Roving Patrol. Each Associations may have other rules outside of these Combined Rules specific to their Association. Each Homeowner should check with their respective Association office to receive a copy of those Rules.

Although, a roving community patrol is present, there is no guarantee for the safety of persons or property within ~~pga-west~~PGA WEST. Each resident is responsible for taking all precautions to protect his or her person and property. Be aware that our community service personnel are not sworn peace officers.

These rules will be revised as experience and circumstances dictate. Homeowners with constructive changes or comments are encouraged to bring them to the attention of their individual Association, ~~or Club Management~~

~~As a general guide the responsibilities for the various PGA WEST Community Associations are:~~

~~The Club — All areas of the clubhouses and recreational facilities including golf courses, tennis courts and fitness center~~

~~Master — The Main Entrance at 54th street, PGA Boulevard and the landscaping of it, the Residential Entries and the staffing of them, the perimeter wall, and the Roving Security~~

~~Res. I, Res. II, Fairways — Management and maintenance of the Common Areas and property of the respective associations as directed in these Community Combined Rules and Regulations along with the rules contained in their respective individual governing documents~~

These ~~Combined~~ Community Rules ~~& Regulations~~ apply to all persons while in Community Areas. Owners are responsible for the actions and conduct of their friends, family, tenants and guests. Only Owners can be cited, fined, or otherwise disciplined for the conduct of these persons. It is in the Owner's interest to acquaint all such persons with these ~~Combined~~ Community Rules.

~~The Master Association Board of Directors has the right to designate a Compliance Committee as stated in the fourth amendment to the Master Declaration Section 5.7.~~

~~The Compliance Committee ("Compliance Committee") shall consist of a director of the Master Association Board of Directors who is not a director of any Residential Project's Board of Directors, and three (3) Compliance Committee members, one (1) from each Residential Project, who may be directors of the Board of Directors or homeowners of such Residential Projects. Residential Projects are comprised of: (1) PGA WEST Residential Association; (2) PGA WEST II Residential Association; and (3) PGA WEST Fairway Association. Compliance Committee members from the Residential Projects may not be directors on the Master Association Board of Directors. All Compliance Committee members shall be Members of the Master Association. The Master Association appointed committee member shall chair the Compliance Committee. The Residential Project appointed committee members shall be appointed by the respective Residential Projects' Board of Directors. Compliance Committee members serve at the pleasure of the Board of Directors that appointed its Compliance Committee member. The Compliance Committee is authorized to impose fines and to take reasonable action as required to see that these Community Rules are followed. Costs and attorney's fees incurred to enforce these Combined Community Rules may be charged to the responsible owner.~~

I. VEHICLES

A. GENERAL:

As used in this section, "Vehicles" include cars, motorcycles, golf carts, trucks, trailers, vans, motor homes, RV's, bicycles, etc.

The PGA WEST community is a "private community" ("PGA WEST"). However, State laws governing operation and parking of each such "vehicle" [i.e. the California Vehicle Code] apply in full force within PGA WEST. Thus, by incorporation, any violation of the Vehicle Code is an offense under these Combined Community Rules. By way of example but not of limitation, common Vehicle Code violations are listed below together with these Combined Community Rules which are specific to PGA WEST.

B. MEANS OF ACCESS:

- ~~1.~~ Owners and residents must register their ~~automobiles~~ motor vehicles and golf carts with the Community Services office. Each resident in good standing will be provided, at no charge, two

transponders for their automobiles and one transponder for their golf cart, which must be affixed to their vehicles. Additional transponders will be installed at cost for each such vehicle. Golf carts will also be issued a registration placard that must be affixed to the front of the cart and clearly visible.

2. Transponder Gate Policy: The Transponder Gate Policy provides guidance and authority to the Director of Community Services to issue transponders to members, permanent guests, tenants and vendors. The policy also controls member, permanent guest, tenant and vendor access into the PGA WEST private residential communities. The policy is designed to enhance member safety by controlling access into the private residential communities within PGA WEST. This policy defines the process for issuing and managing transponders. You can request a copy of this policy from Management at 760-564-3858.

3. 2-Before entering the gates, vehicles without transponders must obtain a valid pass from the Master Association's Community Services personnel ("Community Service Personnel"). Owners not in good standing [as well as their tenants and guests] must obtain a daily pass. Passes must be displayed in full view on the dashboard. Vehicles without transponders may enter only through the guest lane of a manned gate.

4. 3-A special pass must be obtained and an RV Access Agreement signed at a manned gate by anyone driving or towing a trailer, RV, motor home, etc. (hereinafter, collectively referred to as "RVs"). RVs may not be parked within PGA WEST (unless parked within an enclosed garage) in excess of sixteen (16) hours from the time of entry and solely for the purpose of cleaning, loading and unloading ("16-Hour Limitation"). In addition to the 16 -Hour Limitation, RVs may not be parked within PGA WEST (unless parked within an enclosed garage) in excess of sixteen (16) hours during any thirty (30) day period of time.

Due to safety concerns that exist within a specific Association's area, varying parking rules may be in effect for RVs in a specific association. All owners or their guests should check with their individual HOA to be aware of these specific rules. A parked RV may not extend the "pop-outs".

5. 4-Use of a Homeowner PIN for identification purposes by an individual who is not the PGA WEST Owner to whom the PIN has been issued is not permitted. Tenants and Guests may be issued their own separate Tenant/Guest PIN at the discretion of the Homeowner. Use of this PIN by an individual who is not the Tenant/Guest is not permitted. The Homeowner remains the responsible party even when a Tenant/Guest pin is issued.

C. OPERATION OF VEHICLES

1. A valid driver's license is required to operate any vehicle - including a golf cart.
2. All vehicles must obey posted speed limits.
3. No vehicle may enter through the exit side of a gate nor exit through the entry side of a gate.
4. All vehicles must stop at posted stop signs and yield for pedestrians.
5. Unregistered vehicles are prohibited.
6. Vehicles may not leak fluids onto Community Areas.
7. Golf carts must be driven inside the golf cart lane on PGA Blvd.
8. Car repairing (other than temporary emergency repairs) is not allowed at any time.
9. Disabled vehicles must be removed after seventy-two (72) hours or they may be towed and/ or stored at Owner's expense.
10. No car carriers to be loaded or unloaded on PGA Blvd.

D. PARKING OF VEHICLES

1. Vehicles may not:

- (a) Park in areas where parking is not permitted.
- (b) Park facing oncoming traffic or with right vehicle wheels more than eighteen (18) inches from the curb.
- (c) Park on the street in excess of ~~seventy-two~~forty-eight (7248) hours or in driveways in excess of ~~thirty-fifteen (3015)~~ consecutive days. Further, with respect to trailers, RV's, motor homes, boats, horse trailers, etc., additional limitations apply as set forth in section I (B) (3) on page 2 above.
- (d) Park in a manner that blocks driveway access and/or impedes traffic-
- (e) Park in front of any mail boxes during postal delivery hours (8:00 AM to 5:00 PM Monday through Saturday, excluding legal holidays).
- (f) Park in any grassy area.
- (g) Be driven in the wrong lane of directional traffic.
- (h) No parking or stopping on PGA Blvd. except for emergencies.

II. PERSONAL CONDUCT

All persons within PGA WEST must cooperate with Community Service and Management Personnel in their efforts to enforce these ~~Combined~~ Community Rules, including gate procedures. Abusive, uncivil,

threatening or offensive conduct, including but not limited to derogatory comments based on race, color, religion, disability, sexual orientation, gender and/or verbal or physical threats, or attacks, whether directed toward any PGA WEST Community Personnel, Board of Directors, Committees, or vendors hired by any of the Community Associations will not be tolerated within the PGA WEST Community.

If you have a complaint of any kind regarding the conduct of the Community Services Personnel or a vendor contact the Director of Community Services at 760-564-1032 or provide a written letter addressed to the Master Board at 56-144 PGA Blvd., La Quinta, California 92253.

1. Each Owner is responsible for acquainting family members, renters, residents and guests including, but not limited to, all Invitees, commercial visitors, service personnel and contractors with these Combined Community Rules.

2. Each Owner is liable and responsible for any damage to the Community Areas and/or violations of these Combined Community Rules caused by or resulting from owners own actions, and/or the actions of his/her family members, renters, residents guests, invitees, agents and/or employees.

3. Action by any person within the Community Areas which may be offensive, dangerous or create a health or safety concern, hostile environment, turmoil, disruption or disturbance among Owners, family members, renters, residents, guests, invitees, agents and/or employees is not permitted.

4. ~~The Combined Associations considers a~~ Violations of this ~~Conduct Code~~ Personal Conduct section are considered to be a serious and reportable matter. Violations by Owners or the Owner's family members, renters, residents, guests, invitees, agents and/or employees will subject the responsible Owner to disciplinary action in accordance with Section VI. Of this document entitled Enforcement procedures. ~~the Community Enforcement Procedures.~~

5. Owners are responsible for the actions of family, guests, renters, invitees, agents and/or employees to ensure quiet enjoyment of PGA WEST, following is a partial list of activities that are considered to breach the right to quiet enjoyment within the Community Areas:

a) Loud noise, vibration, music or similar sounds that emanate from any residence or vehicle within the Community Areas.

b) Baseball and/or softball or any other type of activity/sport which uses a ball or device capable of causing damage to residences or automobiles is prohibited within the Community Areas.

c) No blowing of horns, racing of engines, loud mufflers, loud car or golf cart radios or similar noises are allowed within the Community Areas.

d) Toys and devices capable of expelling a projectile of any sort (i.e., BB/pellet guns, bows & arrows, paint balls] are not permitted within the Community Areas which includes streets.

e) Use of Skateboards on any street or sidewalk.

III. PETS

1. At all times, when outside an owner's residence or fenced-in yard, dogs/pets must be securely restrained by a leash. This must be an actual leash and not an electronic device.
2. At all times, when outside an Owner's residence or fenced-in yard dogs /pets may not threaten or make contact with other persons or pets.
3. Dogs/pets may not lunge in an aggressive manner or chase after any individual or pet including bicyclists.
4. Pets will not be allowed to make noise such as to disturb the quiet enjoyment of their neighbors.
- 5. Pets are not permitted in common area pools or common area pool areas at any time.**
6. Pet droppings must be promptly removed by the owner or his/her representative, from all areas and placed in the owner's covered waste receptacle.

IV. RESIDENTIAL ASSOCIATION SWIMMING POOLS/SPAS

Rules are posted at each pool and spa and are a part of these Combined Community Rules. For the safety and enjoyment of the owners and/or their guests, please observe them.

1. The pools and spas are for use only by Owners in good standing, their guests and tenants.
2. As there are no lifeguards on duty, all children under fourteen (14) years of age are to be supervised at all times by an adult when in the pool or spa areas.
3. Floating devices are not allowed in the spas at any time. They must be removed from the swimming pools when not in use.
4. Pets, boisterous conduct, infants and incontinent persons without proper protective wear, loud radios and foul language are not allowed in the pool or pool area at any time.
5. Glass bottles or containers are not allowed in the pool areas.
6. Chairs, tables and chaises may not be reserved or removed from the pool or spa areas and may not be placed in the pools and or spas.
7. Nude swimming or sunbathing is not allowed. Proper bathing attire must be worn.
8. No one is allowed to tamper with any pool equipment, including thermostats and/or lighting fixtures.
9. Residents and/guests are required to dispose of their smoking remnants and other trash in the appropriate receptacles.
10. Safety equipment has been provided for emergency use. Please do not remove any of the equipment from the pool and spa areas.

11. The use of the pool and spa facilities by Owners, tenants and guests is at their own risk.
12. Pool gates are not to be left ajar or propped open. Climbing on the fences or gates is not allowed.
13. Bikes, skateboards, roller blades/skates and all wheeled toys are prohibited in pool and spa areas.

V. MISCELLANEOUS

A. Swimming, wading, boating, or ball retrieval in Residential Association lakes, ponds and fountains is prohibited at all times.

~~B. In Residential Communities where NO FISHING or NO TRESPASSING signs are posted, these rules must be adhered to:~~

C. Feeding of wild animals, including water fowl, is prohibited.

D. Garage doors must be kept closed except for entering or leaving, and for a reasonable period of time when the garage is in use.

E. Recreation, exercise and playground equipment are not permitted if visible from Common Areas or the Golf Course (including but not limited to basketball hoops, trampolines, exercise apparatus) while not in use.

F. No "For Sale" signs allowed on vehicles of any kind, (including golf carts,) ~~while visible in common areas, unless the vehicle is in a state of ingress or egress from the complex.~~

G. No ~~Garagegarage/Yard-yard Sales-sales~~ are permitted.

VI. ENFORCEMENT PROCEDURE

A. CITATION: Citations for violations of these ~~Combined~~ Community Rules will be written by Community Service Personnel.

B. NOTICE TO APPEAR: Before any penalty can be imposed, Owners must be afforded a reasonable opportunity to be heard. A copy of the citation will be mailed to the Owner at the address of record, along with any supporting documents, together with notice of the hearing date and time. Owners are responsible for updating address changes with their Residential Association and the Master Association. Owners may be heard in person or may submit their position in writing for consideration at the hearing.

C. HEARING: Citations will be set for hearing at the next scheduled meeting of the Compliance Committee. Upon timely request made to the Chairperson of the ~~Associations~~² Compliance Committee, and for good cause shown, an Owner Cited to appear before the Compliance Committee may receive one continuance of the hearing date. Failure to appear at a hearing before the Compliance Committee (or provide a written response received by the Compliance Committee

prior to the hearing) will result in the loss of the Owner's right to appeal the ruling(s) of the Compliance Committee.

D. DISCIPLINE: Following the hearing and upon a finding of non-compliance, monetary penalties and any other actions of discipline permitted according to the ~~Combined~~ Associations' governing documents may be imposed (consistent with Tables 1 and 2 below), the particular amount being subject to the Compliance Committee's discretion depending upon the nature and severity of the offense, and any prior violations. Owner shall be responsible for expenses incurred by the Association(s) to repair damage to Common Areas caused by an Owner or by those for which he/she is responsible. For repeated and/or particularly flagrant offenses, the violation may be referred directly to the appropriate association's Board. Further, and at the discretion of the ~~Master~~ appropriate association's Board, non-payment of any ~~fine~~ monetary penalty may result in revocation of transponder access.

E. APPEALS: Owners may appeal adverse decisions to the Master Association's Board provided Owner appeared at the hearing before the Compliance Committee or provided a written response received by the Compliance Committee prior to the hearing. The appeal must be in writing and be received at the Master Association's office within thirty (30) days from the date the Notice of Decision is mailed to the Owner. The appeal will be heard at the next scheduled meeting of the Master Association's Board.

VII. CLUB at PGA WEST (CLUB)

All the rules pertaining to the Club's facilities, including clubhouses, tennis and fitness center as well as the golf courses, ~~specifically but not limited to, are incorporated in the~~ the Rules of The Club, described in The Premier Membership Plan are incorporated and become a part of these Combined Rules and Regulations. Homeowners who are not members of the Club may obtain a copy of these rules from the Club. ~~These Club rules may be revised from time to time at the sole discretion of the Club. The golf course property does not comprise the Master or Residential Association's -Property or Common Area, and no owner, guest or invitee shall have any special right or privilege to enter upon or use the Golf Course Property or their facilities. Trespassing on golf course property is also a violation of civil code 702 and subject to the city's monetary monetary penalties.~~

~~Citations in respect to rule infractions of the Club will be issued by Club personnel if occurring during normal golf course hours of operation. (Generally early dawn to late dusk) The Roving Patrol will issue violations outside of these time frames.~~

~~Any e Citations issued specifically against the Club Rules will be adjudicated solely by Club personnel.~~

~~Penalties imposed for Club infractions may range from expulsion, to suspension of privileges, to fines. The particular penalty being absolutely and solely at the Club's discretion depending upon the nature and severity of the offense and any prior offenses.~~

~~Any penalty imposed for violations of the Club specific rules against a club member or their family, guests, invitees or tenants will be assessed to the Club member's account.~~

~~Any monetary penalty imposed for violations of the Club specific rules against a non club member, or their family, guests, invitees or tenants will be assessed to the PGA WEST member's HOA account~~

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~~Appeals for any violations of the Club Rules will be handled solely by the Club.~~

~~Any account delinquent of paying monetary penalties is subject to any and all remedies permitted by law.~~

~~PGA WEST COMBINED COMMUNITY~~
SCHEDULE ~~RULES AND REGULATIONS~~
OF MONETARY PENALTIES

~~The primary objective of the Combined Community Associations is to encourage Owners and their guests and invitees to adhere to the Rules and Regulations of the PGA WEST Community. Keep in mind that the Monetary Penalties imposed by the Compliance Committee are markedly less than local Traffic Courts impose for similar offenses.~~

TABLE 1: MONETARY PENALTIES

[FIRST OFFENSE]

STANDARD VIOLATIONS

1. ~~Excessive Speeding (See table 2)~~
~~—————\$ 50 - \$300~~
2. Failure to stop at marked intersection \$ 50
3. Common parking offenses [parked facing traffic, parked ~~7248~~+ hours in the street, \$ 50
~~30-15 consecutive~~ days in a driveway, blocking mailbox access, parked 18+ in. from curb]
4. Failure to obtain or display pass in vehicle \$ 50
5. Aggravated parking violation (parked in red zone, blocking fire hydrant) \$ 100
6. Failure to register golf cart and/or affix registration placard on windshield—————
~~————— \$ 150~~
~~————— \$ 150~~
7. Violation of Access Agreement by oversize-vehicle (RVs) drivers \$ 250
8. Entering any gate from the wrong direction \$ 500

REPEATED VIOLATIONS: Fines are doubled if repeated within 12 months of the first violation. For the third violation within the same twelve (12) month period the fine shall be tripled. For four (4) or more such violations, the Compliance Committee may levy a fine greater than three (3) times the fine, as it deems appropriate in its sole discretion.

NON-STANDARD VIOLATIONS:

Other violations of the Combined Community Rules are determined on a case-by-case basis. Examples of such offenses are reckless driving, unlicensed driving, and failure to cooperate with staff, ~~conduct~~ personal conduct violations and disturbing the peace. The maximum fine for a single violation is \$2,500.

PGA WEST COMBINED COMMUNITY RULES AND REGULATIONS

TABLE 2: MONETARY PENALTIES FOR EXCESSIVE SPEEDING WITHIN PGA WEST

[FIRST OFFENSE]

15 MPH POSTED SPEED ZONE

20 MPH POSTED SPEED ZONE

20-24 mph	\$ 50
25-29	\$100
30-34	\$150
35-39	\$200
40-44	\$250
45-49	\$300

25-29 mph	\$50
30-34	\$100
35-39	\$150
40-44	\$200
45-49	\$250
50-54	\$300

25 MPH POSTED SPEED ZONE

35 MPH POSTED SPEED ZONE

30-34 mph	\$50
35-39	\$100
40-44	\$150
45-49	\$200
50-54	\$250
55-59	\$300

35 <u>40-39-44</u> mph	\$50
40 <u>45-4449</u>	\$100
45 <u>50-4954</u>	\$150
50 <u>55-5459</u>	\$200
55 <u>60-5964</u>	\$250
60 <u>65-64-69</u>	\$300