

SEAGATE VILLAGE  
COMMUNITY ASSOCIATION

RULES AND REGULATIONS

ENCINITAS, CALIFORNIA



**MISCELLANEOUS**

- A. "FOR SALE" and "FOR RENT" signs may be placed in a unit's windows and on the unit's garage door if the sign does not exceed 4 square feet in size. "FOR SALE" and "FOR RENT" signs may be placed in the front yards of the detached homes only. Signs of any type may not be placed in or on common area.
- B. The Leucadia County Water District does not allow self-regenerating soft water systems. These are the types which require you to add coarse salt to the unit. The used brine is discharged into the sewer system where high volumes of salt degrade the quality of reclaimed water and render it unusable. Systems complying with the Water District's requirements are available from soft water companies.

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**IMPORTANT PHONE NUMBERS**

Fire/Police	911
Police Non-Emergency	753-9844
Curtis Management	436-4560
Olivehain Municipal Water	753-6466
Mashburn Sanitation	744-2700
San Diego Gas & Electric	239-7511
City Of Encinitas	633-2600

**INTRODUCTION**

In order to maintain an orderly and pleasurable living environment within Seagate Village, reasonable rules and regulations must be established and enforced. This document provides information on the rules and regulations that have been determined by resolution of the Board of Directors for the benefit of all property owners, residents, and guests.

When a unit is purchased, owners are given two documents: **Covenants, Conditions and Restrictions (CC&R s)** and **Laws of Seagate Village Community Association**. Owners and tenants are urged to read both of these documents because they set forth in a complete and detailed form the rights, duties, and obligations of each owner and they together with this booklet **Rules and Regulations**, are the official documents that cover these rights.

This booklet is a summary of excerpts from the original documents. Please review them carefully to be sure that you understand the rules. Please take the time to review the pertinent rules with your children.

**To maintain the comfort, enjoyment, safety and beauty for the benefit of the properties and owners of Seagate Village, the following Rules and Regulations have been adopted by the Homeowners Association and must be followed by those residing in Seagate Village.**

- C. Notice of violations of these Rules and Regulations shall be sent in writing to the unit owner (and tenant).
- D. Failure to comply within the time given or notification of the same violation within a six month period shall result in a hearing at the next regularly scheduled Board Meeting. Members will be asked to attend this meeting and explain their reason for non-compliance, after which time a fine of \$50 per month may be levied.

**REPAIRS PERFORMED BY THE ASSOCIATION**

- A. Any repairs performed by the Association that are determined to be an owner's responsibility shall be paid promptly by the owner. Failure to do so shall result in an assessment to cover such charges, plus an administrative fee of \$20.00.
- B. Any repairs, replacing or painting of the common area necessitated by negligent use or vandalism caused by owners, occupants, guests, or their children, or pets shall be billed to the appropriate homeowner.

**ASSESSMENTS AND DUES**

- A. Assessments and/or Association dues are due on the first day of each month and are delinquent if not received by the 30th of the month.
- B. Delinquent assessments/dues shall be charged a penalty of \$10.00 per month which shall be added to the original charge.
- C. Those assessments/dues remaining unpaid on the last day of the second month shall be sent a pay or lien letter and liened if payment is not received by the last day of the third month. These costs shall be added to the total due. Assessments/dues remaining delinquent shall subject the unit owner to foreclosure proceedings 120 days after the original due date.

**MANAGEMENT AND VIOLATIONS**

- A. **Emergencies** involving the common area (sprinklers broken, graffiti, etc.) should be reported by phone as soon as possible to our management company. They have a 24 hour emergency line provided for such use.
- B. Owners or Tenants may report violations of these Rules and Regulations to our management company in writing and a violation notice will be sent to the offending owner. To report vandalism, residents are requested to call the Sheriff's office and/or write a letter to our management company.

Since the owner of each unit will be held financially responsible whenever applicable, it would be wise to ensure that all tenants are notified of these Rules and Regulations. Lease agreements should include a summary of tenant responsibilities.

The phrases *common area*, *private streets*, and *public streets* are used in this booklet and they are defined as follows:

*Common Areas:* The green belt (area under the power lines), pool area, tennis court, tot lots, mini parks, and the condominium open areas.

*Private Streets:* All streets within Seagate Village except Overland and Rambling Roads. All private streets are maintained by the Homeowners Association.

*Public Streets:* Overland and Rambling Roads. These streets are maintained by the City of Encinitas.

An open invitation is issued to all property owners to serve a term on the Board of Directors, or it's committees. Doing so helps ensure that the responsibility for managing Association business is shared and that homeowner interests are well-represented.

**RESIDENTIAL USE**

- A. Seagate Village is zoned for residential use and at no time shall an owner or tenant violate the rules of such usage as set down by City Codes or Ordinances.
- B. Day care businesses are not allowed in homes or condominiums.
- C. The drying of clothes, laundry, rugs, or any unsightly objects, is not permitted in view (e.g. draped upon or hanging from balconies).
- D. No unit occupant shall permit any noise or nuisance which interferes with the quiet use and enjoyment of any other unit.

**PETS**

- A. No more than two usual household pets per unit are allowed.
- B. The noise from pets must not interfere with the other residents. The Association will not arbitrate disputes between neighbors regarding noise from pets. The only suggested recourse is to call Noise Abatement (see Government listings in white pages).
- C. All dogs must be on a leash and under control outside the units. All droppings in the common areas must be immediately picked up by the pet owner.

- E. The individual homeowner is responsible for the utility lines which run under the patio to the garage area. The Association is responsible for utility lines leaving the garage area and entering common area to connect to utility services. Utilities mentioned in this paragraph are limited to telephone, electricity, gas, water, and sewer. The Association is not responsible for Cable TV wiring.

**MAINTENANCE OF THE COMMON AREA**

- A. In general, all common areas and private streets are maintained by the Association. However, any fence which is entirely on private property is the owners' responsibility. Any fence that divides private property and common area (or private property and the boundary of Seagate Village) is maintained by the Association with the cost of repair divided equally between the homeowner and the Association. All painting on the private property side of the fence is the homeowners' responsibility.
- B. Street lights are maintained by San Diego Gas & Electric. Please report a non-working street light to the SDG & E main office (654-1216). Be prepared to report the exact location of the street light. SDG& E's 24-hour emergency number is 234-6242.
- C. Common area lighting is maintained by the Association. Please report lighting problems in the common area to our management company.

**MAINTENANCE OF CONDOMINIUM UNITS**

- A. The Association is responsible for exterior painting, roofing, and exterior maintenance with the following exceptions being the owner's responsibility:
  - 1. Glass doors, windows, and screens.
  - 2. Garage walls, ceilings, and garage door mechanical parts.
  - 3. Exterior lighting fixtures and globes attached to unit.
  - 4. Pest control inside unit.
  - 5. Owner additions.
  - 6. Fences needing repair due to occupants' use.
  - 7. Installation and maintenance of rain gutters and downspouts.
- B. The owner is responsible for maintaining the interior of the original structural design as well as sewer and utility service lines (electrical, plumbing, cable T.V., heating, and appliances).
- C. The Association is responsible for the maintenance of the common drain which runs through the condominium patios. The Association may charge back any homeowner who damages the drain or causes the drain line to become clogged.
- D. Earthquake insurance is not provided by the Association.

**TRASH**

- A. All trash receptacles must be stored out of sight.
- B. Trash receptacles must not be set out for pick-up before 5:00 PM of the day prior to pickup and must be retrieved no more than 24 hours later.
- C. Items set out for pickup must fit inside a typical 32 gallon trash can. Larger items may not be picked up by Mashburn (our refuse collection company). Removal of these items is the responsibility of the homeowner. This may be arranged by calling Mashburn for a special pickup (744-2700).
- D. Trash service for the condominiums is covered by Association dues. Patio Homeowners must make independent arrangements.

**VEHICLES AND PARKING**

- A. Vehicle repairs or oil changes are not permitted on common parking areas, except in case of emergencies.
- B. Common area parking is intended for guest parking. Vehicles may not be parked for longer than 24 hours on private streets and no longer than 72 hours on public streets.
- C. No mobile home, boat, truck exceeding one ton, trailer, recreational vehicle of any kind or similar equipment shall be kept, stored, parked (other than temporarily, less than 24 hours), maintained, constructed or repaired, within Seagate Village in such a manner as to be visible from any neighboring property. These restrictions do not apply to vehicle repairs in case of emergency.
- D. All vehicles parked in fire lanes will be towed. All areas not marked for parking should be considered fire lanes. Please see page 6 for appropriate parking locations.
- E. When a vehicle is parked at the end of a cul-de-sac, it must be parked parallel to the curb.
- F. Unlicensed drivers are not allowed to operate vehicles (cars, motorcycles, or mopeds) on Association property.

**MODIFICATIONS TO YOUR HOME**

- A. Plans and specifications for any changes to the exterior of a patio home or condominium, i.e. patios, patio covers, decks, etc., must be submitted to the Architectural Committee for approval as to the harmony, external design, and location in relation to building codes and surrounding structure before they may be erected. Allow one month for review.
- B. Slope drainage must be maintained so that drainage does not affect neighboring properties.
- C. Rain gutters and downspouts may be added to the front, side or rear of a unit or home with prior approval from the Architectural Committee. They must be painted to match the trim and siding of the building where installed.
- D. It is the responsibility of the owner of each unit or home to keep all drains, downspouts, and rain gutters free and clear of all debris.
- E. No roof antennas shall be permitted on condominiums or patio homes.



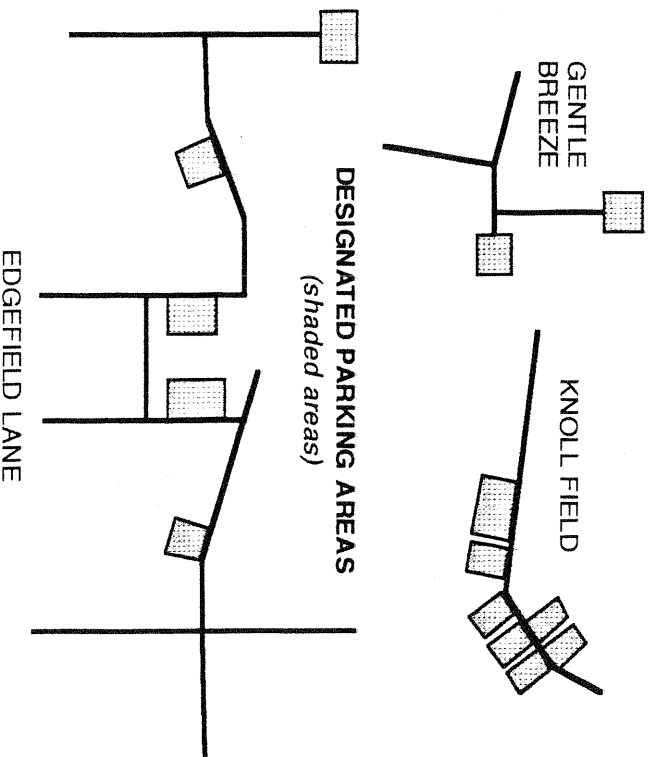
**COMMON AREA RULES**

- A. The Association will not be held liable for any damage caused by persons using the common area. Individuals who cause damage will be held responsible for the cost of repair.
- B. Golfing in the common areas is not permitted.
- C. Bicycles and skateboards are not allowed in the common area.
- D. Guests must be accompanied by the owner when using Seagate facilities.
- E. All actions of guests or tenants shall be the responsibility of the owner of the unit.
- F. Planting or landscaping on the common areas by the occupants of the Seagate Village must not be done without the written consent of the Board of Directors/Landscape Committee. Homeowner plants in the common area may be taken out by the Association at any time without notice.

**GARAGES**

- A. When garages are not in use, garage doors shall be closed.
- B. Garages shall be used for storing automobiles, other vehicles, equipment and machinery that is usual and customary with the use or maintenance of a private residence. Owners/tenants must park at least one automobile in the garage.

**CONDOMINIUM PARKING AREAS**



**POOL RULES**

Pool Hours: October through May 6:00 AM to 10:00 PM.  
June through September 6:00 AM to 11:00 PM.

Please, no loud noises after 9:00 PM.  
Please use the shower before entering the pool or jacuzzi.

**State Law:**

1. Children under the age of fourteen (14) shall be under the supervision of a parent or guardian when in the pool area.
2. No glass containers are allowed inside the pool area.
3. Pool entrance gates must be locked at all times. Do not prop them open!
4. Dogs or other pets are not allowed in the pool areas.

**Members and Tenant Responsibilities:**

1. The pool area is open to Association members and their guests only. Guest of homeowners are limited to six (6) per visit.
2. It is common courtesy for Association members to help keep the pool area clean. Please dispose of any trash in the receptacles provided.
3. No loud or annoying activities. Between 9:00 PM and closing time, all noise should be kept to a minimum. Authorities will be summoned to the premises for excessive noise which disturbs the peace and quiet of others.

4. Parental discretion should be used for children in the jacuzzi. It is a fact that hot tubs and jacuzzis are harmful to infants and toddlers. They are also harmful to the elderly, pregnant women, and those with high blood pressure. Please use common sense when using the jacuzzi.

5. No diving or cannonballs.

**Special Notes:**

1. There will be no closing of the pool area by an individual homeowner for private party use.
2. Only one key per unit for the pool area will be issued. There is a \$25 charge for a lost or stolen key replacement. To replace a lost key, contact the Association property manager.
3. Loss of pool privileges will be enforced if homeowners do not abide by these rules.
4. The pool heat will be turned off for the months of December, January, February, and March to reduce heating expenses. The jacuzzi will remain heated all year.

**SUMMARY**

*We are a unique community with large open space areas. Our project is among the most desirable in San Diego County and includes singles, families and retirees living together and sharing common facilities.*

*If each Association member makes an effort to participate in the community and to adhere to its rules, the result will be a more pleasant environment for all of us. It is our intention to preserve our property values and maintain the architectural integrity of our community. We ask your cooperation and assistance to this end. You are welcome to attend Board of Directors meetings, and we encourage you to contact the management company should you have any problems or questions.*

