

FLORENCE GARDENS MOBILE HOME ASSOCIATION (FGMHA)

RULES & REGULATIONS

SECTION A (AS OF 8 FEBRUARY 2022)

(New Amendments Page 3 (No. 3.2.1) and Page 4 (No. 3.6)

SECTION D

(AS OF 10 DECEMBER 2021)

(Revisions: Page 6 (No. 19.10: May/October 2021)

Page 7 (No. 20.2: June 23, 2021)

(AS OF 20 DECEMBER 2023)

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Page 8 (deleted 20.8, 20.12; renumbered from 20.8-20.12)

(As of 27 MARCH 2024)

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Florence Gardens Mobile Home Association RULES AND REGULATIONS

SECTION A

Rules Pertaining to Restrictions on Lots

Note: The rules in Section A, approved by majority vote of the Members, present or by absentee ballot, at Annual or Special Meeting are created for clarifications of restrictions in the Declaration. The FGMHA Architectural Committee is charged with reviewing applications for manufactured home installation, other construction and exterior remodeling, and landscaping on Lots belonging to Lot Owners in Florence Gardens. Lot Owners are responsible for obtaining any additional Pinal County and Town of Florence building permits, if required, before any installation, construction or exterior modifications are started on a lot.

1. Manufactured Home.

1.1 Installation Application. A detailed plot plan, front and side elevation views, and any other requested or offered supporting documentation attached to a completed FGMHA Application for Home Installation must be submitted to the Architectural Committee for approval prior to any excavation, construction or modifications to the property. The home installation application form and process, approved by the Board of Directors, will contain Architectural Committee guidelines for the applicant to follow.

1.2 Property Lines, Easements and Setbacks. Location of the property lines and easements are the responsibility of the Owner; such lines are required to be shown on the plot plan. Setbacks are the Town of Florence-required portions of a lot from the property lines to each side of the building area. In the case of a lot combined with another lot or lots or with a half lot or lots, the setback yard will follow the new parcel property lines.

1.3 Ground-set. All manufactured homes must be attached to a permanent foundation where the home is set at the level of the adjacent grade, an installation commonly known as ground-set.

1.4 Exterior Modification to Manufactured Home. A detailed plot plan (if required), elevation views that explain the project in relation to the home, and any other requested or offered supporting documentation attached to a completed FGMHA Application for Additional Construction or Modification must be submitted to the Architectural Committee for approval prior to preparing for and starting any new construction or modification to any accessory building.

2. Accessory Buildings. In Florence Gardens, an accessory building is one that is subordinate to the main building which shall be a dwelling on a lot. Examples of accessory buildings and structures include but are not limited to the following: carports, garages, covered patios, utility or storage or potting sheds, workshops, decks, and shade structures such as ramadas and gazebos, and pergolas.

2.1 Additional Construction or Modification Application. A detailed plot plan and any other requested supporting documentation attached to a completed FGMHA Application for Additional Construction or Modification must be submitted to the Architectural Committee for approval prior to preparing for and starting any new construction or modification to any accessory building.

2.2 Carports and Garages. Each home in Florence Gardens is required to have at least a carport or a garage. The minimum size of the parking area in either design shall be 12 feet by 24 feet. A carport must be unobstructed by any storage building or other structure that prohibits its use for parking, and the floor for either a carport or a garage must be a concrete slab at least 4 inches thick. Construction of a parking structure must be on the lot with the home or on a contiguous combined lot or a contiguous combined half lot. No more than two garages, only one of which is free-standing, shall be built on any combined lots; if the combined lots consist of more than two platted lots, any detached garage must be situated on the lot with the home or the lot nearest the home. The exterior of any garage must use the same paint color as on the current home, and the surface building material must be similar in appearance to that used for the home. A free-standing garage may not exceed 14 feet in height. No garage door can be over 9 feet tall from the concrete slab flooring.

2.3 Outside Storage. The unused building materials and clean-up for any construction project must be removed after the construction has been completed.

3. Landscaping and other structures.

3.1 Approval Required. The Installation Application shall include a component that describes the intended landscaping plan for a driveway, sidewalk, and ground cover. The Application for New Construction or Modification shall be used by Owners when landscaping additions are intended; the landscaping additions in the building area include accessory buildings, shade structures, uncovered patios, flagpoles, fences and walls, and golf course netting.

3.2 Approved Ground Cover. Aggregate, gravel or decorative rock shall be the ground cover. Natural-appearing artificial grass may also be a groundcover for a small area; decorative grass and vegetable or flower gardens are allowed.

3.2.1 Garden Definition. An area designated for the cultivation and harvest of annual fruit, vegetable and ornamental crops for home consumption.

3.3 Drought-resistant Plants. Desert or drought-resistant trees and shrubs are encouraged to be planted but must be done so as not to encroach on neighboring lots.

3.4 Flagpoles. Flagpoles are limited to 25 feet in height measured from the ground.

3.5 Fences, Walls, Wall Decorations, and Retaining Walls.

3.5.1 Fences. When a yard fence is constructed, the posts must be metal or termite-resistant (treated) wood or synthetic posts or employ cinder blocks or gabion structures. Examples of fencing materials include, but are not limited to, chain-link, split rail, wrought iron, picket and other natural or synthetic materials. Slatted chain-link fencing is prohibited.

The yard fence may not exceed forty-eight (48) inches in height, with two exceptions as required by the Town of Florence code: (i) any new fence installed along the street side yards (which is the area from the property line and back ten feet) of the lot shall not exceed thirty-six inches (36") in height and (ii) vision at corners of intersection streets must be unobstructed with no structures exceeding twenty-four inches (24") in height in the sight triangle. Any four-foot tall fencing in front yards and on street sides of corner lots shall only be replaced with three-foot tall fencing, unless in the sight triangle. All fences must be maintained in good repair.

Temporary fences, dog kennels, or runs exceeding the forty-eight (48) inches in height will not be allowed. The maximum height of a golf ball screen fence for an interior side yard or rear yard is eighteen feet (18') and may be constructed of non-slatted chain-link or nursery screen material.

3.5.2 Walls. When a non-retaining wall is constructed, its height shall not exceed thirty (30) inches from the footing to the top of the wall.

3.5.3 Wall Decorations. Decorations may be added to the wall but the total height of the wall with the decoration shall not exceed height restrictions based on the location of the wall on the lot. Height is calculated from the top of the footing to the top of the decorations.

3.5.4 Retaining Walls. Construction of retaining walls shall be done in accordance with standards set by the Town of Florence code. A decorative wall, a railing, or a fence may be constructed atop the retaining wall if the above height guidelines are followed.

3.6 Garden Enclosures. A garden net or garden mesh free-standing enclosure is not considered a structure. Free-standing enclosures cannot be attached to any other fence or structure. The garden net or enclosure does not act as a divider between properties and it only encloses a garden or protects plants.

Florence Gardens Mobile Home Association RULES AND REGULATIONS

SECTION D

Clubhouse, Annex and Recreational Facilities

19. General Rules and Regulations for Common Areas. The major purpose of the FGMHA clubhouse, annex and recreational facilities is for the use and enjoyment by all resident owners in good standing. Group member activities shall take precedence over any use of the clubhouse and facilities by individual residents.

19.1 Name Badges. Member and renter name badges and temporary guest badges are available at the FGMHA office. Members, renters and guests are required to wear their name badges when using the FGMHA common areas (clubhouse, annex and all other recreation facilities), and at all other group functions. Casita Hermosa residents, renters and their guests are required to wear the name badges issued to them by their Association.

19.2 Renters and Casita Hermosa Residents. All renters must be registered at the FGMHA office. Privileges of the FGMHA facilities in the common areas convey to the renter. It is the responsibility of Owners to ensure that their renters comply with the FGMHA governing documents.

Casita Hermosa residents, renters and their guests must be registered at the FGMHA office and must comply with the Settlement Agreement and the Florence Gardens Amenities Access Agreement.

19.3 Request for Group Use of Clubhouse, Annex and Other Recreation Areas. All requests to schedule use of the clubhouse, annex or other recreational areas for group activities must be submitted to the FGMHA Office as early as possible prior to an event to prevent scheduling conflicts. The FGMHA office shall be responsible for fee collection and refund of deposit as appropriate.

19.4 Resident/Member Groups. All resident/member groups may use the facilities if there are no conflicting scheduled activities.

19.5 Private Events. The main hall and the multi-purpose rooms in the clubhouse and annex may be used by private groups consisting of residents and invited guests. The host resident shall be responsible for the room usage. Private or special event guests do not need to get guest badges.

19.6 Visiting Guests. All visiting guests and relatives of residents using FGMHA amenities must have and wear guest badges (available at the FGMHA office). All visiting guests and relatives must abide by all pertinent FGMHA rules and regulations. Responsibility for the behavior of guests and for reasonable care/respect for the facilities lies with the sponsoring resident. The sponsoring residents or owners shall be held liable for any damage to the facilities caused by their guests.

19.6A Length of Visit. Guests and visiting relatives under the age of 40 are limited to a time period of two (2) weeks per visit and not to exceed three (3) visits in any six (6) month period.

19.6B Supervision. Visiting guests and relatives age 18 and older may use the facilities without being accompanied by their sponsoring resident.

19.6C Common Area Guest Use Restrictions.

- Guests and visiting relatives under the age of 18 shall not be permitted to use the clubhouse, annex, or any recreational facilities (swimming pool, shuffleboard, etc.) unless accompanied and supervised at all times by a resident or registered adult guest.
- No person age 3 and under may be in the pool area.
- No person under the age of 14 is permitted into the billiard room, lapidary room, lap pool, or exercise room.
- Persons age 14 through 17 using the billiard and exercise rooms must be accompanied and supervised at all times by their sponsoring resident.
- Persons age 14 through 17 using the lapidary room must be accompanied and supervised by their sponsoring resident who is trained and skilled in operating the equipment.
- No person utilizing FGMHA equipment shall be under the influence of alcohol or drugs.

19.7 Exercise Rooms. Residents and guests [age 14 and older] using the exercise rooms shall adhere to posted rules and be responsible for their own safety.

19.8 Pets. Pets, with the exception of service animals, shall not be permitted in the clubhouse, annex or recreational areas. When pets are off an owner's property, they must be on a leash and under Owner's control or inside a restraining cage or vehicle.

19.8A Owners are required to carry clean-up bags and to pick up waste deposits made by their pets. Fines may be issued for noncompliance with this rule.

19.8B Owners are subject to pertinent *Town of Florence* or Pinal County Ordinances.

19.9 Personal Property. Personal property left at any recreational area shall not become the responsibility of FGMHA. However, a courtesy lost and found box will be available at the office during regular business hours.

19.10 No Smoking. Due to the known adverse health effects of second-hand smoke and the nuisance smell of marijuana, the Board of Directors hereby declares smoking of tobacco or marijuana products, chewing tobacco products or vaping shall be prohibited on all common areas. This includes, but is not limited to, all recreational facilities, storage areas, community facilities, swimming pool area and any other common area or open space within the community.

For further details, please refer to the "Florence Gardens Mobile Home Association Resolution Policy to Restrict Tobacco or Marijuana Products in Common Areas – Smoking Policy Resolution" (Resolution Policy No. 1.21) approved May 26, 2021. These two paragraphs will more clearly clarify what the Resolution Policy states and provide a reference for anyone who wants to confirm the 19.10 "No Smoking" section of Rules and Regulations Section D.

19.11 Clubhouse and Annex Setup.

19.11A Room Assignments. The FGMHA office will schedule rooms.

19.11B Main Hall. Maintenance personnel, with a work order, shall set up and return the clubhouse main hall to original setting for all FGMHA Board of Directors' meetings, the FGMHA annual and special membership meetings, and association-sponsored events.

19.11C Room Arrangements. Sponsoring members or chairpersons of an activity shall make their own arrangements for setup and returning the room to original setting.

19.11D Room Arrangement Fees. Room setup fees will apply if association personnel do the setup and/or breakdown for the room arrangement.

19.12 Permanent Décor. The Decorating Committee shall, under the direction of the Board and with the help of the maintenance staff, determine permanent décor of all rooms in the clubhouse, annex and small rooms.

19.13 Building Security. All Florence Gardens members in good standing are permitted to enter the Clubhouse and Annex during the hours of 5 a.m. to 10 p.m. and the pool area from 8 a.m. to 11 p.m. ALL DOORS will require a Key Card during those hours. Key Cards will not access any door prior to 5 a.m. or after 10 p.m. Related signage will be posted on all outside doors.

19.14 Services Available at FGMHA Office. Copying, facsimile and laminating services are available at the office for posted fees. Notary services are available by appointment at the office.

19.15 Loaning of Tables. FGMHA will permit loaning old 6-foot brown tables and old card tables to resident members for use within Florence Gardens. Arrangements must be made for check-out at the FGMHA office. Special requests to borrow tables for use outside Florence Gardens must be approved by the association manager.

19.16 Business Office Hours of Operation. The office is open 9 a.m. to 4 p.m. Monday through Friday. These hours are posted in the main lobby and on the entrance door. This business office door is unlocked during business hours. The Key Card will open the door prior to 9 a.m. and from 4 p.m. to 10 p.m.

19.17 FGMHA Facilities Dress Code. Proper street attire is required at all times in the clubhouse and annex, except as appropriate for exercise classes.

19.18 Sidewalks across and around the common area buildings are designed for use only by pedestrians.

20. Pool Operations.

20.1 Rules are posted at the pool. In addition to the posted rules, any activity that is considered offensive or violates the well-being and/or safety of the pool user or others present will be considered a violation of pool usage rules. These shall include, *but are not limited to*:

- Lewd and lascivious conduct including sexual acts that are offensive and contrary to common standards of public behavior.
- Indecent exposure.
- Threatening or violent acts.
- Persons under the influence of alcohol or controlled substances.
- Using foul or abusive language.

20.2 Use of the pools and hot tubs is from 8 a.m. to 11 p.m. all year. The hours of operation are for seven (7) days a week with further restrictions as specifically noted below, posted at the pool area entrance, and found in Rule 20.10.

1. **The main pool** is reserved for water exercise as determined by management and as posted.
2. **Family time:** Children may use the main pool from 10 am to 12 pm and again from 4 pm to 6 pm from September 15 through May 14 and from 10 am to 5 pm from May 15 through September 14.

20.3 Owners and their families may use the pool if their assessments are paid in full.

20.4 Children aged 4 through 17 must have adult supervision. No one age 3 and under is allowed in the pool area. No one under the age of 14 is allowed in the lap pool.

20.5 Hot Tub Restriction. Visiting guests must be 18 years or older to use the hot tubs. Persons who have circulatory problems, low or high blood pressure, heart or lung disease, or a weak immune system should consult their doctors before using the hot tubs. Use of hot tub should not exceed 15 minutes at a time.

20.6 Swimsuits. Swimming apparel must be worn when using the pools or hot tubs. No shorts or cutoffs are allowed in the pool. Swimsuits shall be covered when worn within the clubhouse or annex.

20.7 Residents and/or assigned adults **are responsible** for their guests at the pool.

20.8 Pets, excluding service animals, are not allowed in the pool area. Service animals are not allowed in the pools.

20.9 Glass containers are not allowed in the pool area. Food items shall be confined to the designated food areas.

20.10 The pool may be closed on cold days (whenever the ambient temperature falls below 40° Fahrenheit), on windy days, and for maintenance and cleaning procedures; all such closings are at the discretion of the association manager and will be posted at the pool entrance.

20.11 Lap Pool. Lap swimmers or walkers have priority use of the lap pool as determined by management and as posted.

20.12 Showers. Per Pinal County rules, all swimmers shall shower before entering the pools and hot tubs.

21. Alcoholic Beverages. Consumption of alcohol in the common areas must be in compliance with the posted BYOB rules and applicable Arizona State Statutes.

22. No Liability. By entering FGMHA facilities (clubhouse, annex, pool, etc.), each person agrees to protect, defend, hold harmless, pay on behalf of and indemnify FGMHA (and/or its designates(s)/agents(s)) from and against any and all claims, actions, liabilities, damages, losses, costs and expenses (including attorney fees) in connection with any property damage, injury sustained or death arising out of or relating to use or consumption of any beverages containing alcohol on or within the FGMHA facilities.

23. Events in Common Area. There are four (4) classes of event activity:

- 1) HOA-sponsored events (open to all members and their invited guests);
- 2) Member-sponsored events (open to all members and their invited guests);
- 3) Member private events (by invitation only); and
- 4) Outside organization events (attendees defined by the organization).

23.1 Event Announcement. All event notices must be given to the office for posting on association bulletin boards. Each poster will be considered an 'open' event for members unless that notice specifies otherwise. Each event notification poster shall be no greater in size than 8-1/2"x11" for the clubhouse and annex bulletin boards. For kiosk bulletin boards, half-page posters for events are preferable during the winter months.

23.2 Room Usage Fees. Those wanting to schedule an event and reserve the use of a common area room or space must do so by application at the office. The schedule of fees and responsibilities of the requestor will be provided as part of the application. Board approval for some events may be required.

23.3 Clubhouse Kitchen and Annex Miscellaneous Usage Fees and Rules.

23.3A Catered Dinners. Dinners may be catered. A fee may be required for use of the kitchen. When the kitchen is used, it shall be under the supervision of the kitchen coordinator. The steam table and pans may be used with permission and supervision of the kitchen coordinator. The kitchen and all equipment must be cleaned, inspected and accepted by the kitchen coordinator after cleanup.

23.3B Mini-Kitchens. The mini-kitchens in the clubhouse and annex may be used for coffee and tea at a cost to be determined by the Association Manager.

23.3C Patio Grills. The patio grills may be used for patio functions. The host of the event is responsible to see that the bottled gas is in ample supply, that valves are turned “off” and grills and patio area are properly cleaned.

23.3D Popcorn Machine. The popcorn machine may be used for all functions, providing the sponsor makes prior arrangements.

24. Proximity Reader Access Cards. Proximity readers and the white proximity access cards must be used for access to the clubhouse, annex and pool area at all times, with the exception of the Main Office Entrance during Business Hours. One white proximity access card may be issued to each FGMHA member (person or representative of entity on the deed) regardless of number of lots owned. Cards available at an initial posted cost per card at the FGMHA office during business hours.

Each access card is assigned to a member’s name and lot number(s). The identity of member to whom the access card was assigned is stored in the proximity reader each time a door to common area facilities or the pool area gate is unlocked. Card holders are encouraged to take proper care of the access card: do not write on, launder, or otherwise damage or over-heat the wire and computer chip within the white proximity access card.

At the discretion of the Board, one additional access card may be issued to a person not shown on the property deed. Prior to issuing this additional card, the property owner on the deed must provide written permission to the Board for the additional card. The proposed recipient must be the spouse, sibling or life partner/cohabitant of the property owner shown on the deed. This person must also be registered with the office and proof of age is required per the CC&Rs, Article IV General Provisions, Section 4.10 Age Restrictions.

24.1 Landlords. The landlord will take responsibility for any and all use of the proximity access cards issued in the landlord’s name for the dwelling on the lot.

24.2 Proximity Access Card Malfunction. Any non-functioning access card may be returned to the FGMHA business office to verify access status and/or reason for access card malfunction.

- **Approved card status.** If the card access status is ‘approved’, the card will be examined for damage. An undamaged malfunctioning access card with ‘approved’ status shall be replaced at no cost. Any damaged access card with ‘approved’ status may be replaced at a posted cost to the verified card holder. Determination of damage is at the discretion of the office.
- **Invalid card status.** If the card access status is verified as ‘invalid’, the card holder shall be advised of the reason(s) for denial. The card holder has the right of appeal to the Board of Directors. When the card holder is verified to be back in compliance, the access card will be re-set to ‘approved’ status at no cost.

24.3 Lost or Stolen Proximity Access Card. When an access card is lost or stolen, the FGMHA member is encouraged to notify the FGHMA business office as soon as possible. Access status of the missing card will be re-set to ‘invalid’. The replacement cost for the access card for a verified card holder is posted.