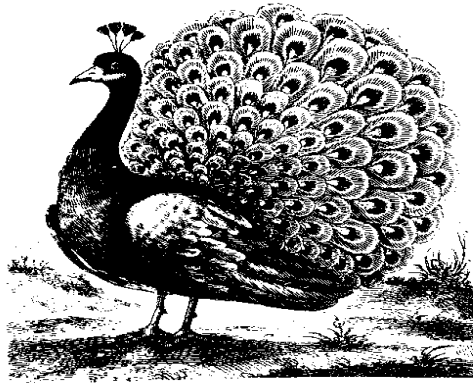


# PEACOCK HILLS SENIOR COMMUNITY ASSOCIATION, INC.



## RULES, REGULATIONS, FINES & ARCHITECTURAL GUIDELINES

Refer to the complete By-Law & CC&R documents for additional clarifying details. This Rules Booklet is intended to be used as a "quick reference" guide.

**Phone 760-708-3036**

Our Website: [www.peacockhills.org](http://www.peacockhills.org)

**KEEP THIS REFERENCE HANDY  
IT MAY SAVE YOUR LIFE**

**JANUARY 1<sup>st</sup>. 2008**

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# **Rules, Regulations & Fines**

**Effective January 1st 2008**

**Peacock Hills Senior Community Association, Inc.**

**1525 Peacock Blvd.**

**Oceanside, CA 92056-2101**

**Phone 760.708 3036**

These Rules and Regulations have been taken from the CC&R's (Covenants, Conditions and Restrictions) of Peacock Hills. We have condensed some of the CC&R's so that it is easier to follow. This condensed version of your legal document must be abided by in the same manner as your CC&Rs. These are not all of the qualifications governing the use of property in Peacock Hills, so please also refer to your CC&Rs.

1. **Usage: (Article 9.1)** A Single Family Residence with limit on number of residents. The number of permanent residents shall not be more than (1) one person per bedroom plus (1) one person for the rest of the living unit. Total of (3) persons per residence.

2. **Senior Citizen Occupancy: (Article 9.2.1 and 9.2.2)** Qualifying Resident is a person 55 years or older. A Qualifying Permanent Resident is a person who may permanently live in a home with a senior citizen. Such persons include spouses, caregivers and individuals who are 45 years of age or older.

**See section 9.2 for more complete details.**

Caregivers must have a detailed Physician endorsement on the Physician's letterhead.

It is the Owner's responsibility to make certain all resident changes are reported to the Board of Directors on the Age Survey Form within 30 days of any change. Failure to do so will initiate the Fine process. The federal "age" law requires that the Association update these forms every two years. The Age, or Resident, Survey form is downloadable from the website [www.peacockhills.org](http://www.peacockhills.org) (Select "Documents" link)

3. **Renting of Residential Units: (Article 9.3)** All rentals shall be subject in all respects to the governing documents and the rental agreement shall provide that failure to comply shall constitute a

material default under terms of the lease or rental agreement. Preferably before the tenant moves in, but in no case later than 30 days after the tenant moves in, the owner shall notify the Association, in writing, the following: (1) names and ages of tenants, (2) tenants phone number, and (3) address and telephone number where owner can be reached. If a non-resident owner moves, they shall notify the Association within 30 days of their new address and telephone number. Each home must be occupied by at least one person 55 years or older. Each additional person must be 45 years or older with certain specified exceptions. **See section 9.2 for more complete details.** Please give copies of these Rules and Regulations to your tenants if you rent out your unit. They must abide by the CC&Rs. The owner is responsible for the behavior of tenants and their compliance with the CC&Rs. All permanent residents in a home must complete and file with the Association an "age survey" form, within 30 days of any change of occupancy. The federal "age" law requires that the Association update these forms every two years. The Age, or Resident, Survey form is downloadable from the website [www.peacockhills.org](http://www.peacockhills.org) (Select "Documents" link)

4. **Guests: (Article 9.2.5)** Guests under age 45 may visit for a period not to exceed 60 days in a calendar year Jan.1 to Dec. 31

5. **Maintenance of Landscaping: (Article 8)** Each owner shall maintain landscaping in a neat and clean condition and shall at all times maintain the lot free and clear of weeds and debris. Front yard may only have plantings or gravel stone coverage. Concrete slabs or patios are not permitted in the front yard area. Walkways are permitted in the front yard, subject to Board approval.

6. **Maintenance: (Article 4)** Each owner must maintain, replace, restore or repair all improvements located on their lot to a neat, presentable and sound condition. This includes the original house, any additions, walls, fences and sheds. Windows may not be covered on the exterior with any type of covering except screens. The interior side of the windows may only be covered with drapes, shutters, and blinds, curtains or shades. Window panels may not be painted or covered by foil, wood, cardboard or other similar materials.

7. **No Business or Commercial Activity: (Article 9.4)** No commercial business shall be conducted on any lot. This provision does not prohibit home business which are merely incidental to the use of the home as a residence, are in conformance with all governmental ordinances, and **have no external evidence that a business is being conducted in the home.** That is, there can be no signs (not even on vehicles), no noise, no odors, and no increased vehicle, pedestrian or package delivery traffic over ordinary residential use.

8. **Restriction on Baby Sitting: (Article 9.2.8)** No day care, baby sitting or like activity, whether or not for compensation, shall be permitted on a regular or continuing basis.

9. **Nuisances: Article 9.5** Nuisances cover a broad area that includes inoperable vehicles, parking and storage of recreational equipment, noxious and offensive activities, indoor furnishings exposed to view outside the living quarters. Sounding devices except for security alarms used exclusively to protect the security of a Living Unit. Loud noises or noxious odors anywhere on the property. The conduct of persons residing in or visiting the home and more. . Please refer to the complete Article 9.5 in the CC&R'S for detailed information

10. **Signs, Banners, Flags, Flag Poles etc.: (Article 9.7)** No signs, posters or displays are permitted except for one "For Sale or Lease Sign." The U.S. Flag of reasonable dimensions (3'by 5') may be displayed upon the living unit. No other flag or banner may be displayed without approval of the board. A flagpole not higher than the roof ridgeline may be installed with the approval of the Board. A request for approval must be filed with the Board showing the pole location, height and material. No displays will be permitted on the front or side of the house or in the front or side yard unless approved by the Board. Displays shall include exterior lighting, statuary, fountains, colored stonework that forms a pattern and any ornamental structure that may be visible from the front sidewalk.

11. **ARCHITECTURAL CHANGES: REQUIRE BOARD APPROVAL**

## **Request for Approval (Article 9.11 and 9.10)**

**A request for approval must be submitted prior to starting the project for the following:**

(a) **ADDITION TO HOME** a plot plan showing the location of the addition must be attached to the request for approval (RFA) for any new structure attached to the house such as a family room, bath room, sun room or patio cover .The board may approve such structure if the side and rear yard setbacks are maintained and the structure does not exceed the height of the main roof. Additional bed rooms will not be approved. All attached structures must be filed with city of Oceanside building department. The board will provide a preliminary approval of the RFA to proceed with filing at the building department. A final approval will be issued on receipt of a copy of the city Permit to Construct. No work may proceed until final board approval of the RFA.

(b) **Patios** constructed of wood, concrete or paving stones. Front patios may not exceed the area formed by the front face of the building and the garage sidewall of the living room. The patio may not extend onto the front lawn area.

(c) **Patio Covers** are permitted in the rear yard without the same construction in the roof mate's yard (side and rear yard setback must be maintained). Both units should install matching front patio covers at the same time. The Board may approve a patio cover on one unit only if it is constructed to Board standards. All front patio covers must be wood construction and be painted trim color. Front patio covers must have open sides and may not be closed with latticework or fencing. **Aluminum Patio covers may not be installed in front or side yards.**

(d) **Painting** A change in house color from the original colors requires both attached houses be painted the same color at the same time. The Board must approve paint colors.

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(e) **Storage Sheds and Ornamental Structures** may only be constructed in the rear yard and may not exceed 120 square feet. No structures over 6 feet in height may be constructed in the

setback areas or at the fence line (see Rule 17). **Outside the setback areas , sheds cannot exceed 8ft high.** Tents are not permitted.

**(f) Fencing.** Backyard and side yard fences are permitted. Fences may not exceed 6 feet in height. Side yard fences may not exceed the adjacent front face of the house. No fences or walls are permitted in the front yard except walls for erosion control.

**(g) Garage Doors** may be replaced with wood or metal doors. If both houses replace the door at the same time, colors must match and be compatible with house colors. If only one door is to be replaced, it must be painted to match roof mate's door and existing house trim color.

**(h) Driveway Paving on adjoining homes must be the same material and color**

12. **Garage Sales: (Article 9.8)** No more than (2) two garage/yard sales, plus Board authorized community sales, can be conducted in any calendar year. Such sales activity shall be limited to not longer than (36) thirty-six hours. Signs posted may not be posted more than 48 hours prior to the sale and must be promptly removed at the end of the sale.

13. **Animals: (Article 9.14)** Caged birds, fish in aquariums and small caged animals may be kept in home at all times. Dogs and cats: not more than two (2) such pets **but not more than one dog** less than 50 pounds may be kept within the home.

All animal waste shall be promptly picked up by the owner of the animal and shall not be allowed to accumulate on the Lot. Pets shall be kept within the house, in a fenced yard or on a leash held by a person capable of controlling the animal. No animal may enter on the lot of another resident without prior permission. No animal may be kept, bred or maintained for commercial purposes. No exotic animals including reptiles over 12 inches in length, nor farm animals may be kept on the lot.

14. **Trash: (Article 9.15)** Garbage cans, etc., must be kept in garages or behind a fence except on garbage pick-up day and cannot be set out earlier than 3 p.m. the evening before pick-up and must be removed by sundown of the day of collection.

15. **Garage and Other Exterior Doors: (Article 9.6)** For the safety and security of residents, roof mate residents and others all Garage and exterior doors should be kept closed and secured unless actually working in the area.

16. **Parking Restrictions. (Article 9.19)** Except for loading and unloading in a period of time not to exceed 72 hours there shall be no parking or storage upon the lot or driveway of any motor home, 5<sup>th</sup> wheel, camper, boat, travel trailer or similar recreational vehicle. No vehicle may be parked that is not capable of fitting into the garage with the door shut. No more than two licensed and operational vehicles may be parked but not stored on the driveway. No vehicle parked may intrude on the front sidewalk. No vehicle used for commercial purposes may be parked on the lot or driveway.

17. **Required Setbacks**

(a) Side yard setback shall be 10 feet. Rear yard setback shall be 15 feet. (may be 10 feet if the area to the rear of the property is maintained open space. Zero lot line setback may be 5 feet. No construction is permitted in the side yard setback. Construction in the rear and zero lot line setbacks may not exceed 6' 0" high without the approval of the adjoining neighbor.

18. **Outside installations (CC&R 9.16)** No outside installations attached to the house or visible from the sidewalk are permitted without approval of the **Board**. This shall include any roof antennas (radio, television or CB), air conditioners, water treatment systems, rooftop ventilators, solar water heating systems, solar electric generating systems or skylights. **Unless they are installed at the back of the property, below the Ridge Line**

## SCHEDULE OF FINES AND PENALTIES

### **Schedule of Fines and Penalties for the Breach of Provisions of the Declaration, the Bylaws or the Rules.**

***Note: Level of the monetary Fines listed have not changed.***

Paragraph 12.1 of the Restated Declaration of Restrictions of Peacock Hills Senior Community Association, Inc. approved by the owners, and recorded on January 14, 2005, provides that reasonable monetary penalties may be imposed for the breach of any provisions of the Declaration, the Bylaws or the Rules. Charges for failure to timely pay assessments are set forth in section (§) 3.3 of the Declaration. Paragraph 12.1 also provides that the schedule of reasonable fines and penalties shall be published annually and mailed to each owner. The schedule adopted by the Board is set forth below:

No penalty may be imposed until the owner is notified in writing of the nature of the violation and a hearing is held, in accordance with Section 12.2 of the Declaration of Restrictions.

The amounts listed are the maximum monetary penalties.

Penalties may range from warning to the maximum listed amount and other non-monetary penalties as provided in the Declaration, Bylaws and Rules may be imposed.

\*\* Each additional offense within any two (2) year period from the date of the previous offense.

1. Not maintaining and other landscaping violations (§4 & §8)

First offense ..... \$200.00  
Second offense . \$300.00  
Third offense ..... \$400.00 \*\*

2. Failure to control animal, failure to pick-up and dispose of animal waste and other violations re animals (§9.14 & §9.5)

First offense \$100.00  
Second offense \$200.00  
Third offense \$300.00 \*\*

3. Sign violations (§9.7)

First offense \$100.00  
Second offense \$200.00  
Third offense \$300.00 \*\*

4. Noise, major car repairs and other nuisances (§9.5)

First offense \$100.00  
Second offense \$200.00  
Third offense \$300.00 \*\*

5. Failure to submit resident survey and age verification (§9.2 & §9.3) (Offense shall be failure to submit within 30 days of required date and request)

First offense \$300.00  
Second offense \$500.00  
Third offense \$1000.00 \*\*

6. Failure to receive association approval of plans before commencing improvements (§9.10 & §9.11)

First offense \$500.00  
Second offense \$1000.00  
Third offense \$2000.00 \*\*

7. Age & single family residence violations (§9.2 & §9.3)

First offense \$500.00  
Second offense \$1000.00  
Third offense \$2000.00 \*\*

8. Parking Restrictions (§9.19)

First offense \$200.00  
Second offense \$500.00  
Third offense \$1000.00 \*\*

9. Other violations not specified above

First offense \$100.00  
Second offense \$200.00  
Third offense \$300.00 \*\*

**To all who abide by the Bylaws and CC&Rs, fill out the Resident Age Survey completely and pay Association Dues promptly in support of our Senior Community – we extend our heartfelt thanks!**

## **NOTICE OF AUTOMATIC INCREMENTAL FINE.**

In accordance with the 2007 Fine Schedule, outlined in the Third Qtr 2007 newsletter, violators who do not **CORRECT** a violation **WITHIN THE TIME PERIOD STATED IN THE NOTICE IMPOSING THE FINE** are automatically subject to an additional fine. **THE ADDITIONAL FINE IS AT** the Second level. Failure to pay the cumulative fines and correct the violation within 30 days of the notice of imposition of the fine at the Second level will result in an additional fine being imposed at the Third level.

### **Additional Penalties for Continued Violation.**

The failure to correct a violation after Notice and Hearing and the imposition of a monetary penalty, suspended monetary penalty and/or other non-monetary penalty will result in an additional monetary penalty being imposed, without further notice or hearing.

Such additional monetary penalty shall not exceed the sum that may be imposed for a subsequent separate violation as set forth in this Schedule of Fines and Penalties. The Board shall allow such time for correction of violations as is reasonable under the circumstances. The Board shall give written notice to the person responsible to pay the penalty that such additional penalty has been imposed and the date by which the additional penalty must be paid. Such process and additional penalties may successively continue until the violation has been corrected.

### **Duty of Violator to Notify Board of Correction of Violation.**

To avoid the imposition of such additional monetary penalty, a violator against whom a penalty has been imposed shall, within the time for correction set forth in the Notice After Hearing, notify the Board in writing that the violation has been corrected

(Certified Mail is suggested but not required). Upon receipt of such notification, the Board shall investigate and inspect to determine whether the violation has been corrected. If corrected, the Board shall issue a written acknowledgment of correction to the violator. If the Board determines that the violation has not been corrected, the Board shall give written notification to the violator of its finding and the reasons for such finding.

**Notice After Hearing.** After a hearing as to whether or not an alleged violation has occurred or is occurring, the Board shall give written notice (“Notice After Hearing”) to the alleged violator. In the Notice After Hearing the Board shall state whether it finds that a violation has occurred. If the Board has found that no violation has occurred, the Notice After Hearing shall so state. If the Board has found that a violation has occurred or is occurring, the Notice After Hearing shall additionally state:

- (a). The nature of the violation.
- (b). The penalty or penalties imposed.
- (c). If the penalty includes a monetary sum, the date by which monetary sum must be paid, to avoid a late charge and accruing of interest at the rate of 7% per annum.
- (d) If the violation has not already been corrected, the date by which the violation must be corrected to avoid additional monetary penalties from being imposed.
- (e) The amount of the additional monetary penalty which will be imposed if the violation is not corrected by the date specified.
- (f) If the violation has been corrected prior to the Notice After Hearing, the Notice After Hearing shall so state.

Dear Peacock Neighbors,

This Rules Booklet is designed to make “following the Association rules” we all agreed to abide by, easier to understand and locate.

These excerpts are condensations taken from the CC&R’s and By-Laws. They are only intended to call attention to issues important to the safety, appearance and value of our Community.

Rules don’t make a community, people do. My personal experience as your President has been very rewarding. I’ve gotten to know more of my neighbors and with Board and Staff, helped resolve some “challenges.” Hopefully, together we are helping to make Peacock Hills the kind of neighborhood we all can be proud to call home.

The City of Oceanside’s leaders have acknowledged Peacock Hill’s importance to the larger community by their response to addressing our street, sidewalk and median concerns. Each City expenditure improves our quality of life and increases our home values.

I hope 2008 will be a year when each Owner will do something to improve their individual properties (following the City’s example).

Board focus and activity in 2008 and beyond will be to encourage each Owner to address the following improvement opportunities; Landscaping, Driveway Surfaces, Painting Faded Fronts & Shabby Fencing and Replacing Old Garage Doors whenever possible.

Please, always submit a Request for Approval (RFA) form for any project that changes the exterior look of the lot.

We are indebted to the Peacock Hills Board and Staff and all others that dedicate part of their life to improving the lives of others.

Your encouragement, patience and assistance are welcome and appreciated. Good Neighbors are becoming a rarity in many places. Not in Peacock Hills.

Thank you for all you do individually and collectively to make our community “*Special*”.

Jerry Carey, for the Directors and Administrative Staff.

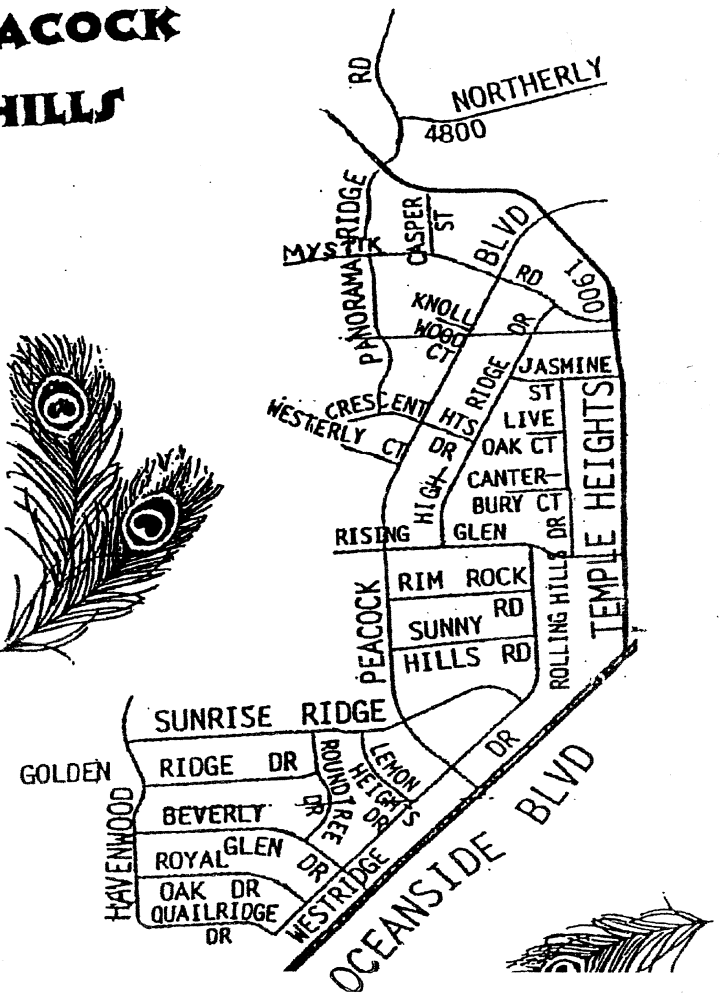
**LETS MAKE PEACOCK HILLS THE BEST SR. COMMUNITY**

- 1. GET TO KNOW YOUR NEIGHBORS**
- 2. GIVE NEIGHBORS YOUR EMERGENCY PHONE #'S**
- 3. DISCUSS “OPTIONS” WHEN OPINIONS DIFFER**
- 4. COMPROMISE CHEERFULLY – 50% & BOTH WIN**
- 5. DISCUSS CHANGES WITH YOUR ROOFMATE**
- 6. ALWAYS SUBMIT A “REQUEST FOR APPROVAL”**
- 7. ATTEND OPEN BOARD MEETINGS**
- 8. PICK UP LITTER ON YOUR STREET**
- 9. IMPROVE YOUR HOMES CURB APPEARANCE**

## HELPFUL PHONE NUMBERS

Animal Humane Society	757-4357
Anti-graffiti Hotline	435-4466
Border Patrol, Oceanside	430-7029
Bus Service, NCTA	1-800-266-6883
Children Protective Service	967-4410
<b>Code Enforcement</b>	<b>435-3944</b>
<b>Fire</b>	<b>911</b>
Hazardous Waste Disposal	338-2267
Health Department	967-4401
Housing Authority	435-3360
Library Information	435-5600
<b>Lifeline Transport Service</b>	<b>726-1111</b>
Meals on Wheels	726-1225
<b>Medical Assistance</b>	<b>911</b>
<b>Parking Enforcement</b>	<b>435-5195</b>
Physician Referral	940-3358
<b>Police Emergency</b>	<b>911</b>
<b>Information only</b>	<b>435-4900</b>
<b>Drug Activities</b>	<b>435-4904</b>
<b>Crime Prevention Coordinator</b>	<b>435-4544</b>
<b>Police Officer for our area</b>	<b>435 4646</b>
San Diego Gas & Electric	1-800-411-7343
" " " Emergency	1-800-611-7343
Senior Services .....	433-8933 or
Senior Citizen Center	435-5250
Seniors in Action	941-3212
Social Security Administration	1-800-772-1213
<b>Trash Pickup-large item, green waste</b>	<b>439-2824</b>
Water Emergency - Day	435-5800
Nights and weekends	435-4900

## PEACOCK HILLS



**PEACOCK HILLS SENIOR COMMUNITY ASSN. INC.**  
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