

The logo of the Fountain of the Sun Association is a large, stylized sunburst. It consists of a central circle with numerous rectangular rays radiating outwards, creating a circular sunburst effect. The rays are light red and have a slight 3D effect with shadows.

RULES AND REGULATIONS

Fountain of the Sun Association
(Herein referred to as FOSA)
Mesa, Arizona

June 19, 2019

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CHAPTER I

INTRODUCTION

1-101 PURPOSE

In a community, such as the Fountain of the Sun, it is necessary to establish rules for the operation of the community facilities and the areas which everyone shares. Rules are needed so that all users will be aware of the minimum requirements of consideration of others, thus assuring safety and protecting our property and maintaining its value.

1-102 GOVERNING BODIES

The community is regulated by Federal, State, County and City of Mesa laws. In addition, the community is regulated by the HOA Declarations of Covenants, Conditions and Restrictions (CC&Rs – our deed restrictions). The Articles of Incorporation filed with the state define our corporate behavior. This is the order of precedence of authority. The By-laws give to the Board of Directors the power to make, and the duty to enforce, rules for the community. These documents can be viewed at the FOS web site at: www.fos-az.com

1-103 RULE REVISIONS

Rules are established and/or modified by a majority vote of the Board of Directors. Appeal of any interpretation may be made to the Board of Directors.

1-104 ENFORCEMENT RESPONSIBILITY

FOSA Management is responsible for the enforcement of the rules, except as noted.

1-105 REPORTING VIOLATIONS

The procedure for handling reported violations is as follows:

A. Anyone wishing to report an alleged violation of the Rules and Regulations may do so by contacting the FOSA Management. Violations must be reported in writing.

B. The Management will investigate the violation.

C. If the violation continues, the Board of Directors is authorized to take additional enforcement action as provided by Arizona law, its governing documents, and as detailed herein.

1-106 ENFORCEMENT OF RULES AND REGULATIONS

In order to enforce the Rules and Regulations, the Board of Directors may levy, assess, and collect reasonable fines and costs as established by the Board of Directors. The fines will be assessed against the Homeowner for violations by the Homeowner, members of his or her family, invitees, licensee, tenants or lessees of such Owners. (Whenever the word "Owner" is used in this document, the word "tenant" may also apply.)

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The Association shall utilize the following standard procedure and fine schedule unless the Board determines that additional penalties or action is necessary:

1. SCHEDULE OF NOTICE

- A. First Offense: Warning Letter to Owner
- B. Second Offense: *Hearing Letter to Owner, Possible Fine
- C. Third Offense: Hearing Called by Board of Directors plus Fine
- D. Reoccurring Offenses: Enforcement in Accordance with the Determination of the Board at the hearing.

2. SCHEDULE OF COSTS

Note: A period of twenty-one (21) calendar days shall be provided to correct the violation.

- A. First Violation --- First Notice \$00.00
- B. First Violation --- Second Notice \$25.00
- C. First Violation --- Third Notice \$50.00
- D. First Violation --- Fourth Notice and each Subsequent Notice will include an additional fine of \$75.00
- E. Fines - Subsequent Violations by Previous Offenders, as Determined by the Board.

The list above is not intended to be all-inclusive. Additions may be made as required. Fines etc. may vary and may increase depending upon the circumstances. Fines etc. may be at the discretion of the Board of Directors; the amounts shall be predicated upon the severity of the violation and may include legal action. A clerical fee may also be assessed in addition to the fine for processing the violation notice.

Homeowners are responsible for damage caused to the common area.

All legal fees or costs incurred by the Association to enforce violations or collect fines will be the responsibility of the Homeowner.

It is each Owner's sole responsibility to inform their tenants of all Rules and Regulations. The Owner is also responsible for any and all damage caused by their tenants.

Failure to pay the fines in the time as set forth herein may result in the filing of appropriate legal action. In addition, voting rights and the right to use amenities may be suspended, per the FOSA BY-LAWS, Article IX, Section 4, paragraph 1.

Further documentation may be found in Section 2-108 of this "Rules and Regulations" booklet and in the FOSHA "Compliance Committee Policies and Procedures" document, Section "D", Sub Section "r" under the heading "Traffic".

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*APPEALING THE HEARING LETTER

If you wish to appeal this matter, you must do so within twenty-one (21) calendar days after the date of the notice by writing a response and sending the response by certified mail to the "APPEALS COMMITTEE", c/o the FOSA Management, at the address listed in the letter.

The Appeals Committee will review the appeal and will determine whether or not the Board of Directors should be notified of the appeal. If it is determined that a hearing is necessary, then the Appeals Committee will notify the Board of Directors. The Board will conduct the hearing within twenty-one (21) calendar days of the date of their notification. However, pursuant to ARS 33-1803, you may request a hearing with the Board of Directors instead of the Appeals Committee.

Persons failing to request a hearing within twenty-one (21) calendar days, shall have waived their right to a hearing.

If fines are imposed, fines shall be paid by check or money order made payable to "FOSA" and mailed to the address listed in the letter. Fines not paid within thirty (30) days will accrue a late payment fee of \$15.00 per month.

Also, see Chapter III, Section 3-101

CHAPTER II

GENERAL GUIDELINES

2-101 GATE ACCESS RECORDS

Both owners and renters must fill out an Access Record to be entered into our database. Access Record Forms are available at the FOSA Office. This information is a record of your contact information, your approved guests, emergency contacts and your service providers. It is the information needed to assist Security in identifying your approved guests or service providers and to contact you if necessary. The Access Record, completed by the resident, will list those guests that you wish to have access into Fountain of the Sun both before 7:00 am and after 7:00 pm on a regular basis to visit you.

2-102 GATE ENTRY

Only vehicles with a current Resident windshield decal, temporary pass, or guest pass will be allowed unchallenged at entry. Fountain of the Sun has 24-hour security at the guard station at the Broadway Road entrance. It is the responsibility of the resident to notify Security of expected guests that are not approved on your *access record, as well as any service calls or deliveries you expect. **Guests, service calls, and deliveries that are not on your approved access record will not be given access before 7:00 am and after 7:00 pm unless you have notified Security or Security contacts you and you grant them access.**

The Sossaman & Pueblo entrance is open from 7:00 am to 7:00 pm daily for both entry and exit. After 7 pm the Sossaman & Pueblo Gate entrance is closed. However, you may still exit there via the automated gate.

Note: Gate hours may change during certain times of the year.

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Your guests must go to Broadway Security Guard Station for a pass. The Security Guard will **need your house number and last name** to find your property access record. Your guests must identify themselves and allow Security time to verify the information provided in your Access Record. Upon confirmation that the guest is on your Access Record a printed Guest Pass can then be issued by the Security Officer and will be valid for up to 30 days. This pass may then be used at the Broadway Road entrance and the Sossaman & Pueblo Gate entrance. The pass must be updated at the main gate when it expires. Service passes must enter and exit at the Broadway Road entrance.

2-103 FOSA RESIDENT WINDSHIELD DECALS

FOS owners must obtain a vehicle decal in order to enter the community without stopping at the guard station. Refer to section 3-102 for complete instructions.

2-104 TEMPORARY PERMITS

Temporary permits will be issued to renters or to property owners not supplying the required information. Sun Villa renters will be issued a temporary gate pass upon presenting to the FOSA Office a rental slip issued by Sun Villa Management. Other renters must present a copy of their lease, rental agreement or letter from the property owner verifying the tenant and date of occupancy. Driver's license, vehicle registration or vehicle rental agreement is required, also. No temporary gate passes will be issued for less than two weeks or longer than the expiration date of the current quarter. Temporary permits must be displayed to Security when entering Fountain of the Sun. Temporary permits will change yearly: from July 1-June 30. Expired or otherwise invalid temporary permits will be confiscated by Security.

2-105 IN-HOUSE GUEST PASS

In-House guest passes will be issued for a maximum of thirty (30) days. Passes will be issued by Security to guests listed on the residents' Access Record Guest List and to tenants under a 2 week lease. In-House Guest Passes must be displayed to Security when entering Fountain of the Sun.

2-106 TEMPORARY RV PERMITS

No recreational vehicles, commercial-type vehicles, inoperable vehicles or automobiles may be placed or permitted to remain on the street or any other portion of any lot unless it is within a closed garage or structure. There is a four (4) day period when recreation vehicles may be parked on or near a lot to allow for cleaning, packing or unpacking, with a permit. This Temporary RV Permit must be obtained from Security prior to parking a RV at your residence.

Non-resident RVs are limited to three nights on any FOS streets in a six (6) day period with the issuance of the Temporary RV Permit. NOTE: Any RV parked on any association street must have orange cones or triangles placed beside the vehicle at all times.

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2-107

AGE SPECIFIC ZONING

Fountain of the Sun is set by City of Mesa Ordinance as an Age Specific Overlay Area, which means that at least one person living in a residence must be at least 55 years of age. IT IS NOT LEGAL TO RENT OR ALLOW PEOPLE TO LIVE IN ANY HOME OR CONDO IF THEY ARE UNDER THE STATED AGE IF THERE IS NOT A PERSON OF 55 YEARS OF AGE RESIDING AT THE RESIDENCE.

Children under the age 18 are NOT allowed to live in FOS. Children may visit for a period up to ninety (90) days per year, providing an adult over the age of 55 is residing in the home during the child or children's visit.

For specific age restrictions rules, please read the HOA CC&Rs, contact the Fountain of the Sun Association (FOSA) office or CONDO Association for verification.

2-108

SPEED LIMIT AND STOP SIGNS

The Speed Limit within FOS is normally 25 miles per hour unless otherwise posted. You are required to comply with these speed limits and obey all stop signs.

NOTE: As you approach the entrance gates, you are required to come to a full stop at the guard station and proceed only after the guard has waved you through.

All residents, residents' guests and renters of Fountain of the Sun are required to follow/obey the Arizona State traffic laws, the same as you would if driving on city streets.

If you are found in violation of Arizona State traffic laws, while driving in Fountain of the Sun, you may be subject to a fine and/or subject to loss of Fountain of the Sun community privileges.

2-109

FOSA PARKING LOTS

Automobiles, motorcycles, motorbikes, golf carts or other motorized vehicles shall not be parked overnight in any of the Association parking lots. See Note 1, Exception.

No automobiles, motorcycles, motorbikes, golf carts or other motorized vehicles shall be parked on any Association streets or parking lots with the intent of advertising the sale of such vehicles.

If you receive an illegal parking citation from Security, you will be subject to fines per Chapter 1, Section 1-106 and towing see Note 2.

Note 1: Exception will be for Special Events, i.e. Bus Trips, Tours, etc., where the vehicle will be parked overnight with authorized permit clearly displayed on the vehicle.

Note 2: If the vehicle is parked illegally for more than three (3) consecutive days, the vehicle may be towed at the owner's expense.

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2-110 TELEPHONE DIRECTORY

A resident directory is printed each year listing owners/permanent residents. Notify the FOSA office if you prefer not to be listed in the directory. This information is intended for use by our residents only, not for solicitation or to be shared with those outside FOS.

2-111 SUN TIMES NEWSPAPER

The “*Sun Times*” is the official newspaper of Fountain of the Sun and is published monthly (the first week of each month). These may be picked up in the drop boxes attached to your mailbox units or at the Administration Building. Please take only one (1) copy per household. Deadline for news items and articles for the *Sun Times* is the 10th of each month.

The *Sun Times* is provided to the community by Miller Media Services at no cost to the Association or residents through the support of its advertisers. Due to the limited amount of available space, all submitted material may be edited or omitted as deemed necessary by the publisher and community representatives.

2-112 SUN TIMES EXPRESS EMAIL BLAST

The “*Sun Times Express*” is a weekly email blast informing residents of current activities and meetings. Classified ads are also included. You may sign up for your weekly email blast by contacting the Administration Office. Your email address is never shared or sold.

2-113 SCHEDULING OF ACTIVITIES

All activities must be cleared through the Activity Manager. Anyone wishing to schedule an event or requesting use of the facilities must present a written request to the Activity Manager for approval. Regularly scheduled activities are printed in the monthly Sun Times newspaper, posted on bulletin boards throughout the community and may be posted in the Sun Times Express weekly email blast.

2-114 CATERED ACTIVITIES

Persons reserving Recreational Facilities for private parties may engage a caterer. Any caterer availing themselves at FOS kitchen facilities shall furnish a Certificate of Insurance on a standard form from a qualified insurance carrier, with \$1,000,000 liability insurance coverage and indemnify FOSA, (and FOSA must be named as an additional insured), and a copy of current health permit. All the aforementioned must be on file in the Association Office three (3) weeks prior to the catered event. Also, see Chapter VI Section 6-103 for further details.

2-115 NAME BADGES

Fountain of the Sun name badges are requested to be worn for identification purposes when using any of the facilities.

Note: Without your name badge you may be asked to verify residency. This procedure is for your protection as a property owner to prevent infringement upon your rights and privileges by others. Name badges may be purchased at the FOSA Office

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2-116 SIGNS: POLITICAL, FOS BOARD CANDIDATES

Residents may display one political sign per candidate or ballot measure in a size not to exceed the size permitted by City of Mesa Code 11-41-7 (G), this information may be found on the web at www.mesaaz.gov/clerk. Such signs shall not be displayed earlier than seventy-one days before the day of an election and not later than ten days after an election day.

FOS Board Candidates are permitted to display 1 (one) campaign sign per City of Mesa Code 11-41-7 (G), currently restricted, in Single Residents districts on lots smaller than one (1) acre, one (1) sign per street frontage for each candidate or measure not exceeding eight (8) square feet in area and six (6) feet in height. Such signs shall not be displayed earlier than seventy-one (71) days prior to an election and shall be removed within ten (10) days following said election.

Signs shall not be placed in any portion of the public right-of-way located between a street or sidewalk and a property line fence. The person, party, or parties responsible for the distribution and display of such signs shall be individually and jointly responsible for their removal.

FOS Board Candidates are permitted to display one (1) campaign sign no larger than 24" x 24" on their own personal vehicle or golf cart.

2-117 TRASH BINS

The trash bins located in the fenced area east of the Administration Building are for use by the different activities held in FOSA facilities and by the FOSA maintenance staff. The dumpsters are not for use by residents for their own personal trash and yard clippings.

2-118 RECYCLING FUND RAISING

Please PITCH-IN and help our association with this fund-raising activity. Bins are in the parking lot behind the Administration building. Newsprint, cardboard, aluminum, and plastic may all be recycled.

NO GLASS or STEEL CAN recycling at this time.

2-119 SMOKING

Smoking is not permitted at any time in any Fountain of the Sun Association buildings, swimming pools, hot tubs, or the area around a swimming pool, hot tub or pickleball court or within 20 feet of any Association building doorway.

2-120 DISCHARGE OF WEAPONS

No person shall discharge a firearm or other weapon capable of expelling a projectile anywhere within the community. This rule shall not prohibit a resident from owning a firearm and using it in the confines of their home in compliance with applicable law.

2-121 FIREWORKS AND INCENDIARY DEVICES

Fireworks and incendiary devices are strictly prohibited anywhere within the community of the FOS.

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2-122 GARAGE, ESTATE AND OTHER SALES

Garage sale definition: A garage sale shall be defined as any sales in which multiple items for sale are displayed outside the residence or in the garage or carport, when such items are visible from another home/condo, the street, sidewalk, or to passersby.

Contact FOSA or your Condo Association for specific rules.

INDIVIDUAL GARAGE SALES are prohibited. Community-wide garage sales coordinated by the Activity Manager are permitted twice a year.

Estate sale definition: An estate sale is a sale held for the purpose of liquidating estate furnishings or other property or possessions, all of which must be the property of the house/condo owner, that is conducted by a Fountain of the Sun resident or their authorized representative. Due to the nature of these items, estate sale items are not displayed outside the home/condo and require prospective buyers to enter the home/condo in order to view the items for sale.

Contact FOSA or your Condo Association for specific rules.

ESTATE SALES are allowed by individual residents or their authorized representatives at homes/condos within the Fountain of the Sun. Items for sale must be the property of the home/condo owner, may not be displayed outside the home/condo or in any manner whereby they are visible from the street, the sidewalk, other home/condos, or to passersby.

2-123 SOLICITATION

The Fountain of the Sun Association prohibits solicitation. It shall be unlawful for any person to distribute, deposit, place, throw, scatter, or cast any commercial or noncommercial handbill upon any premises which includes door to door sales, distribution of flyers, etc. FOS residents do not desire to be molested or to have their right of privacy disturbed or to have any such handbills left upon such premises.

Residents are encouraged to get the name of the solicitors and then ask them to leave, and immediately notify FOS Security of the occurrence. Security will endeavor to locate the solicitor and inform them to cease and desist and get their contact information. All reported incidents of solicitation will be reported to the Association Management who will notify the solicitor telephonically and by mail of this policy.

CHAPTER III

VEHICLE AND TRAFFIC CONROL

3-101 ENFORCEMENT OF TRAFFIC AND PARKING REGULATIONS

While Fountain of the Sun is considered private property, applicable state laws governing the movement of motor vehicles, bicycles and pedestrians, and parking regulations that are currently in effect under ARS Title 28, shall be considered applicable to all Fountain of the Sun property. No person shall operate a motor vehicle within Fountain of the Sun

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unless said person is currently legally licensed to operate a motor vehicle according to the laws of the State of Arizona.

Note: See Chapter I, Section 1-106

3-102 VEHICLE IDENTIFICATION

Personally-owned vehicles used by an owner-resident should display a Fountain of the Sun identification decal on the INSIDE LOWER LEFT HAND (DRIVERS SIDE) CORNER of the vehicle windshield. No other locations permitted. The resident **MUST** show proof of ownership (vehicle registration and driver's license) for each vehicle decal requested. Tenants will be issued annual temporary gate passes. See Chapter II, Section 2-104.

Owners will be responsible for updating the decal when new decals are available.

Owners will also be responsible for updating vehicle information at the FOSA office when a change has occurred. In order for an owner-resident to obtain a replacement vehicle decal, the resident **MUST** remove the previously issued decal and return it to the FOSA office. A replacement decal cost is \$5.00. Fountain of the Sun owner-resident vehicle decals may not be given or loaned to others. Vehicle decals are issued to specific vehicles and are NOT transferable.

3-103 ENTRY CONTROL

The Broadway entrance is open 24 hours a day. Cars with a current Fountain of the Sun decal may pass freely. Cars without decals must be cleared by the guard. Visitors, delivery vehicles, contractors and all other **non-resident vehicles MUST** enter through the Broadway entrance.

The Sossaman gate is open from 7:00 a.m. to 7:00 p.m. for vehicles with Fountain of the Sun decals or Guest Passes obtained from the Broadway entrance guard only.

Note: Gate hours may change during certain times of the year. See Chapter II, Section 2-102

3-104 GATE/GUEST PASSES

Residents may notify Security to allow entry from the Broadway entrance for visitors or vendors to visit their home/condo. The validity of the request may be checked by Security to protect the integrity of the system. You may register your guest at the FOSA office.

3-105 PARKING

Vehicles, including golf carts and passenger vehicles used for daily transportation, may not be parked overnight on the street in a residential area without a permit from Security.

NO vehicle too large to fit within the interior dimensions of the garage, carport or driveway, may be parked overnight on the street or in a residential area without a permit or special permission from Security. However, parking of these vehicles will be permitted only between 6:00 a.m. and 9:00 p.m.

Recreation vehicles parked in residential areas with permits may be parked in front of the RV owner's home/condo or in a common home/condo or guest-parking areas where available. NOTE: Any RV parked on any Association street must have orange cones or

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triangles placed beside the vehicle at all times.

Specific permission must be granted by the home/condo owner in order to park in front of another home/condo. **NO** RV may be occupied overnight and any slide-out, stairs and awnings must be retracted unless doing housekeeping on the unit.

Non-resident RVs are limited to three nights on any Fountain of the Sun streets in a six-day period with permits. Commercial vehicles are not permitted to park overnight in a residential area without a permit. Moving vans and moving storage containers/pods may be parked for a maximum of three nights and are subject to the same time restrictions stated above. Moving storage containers/pods may be stored on the owner's driveway with a permit from Security for not more than thirty (30) days. A variance from this rule may be granted by either Security or the FOSA Management.

Stopping, standing or parking of vehicles is prohibited when it interferes with traffic or constitutes a hazard. Parking is specifically prohibited in the following places:

1. On a sidewalk.
2. In front of a public or private driveway.
3. Within an intersection.
4. Within 15 feet of a fire hydrant.
5. On or within 20 feet of a crosswalk.
6. Within 20 feet of a stop sign.
7. In any **RED** zone or place where signs or marking prohibit or restrict parking.
8. On the roadway side of any vehicle legally parked on the edge or curb of a street (double parking).
9. In any location where a handicap sign or designation is clearly posted and the person parking is not handicapped, and/or the vehicle being parked is not displaying an approved handicap symbol.
10. Personal and recreational vehicles: Personal and recreational vehicles shall not be parked on yard, easements or any other portion of home/condo lots other than driveway, carport or garage. Personal vehicles that are not used for daily transportation shall not remain parked and unused on Fountain of the Sun streets for more than three nights. Guests of Fountain of the Sun residents shall park their cars in the garage, carport or on the driveways of the home/condo when available. If the vehicle will remain unused for more than 72 hours and the garage, carport or driveway is not available, the resident should contact Security to notify them of this fact, and the date the vehicle will be leaving. Security may authorize parking for longer than 72 hours for guests of residents based on the appropriateness and the facts of the individual request.

3-106

GOLF CARTS, BICYCLES AND OTHER MOTORIZED VEHICLES

All of the above are bound by the same traffic rules as other vehicles. These vehicles used during nighttime hours must be equipped with white lights in front and tail lights or red reflectors in the rear. Only persons 16 years of age or older, or are in possession of a valid learner's permit and accompanied by a responsible adult, may operate golf carts within Fountain of the Sun. These restrictions shall include but is not limited to mopeds, motorized bicycles and other motorized conveyances. **Go-peds, go-carts and motorized skateboards** are not permitted to be operated within Fountain of the Sun.

Bicycles may be walked, but not ridden, within the recreation facilities, or on the

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sidewalks directly adjacent to these facilities. Bicycle racks are available at the Activity Center and Administration Building, and all bicycles shall be parked in these racks when space is available.

Golf carts transporting severely handicapped persons, and equipped with the proper handicap insignia may be driven on Activity Center area sidewalks when necessary for the purpose of dropping off and picking up persons who need to access recreation facilities, but may not be parked on the sidewalks or under any portion of the overhang areas.

Security personnel and the FOSA Management will determine where additional handicap golf cart parking spaces may be placed.

3-107

STORAGE OF PERSONAL VEHICLES

Personal vehicle definition: A personal vehicle shall be defined for the purpose of these rules as a motor vehicle, other than a recreational vehicle, that is capable of being legally licensed and operated on the highways of this state.

Personal vehicles may only be stored inside an enclosed garage or carport. Personal vehicles shall not be stored on Fountain of the Sun property or streets. Personal vehicles shall not be stored on yards, easements or any other portion of home/condo areas other than the driveway, carport or garage. Evidence of "storage" for purposes of this rule shall be defined as:

1. A personal vehicle found to be in an abandoned condition as defined in these rules.
2. A personal vehicle having a storage cover affixed to or placed upon it and parked other than in a driveway, carport or an enclosed garage.

Removal of hazardous or abandoned vehicles or property: A personal vehicle, a golf cart or recreational vehicle which has been found to be in an abandoned condition, or is parked so as to obstruct traffic or constitute a hazard, will be subject to removal if, after reasonable attempts to contact the owner, the vehicle, golf cart or recreational vehicle is not moved. Vehicles shall be towed or removed only upon permission of Security and/or Association Management. The registered owner or party responsible for the vehicle shall be liable for all towing and storage fees.

3-108

STORAGE OF GOLF CARTS – SINGLE FAMILY HOME AREAS

Golf carts that are not being used on a regular basis shall be properly stored in a garage, carport or patio when such space is available. When protective covers are used for golf carts, the cover shall be a fitted type cover designed for golf carts.

Note: Condo owners, please consult your specific association CC&R's and rules and regulations on this subject.

3-109

ROLL-OFF CONTAINERS/DUMPSTERS/PODS

A permit must be obtained from the FOSA office. The permit is good for a period of thirty (30) days. Extensions may be granted if the permit expires before the completion of the project, not to exceed 90 days total. Roll-off containers/dumpsters/PODS may not be placed in the street or over the sidewalk blocking vehicle or pedestrian traffic. The size of container is not to exceed 20 cubic yards. FOSA Management shall have the right to grant exceptions on undue hardship cases.

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CHAPTER IV

RECREATIONAL VEHICLE STORAGE FACILITY

4-100 GENERAL INFORMATION

Use of the RV & Storage Area (RVSA) is limited to FOSA members or their tenants and is not an inherent right or privilege of FOSA members. Nor is the use of this area automatically included in the FOSA dues or governing documents.

Contact the FOSA Office at (480) 380-4000 for questions regarding availability of space and current rental rates.

4-101 RV STORAGE AREA (RVSA) POLICY

1. General Administration

- 1.1. This area has been created following the creation of the FOSA Bylaws as an additional benefit which may be made available to, but is not inherently a privilege of, FOSA members.
- 1.2. Policies and regulations for use of the RVSA shall be defined solely by the FOSA Board of Directors.
- 1.3. The FOSA Board of Directors may modify these RVSA policies as required, providing at least 30 days' notice of any changes has been provided prior to implementation. Administration of the RVSA use and policy compliance will be performed by Management, as defined by the FOSA Board of Directors.

2. Conditions of Use

- 2.1 Use of this facility will be limited to FOSA members or their tenants.
- 2.2 FOSA members are those individuals (or their immediate family, i.e. husband, wife, or children) who own property within FOSA as defined in the Bylaws of FOSA.
- 2.3 Tenant is defined to be any individual or family residing in a FOSA property who rents that property from the FOSA member who owns that property within FOSA.
- 2.4 Good Standing shall be those FOSA members who have no FOSA membership dues in arrears.

3. Applicable Items

- 3.1 The RVSA is a shared storage area available to FOSA resident members, or their tenants.
- 3.2 All motor vehicles and trailers stored within the RVSA must be operable and have required current state license and registration.
- 3.3 Registration of the item to be stored within the RVSA must be to an individual FOSA property owner or their immediate family member or resident tenant or their immediate family member.

4. Term and Conditions

- 4.1. Any FOSA resident (as defined in Section II of this policy) can request use of one (1) RVSA space, by submitting a completed "RVSA Space Request Form" to the FOSA Management.
- 4.2. Should no RVSA space be available, the request will be added to the Awaiting RVSA Assignment list. The first on the Awaiting RVSA Assignment list will be

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provided the next RVSA space when one becomes available.

- 4.3. Each FOSA resident member or resident tenant, who has been assigned a space, will be required to renew their assigned RVSA space prior to December 1 of each year.
- 4.4. RVSA Spaces are numbered and will be allocated based on the size of the item to be parked within the RVSA Area.

5. Responsibilities

- 5.1 It is the responsibility of the FOSA resident member or tenant to which the item is registered to carry all necessary and required insurance to maintain eligibility for RVSA use. A copy of current insurance and registration must be filed with FOSA annually.
- 5.2 FOSA, nor its Board of Directors, shall not be held liable for any damages to items stored within the RVSA for any reason or by any other tenants renting that causes damage.
- 5.3 The Lessee shall keep their stored unit in good repair (i.e.: no flat tires and/or run down conditions of the unit being stored).
- 5.4 No explosive, hazardous or dangerous chemicals or materials will be stored in the RVSA premises at any time. Propane tanks must be shut off at their source at all times when the vehicle is stored in the RVSA.
- 5.5 All pets must be leashed at all times in the RVSA.

6. Indemnification

- 6.1 To the fullest extent permitted by law, Lessee shall indemnify and hold harmless the Association and its directors, consultants, agents, employees, and managers from and against all claims, damages, losses and expenses, including but not limited to attorneys' fees and costs, arising out of or related to your use of the RV Storage.

7. Renewal

- 7.1 Periodically, FOSA Management, as directed by the FOSA Board, will conduct spot inspections of items within the RVSA spaces.
- 7.2 Vehicles occupying unauthorized RVSA spaces will be towed out of the RVSA at the owners' expense.
- 7.3 The registered owners of a towed item will be solely responsible for all towing and/or storage charges applicable to an item removed from the RVSA.
- 7.4 Prior to November 1 of each year, the FOSA Management will send a "RVSA Space Renewal Form" to each individual to which an RVSA space has been assigned.
- 7.5 Completed RVSA Space Renewal Forms and payment must be received by the FOSA Management no later than December 1, to be eligible for renewal.
- 7.6 A previously assigned RVSA space will be considered available for re-assignment if FOSA Management has not received a completed "RVSA Space Renewal Form" and payment by December 1 of each year.
- 7.7 Items in an expired RVSA space will be removed as previously defined in 7.2
- 7.8 Use of RVSA space is provided to FOSA residents in good standing. RVSA space will be reassigned upon RVSA member delinquency of dues longer than 60 days, with their space vacated as outlined in Section 7.2.

8. Costs & Rent Fees

- 8.1. An annual administration fee of \$60.00 will be charged to the registered

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owner for each issued space within the RVSA in addition to the rental charge.

- 8.2. The FOSA Board of Directors, upon recommendation from the Finance Committee, retains the right to review and increase rental rates on an annual basis.
- 8.3. The rental rates are to be prorated and adjusted accordingly for less than 12 month rental.
- 8.4. Any unpaid rental fees, administrative fees and/or collection/ removal costs due FOSA will be submitted to collections.
- 8.5. See FOSA for price structures for time and lot sizes.
- 8.6. There will be a \$10.00 refundable key deposit. The key must be returned at the expiration of the rental agreement.
- 8.7. Taxes, if applicable, will be paid in addition to rental charges and fees.

CHAPTER V

DOGS AND CATS

5-101 LIMITATIONS

Contact Fountain of the Sun Association (FOSA) or your Condo Association for your properties specific rules and regulations.

5-102 CITY LAWS

Mesa City Ordinance, Title 6, Chapter 4, Section 7, states that: "all dogs must be leashed and kept under control." Therefore, you must maintain control of your dog with a leash that is no more than 6 ft. in length.

5-103 WALKING PETS

Pets, other than service dogs or other animals permitted pursuant to Federal or Arizona law, are not allowed in community buildings, including all walkways that are under roof overhangs and all community areas.

Persons who walk their pets are responsible for cleaning up after their pets. The walking of pets on the private property of others is forbidden.

5-104 STRAY ANIMALS

Security is authorized to notify proper authorities to pick up stray animals. Any stray pet lacking proper identification will be impounded.

5-105 NUISANCE FEEDING OF ANIMALS

The placement of food for animals and/or birds, on the ground in the common areas, is prohibited. This follows Arizona Revised Statutes 13-2927

A nuisance includes any one (1) or more of the following conditions: The keeping or feeding of outdoor birds that by frequent public defecation on private or public property, annoys or disturbs a neighborhood or any number of persons; provided, that an action for a violation of this subsection shall not be initiated, unless a petition is received signed by at least three (3) witnesses in separate households with independent knowledge of the nuisance. The petition requirements may be waived if the circumstances and evidence otherwise support grounds for enforcement.

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CHAPTER VI

ACTIVITY CENTER AND MEETING ROOMS

6-101 OPERATING HOURS

Most rooms are open from 6:00 am. to 10:00 pm. every day. Exceptions are posted in specific rooms and hours will be posted on the door.

6-102 FACILITY ROOMS

Activity Center - Strict Fire Code Occupancy: 485 standing room
Fireside Room - Strict Fire Code Occupancy: 56 standing room
Lakeside Room - Strict Fire Code Occupancy: 36 standing room
Poolside Room - Strict Fire Code Occupancy: 49 standing room
Card Room - Strict Fire Code Occupancy: 72 standing room

6-103 FACILITY RENTALS – RESERVATION AGREEMENT AND FEES

A copy of a Facility Reservation Agreement must be filled out and approved by the Activity Manager. This agreement may be obtained from the Activity Manager in the FOSA office or call 480-380-4000.

6-104 FACILITY RENTALS

1. The Fountain of the Sun resident is required to be in attendance during the entire facility rental period. Failure to do so will result in loss of the deposit.
2. The Fountain of the Sun resident will provide contact information of any companies contracted for the event and any and all required insurance forms.
3. The use of the facilities by Association members may be restricted at the discretion of the Board of Directors for delinquent Association dues, violation of Association rules, or deliberate abuse of the recreational facilities or common area.
4. The facilities may not be used for commercial or political purposes without approval from the Board of Directors or Management staff. Products may not be sold in any recreational facility for the profit of any individual or commercial enterprise, except by the invitation and/or approval from the Board of Directors or Management staff.
5. FOSA will not be held liable in the event of accidents resulting in injury from setting up the room or from use of the kitchen or other equipment that you or your vendors are operating.
6. FOSA will not be held liable in the event of an illness resulting from food preparation.
7. FOSA will not be held responsible for lost or stolen items.
8. FOSA cannot be held liable for unforeseen mechanical problems associated with electrical, cooling/heating, or kitchen equipment failure. Fountain of the Sun will make every effort to maintain all equipment in operational condition but does not guarantee the operation of any equipment.
9. Occupancy - Total participants must not exceed the posted room capacity. No more people than 56 Fireside Room, 49 Poolside Room, 36 Lakeside Room, 485 Activity Center and 72 in the Card Room may be in attendance for any rental

RULES AND REGULATIONS

function, or deposit will be forfeited. This includes both inside and outside the facilities. Outside pool and recreational areas will remain open to FOSA residents during your scheduled event.

10. Tables, chairs or other objects will not block or impede the flow of traffic in or out of any exits to or from the building, per Fire Code.
11. All Community Events and Private Functions with a Host Bar require Liquor Liability Insurance and a Series 15 Special Event Liquor License. You may use either an insured professional Bartending Service or, if self-serving alcohol, purchase a policy through your homeowner's insurance or any private event insurance company. All insurance certificates and contracts must be provided by the resident at least 30 days in advance of the event and FOSA shall be named as an additional insured. If your Professional Bartending Service leaves prior to the event ending, no further liquor can be served. BYOB events are covered under FOSA's insurance policy, and must be "private parties" limited to owners and their guests.
12. Rental fees are due in full thirty (30) days in advance of your event. If the rental fee payment is not made prior to 30 days in advance, there will be a \$25 late charge per week. This fee will be taken out of the deposit.
13. Due to multiple scheduling of events, all reservations must begin and end at the time indicated on the contract. Rental times are final on the day of the event.
14. Set up and tear down of tables and chairs will be done by FOSA staff. All other clean-up is the responsibility of the resident.
15. Parties using the Activity Center kitchen must pick up an access card at the FOSA office the business day prior to the event (7 am - 3 pm, Monday-Friday). The refrigerators may be used on the day of the event only; no overnight storage is allowed. Access cards must be returned the following business day.
16. Catering:
 - a) Persons reserving Recreation Facilities for private parties must use a caterer that can provide a certificate of insurance from a qualified insurance carrier with minimum \$1,000,000 liability insurance naming FOSA as additional insured.
 - b) A list of caterers with a current certificate of insurance on file is available at the FOSA office. The information is provided as a courtesy and does not constitute an endorsement by FOSA.
 - c) Caterers/Lessees must follow the Facility Rentals Rules & Regulations for use and care of the facility.
17. Tables and chairs are to be used indoors only.
18. Any candles beside birthday cake candles must be enclosed in a casing or votive container.
19. Drinks that contain a red-colored dye are not permissible due to risk of permanent stains on the carpet and furniture. In the event of stains or damage, the resident is responsible for repair or replacement costs of carpeting.
20. The renter shall arrange for all pick-ups and deliveries to be made the day of the event during the time the facilities are reserved. All material, products, and decorations provided by you, your caterers, beverage service, rental suppliers, musicians, etc. must be removed by the exit time listed on the contract. No overnight storage is allowed.
21. The buildings must be vacated by all guests and residents by the time indicated

RULES AND REGULATIONS

on the contract.

22. Linens, serving ware, extension cords, ladders and other supplies are NOT provided. Table covers, napkins, cups and coffee can be purchased at the FOSA office a minimum of one week prior to the event.
23. NO decorations, wire or lighting are to be hung from the lighting, A/C ducts, ceiling tiles or in the outdoor plants, trees or light poles.
24. Decorations may be hung only with poster putty products, painters tape or 3M ON Command or similar product that won't cause stripping. ABSOLUTELY NO scotch, masking or duct tape, nails, staples, tacks, glitter, confetti, bird seed or rice allowed. No tape on windows.
25. Propane grills may be rented. You may provide your own propane tank or pay \$15 per tank furnished by FOSA. Grills must be cleaned after use, or the deposit may be forfeited. FOSA does not guarantee the operation of the grills or propane tanks and you and your guests are using this equipment "as is" and at your own risk.
26. NO glassware is allowed outside of buildings, per City of Mesa ordinance.
27. NO smoking inside or within 20 feet of any recreation area, all FOSA buildings are non-smoking per Arizona State Law (Smoke-Free Arizona Act A.R.S. §36-601.01).
28. Adult guests are responsible for supervising any children in attendance.
29. All areas are required to be returned in the condition they are received. This includes both the interior and exterior of the facility. You will be responsible for the following clean-up:
 - a. All decorations including tape must be removed and disposed of.
 - b. All trash is to be taken to the dumpster located in the gated area next to the Administration Building.
 - c. All tables are to be cleaned, disinfected and returned to original set up. Paper towels and dish soap are provided. All other supplies must be provided by the Lessee.
 - d. Kitchen counter tops, sink, stove top, oven, microwave and refrigerator must be left clean.
 - e. All grills, griddles and cook tops must be left clean.
 - f. Security Deposit is refundable if all conditions of the Facility Rental Use Agreement and Rules & Regulations are met. You understand that any violation of the agreement allows FOSA to keep a portion or all of the deposit. If security deposit amount is not sufficient to correct any damage, the Lessee shall be liable for any excess amount needed to bring the facility back to original condition. You further agree to accept full responsibility for any damage or theft and agree to pay FOSA for any replacement costs. You acknowledge that you will not hold FOSA responsible for any physical harm that is suffered or any property damage that is incurred from activities related to the event.
 - g. **NOTE: ANYONE USING THE ACTIVITY CENTER KITCHEN MUST HAVE A MARICOPA COUNTY, ARIZONA FOOD HANDLERS CERTIFICATE**

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6-105 ACTIVITY CENTER BULLETIN BOARD

A community bulletin board is located in the Activity Center Lobby to rent or sell a home or any item from your home. Print it on a 3x5 card and bring it to the FOSA Office. It will be dated and placed on the bulletin board for you. When you want it removed, please call the office and we will remove it, or it will stay up for one month. Additional bulletin boards are located in the AC, Administration Building and Main Pool with information on upcoming events and activities.

CHAPTER VII

SPECIFIC RECREATION AREAS

7-101 CRAFT ROOMS (i.e. Computer Room, Ceramics Room, Craft Room)

Craft rooms with specialized equipment such as sewing machines, computers and ceramics (if operating kilns) may require residents to be certified before operation. Rules for the use of the equipment are posted in each of these rooms.

Craft rooms may not be used for commercial production except for arts and crafts fairs held in Fountain of the Sun.

7-102 SPORTS AREAS

Proper attire is required for all game and sport areas; bathing suits are acceptable at the pool area but not on courts or in game rooms. Careful handling of all equipment and a concern for safety must be observed by participants. Any damage to association equipment or property due to misuse will be repaired at the expense of the responsible user or group.

7-103 SWIMMING POOL AND FITNESS ROOM RULES

HOURS: 5:30 A.M. TO 11:00 P.M.; Pool and Exercise Room Access Card

- An Access card is necessary to use the swimming pool, spa and exercise room. Your Access card will open both the pool and the fitness room.
- Access cards may be purchased only through the FOSA Office.
- Only homeowners or renters may purchase I.D. access cards. Management reserves the right to request proof of ownership or a valid rental contract, along with picture I.D.
- FOSA is not responsible for lost or stolen I.D. access cards. A new I.D. access card may be purchased.
- You must purchase a separate I.D. access card for each member of your household.
- Guests, on the resident guest list, over the age of 18, without children, will be permitted to use the pool without the owner. A pool guest pass must be purchased through the FOSA office and is valid for two weeks. The cost of the guest pass is \$10.00, \$5.00 refunded upon return of guest pass (must be returned within 2 weeks).
- The Association reserves the right to change the price of the I.D. access card at the discretion of the FOSA Board of Directors.

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- Since it is important that all persons using the pool understand and agree to comply with the pool rules, **owners renting their property cannot purchase I.D. access cards for the renter. We need the individual renter to sign this agreement and purchase their own I.D. access card.**

Swimming Pool Rules

- Use of the swimming pool, pool area and bath house facilities are **AT YOUR OWN RISK.**
- There is no lifeguard on duty. Call 911 for emergencies. There is an outside phone at the pool. Swimming alone is not recommended.
- Residents must accompany their guests. Limit of four (4) guests per household.
- Guests age 18 and older, without children, will be admitted without the property owner with a pool guest pass purchased by the property owner and limited to two weeks.
- Children under the age of 18 must be accompanied by the resident and may use the pool during designated hours:
- Children ages 3-18 may swim from 10:30 AM - 1:00 PM and 4:30 PM - 6:00 PM.
- Children under the age of 3 or in diapers are not permitted in the pool area or hot tub.
- Children under the age of 18 are not allowed in the Hot tub.
- Only water resistant sun blocking lotions may be used at the pool. Absolutely no oils may be used.
- Hair past shoulder length is to be tied up or use a swim cap.
- Appropriate swim wear is required at all times. (Cut off shorts are not appropriate)
- All persons must shower before entering the pool or hot tub.
- No glass or glass containers are permitted within the pool or spa enclosure (fenced pool area).
- **No food or beverages are permitted within four (4) feet of the pool or spa.**
- Food and beverages are permitted under the Ramada areas.
- No smoking in either pool or hot tub area, per Arizona State Law (Smoke-Free Arizona Act A.R.S. §36-601.01)
- **NO TOYS** are allowed in the pool area.
 - Life Preservers are permitted.
 - Therapeutic exercise devices are allowed as well as “noodles”.
 - Body length floating devices, rafts and floating chairs are prohibited.
 - Walkers or canes are not allowed in the swimming pool.
- NO Pets in pool or pool area. Service animals only are permitted.
- Do not hang, sit on, or remove the pool rope.
- **NO DIVING OR JUMPING INTO THE POOL OR HOT TUB.**
- No persons of any age are to use the pool who suffer incontinence.
- The ADA swimming pool lift is NOT A TOY. Only people who need physical assistance entering the pool may use the lift. Please read the instructions and/or contact the FOSA office for training before operating the lift.

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****There is an emergency phone in the pool area ****

There is a direct line to the guard station. In an emergency, call 911 immediately.

DO NOT WAIT FOR THE PATROL OFFICER TO COME TO THE POOL.

ALL PROPERTY OWNERS AND POOL USERS ARE RESPONSIBLE TO FOLLOW THE ABOVE STATED RULES.

PROPERTY OWNERS ARE RESPONSIBLE FOR ALL GUESTS WHETHER ACCOMPANIED OR NOT. FAILURE TO OBEY THE RULES WILL RESULT IN BEING ASKED TO LEAVE THE POOL AREA. Continued problems may result in loss of pool privileges.

Fitness Room Rules

- **Anyone using the room takes responsibility for their health and personal safety, and must sign a waiver of liability when purchasing the access card.**
- No one under the age of 18 is permitted to use the exercise equipment.
- The fitness room is for the use of our residents, and their guests.
- Residents are asked to wear their name tags when using the room.
- Shirts and shoes must be worn when using the facility.
- Keep doors closed. This room is air conditioned and the doors must stay closed to cool properly. There are fans located in the room for your use.
- No food or drinks (other than water) are permitted in the room.
- No pets allowed except service animals.
- Per Arizona State Law (**Smoke-Free Arizona** Act A.R.S. §36-601.01), the fitness room is a non-smoking room.
- Please turn lights off when leaving if no one else is using the room.
- None of the equipment is to be taken from the fitness room as this equipment belongs to FOSA and anything removed will be considered **THEFT** and will be prosecuted.
- Anyone causing damage to the fitness room, equipment, and/or furnishings will be responsible for the cost of repair or replacement.
- Please notify the FOSA office if any equipment needs repair.

Fitness Room users release Fountain of the Sun Association (FOSA), its Officers, Directors, Employees, and Members, indemnifying them from any liability for damages, bodily injury, etc., incurred while using any the fitness equipment or generally exercising in the FOSA fitness room.

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BILLIARDS ROOM

Access to the Billiards Room

- Residents must purchase an Access Card to gain access to the Billiards Room from the FOSA Office. Proof of ownership or a valid rental agreement is required prior to issue of a key or access card. Access cards are sold individually; no duplications are permitted. Cost of Access card is \$10. The Association reserves the right to change the price of the access card at the discretion of the FOSA Board of Directors. FOSA is not responsible for lost or stolen access cards.

Rules for Use of the Room

- No one under 14 years of age is allowed to use the billiards facilities.
- Those 14 to 18 years of age must be accompanied by a responsible adult.

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- Per Arizona State Law (**Smoke-Free Arizona** Act A.R.S. §36-601.01) the billiards room is a non-smoking room.
- Only valid key or access card holders are permitted to use the room. Guests are allowed with permission of the resident. Conduct of guests is the responsibility of the resident.
- Residents must sign the Sign-In Sheet and are requested to wear their name tag when using the room.
- Shirts and shoes must be worn when using the facility.
- Keep doors closed when air conditioning is running. Doors are normally locked. Please turn off lights and lock the door when you leave.
- No alcoholic beverages are permitted in the billiards room.
- No beverages or food of any kind are permitted at the tables.
- Limit play to two (2) games when players are waiting to use the tables.
- FOS cue sticks are to be placed back on the rack and are not to be taken from the Billiards Room.
- Do not sit on tables.
- Brush chalk and/or powder from the table when you are through playing and place balls in the rack. Anyone causing damage to the billiards room equipment and/or furnishings will be responsible for the cost of repair or replacement.
- A member's billiards room privileges may be suspended by the FOSA Board per Article IV, Section 2. J. of the FOSA bylaws. Complaints must be made to the FOSA Board in writing.
- It is the policy of Fountain of the Sun Association to provide equal opportunities without regard to race, color, religion, national origin, gender, sexual preference, age, or disability.

Procedures for Billiards Room Scheduling

- Scheduling of the billiards room for league play, tournaments, and the establishment of leagues, lessons, practice, and special events is the responsibility of the the FOSA Activity Manager.
- Up to six (6) tables may be reserved for groups conducting league play, tournaments, lessons and practices on Monday through Friday. The remainder of the tables are available on a first-come, first-serve basis and the group play people may utilize those tables, if available.
- Up to four (4) tables may be reserved for groups conducting league play, tournaments, lessons and practices on Saturday and Sunday. The remainder of the tables are available on a first-come, first-serve basis and the group play people may utilize those tables, if available.
- On Saturday and Sunday, the tables available for group play (as described above) shall be the four tables closest to the door which consists of the two "Gandy" tables and two "Murray" tables.
- Unused tables during league play, tournaments, lessons, practice, and special events will be available for open play.
- No league play, tournaments, lessons, practice, or special events will be scheduled on national holidays without FOSA Board approval.

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CARD/POKER ROOM

Rules for Use of the Card/Poker Room

- Residents and their guests age 18 and older may use the card/poker room. Residents must accompany their guests at all times. Guests are allowed with permission of the resident. Conduct of guests is the responsibility of the resident.
- Seating at the table(s) is on a first come, first serve basis for all residents of FOSA.
- Per Arizona State Law (**Smoke-Free Arizona** Act A.R.S. §36-601.01) the card/poker room is a non-smoking room.
- Residents are requested to wear their name tag when using the room.
- Shirts and shoes must be worn when using the facility.
- Keep doors closed when air conditioning is running. Please turn off lights when you leave.
- No alcoholic beverages are permitted in the card/poker room.
- A member's card/poker room privileges may be suspended by the FOSA Board per Article IV, Section 2. J. of the FOSA bylaws. Complaints must be made to the FOSA Board in writing.

Procedures for Card/Poker Room Scheduling

- Scheduling of the card/poker room for league play, tournaments, and the establishment of leagues, lessons, practice, and special events is the responsibility of the FOSA Activity Manager.

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SHUFFLEBOARD

GENERAL: The shuffleboard area is located just west of the FOSA office. There are six courts, and a storage building. Shuffleboard cues, discs, wax, chalk, brooms and wax roller are in the storage building. You must have a key to gain access to the storage building. Lock the door when play is completed.

This facility and equipment are for the use of Fountain of the Sun residents and guests interested in playing shuffleboard. In return, it is requested that proper care be used in the use of this facility and equipment. Residents are responsible for their guests. Children are allowed to use the shuffleboard court under the supervision of an adult. Adult supervision is defined as playing on the same court.

RULES:

1. Residents are requested to wear name badges.
2. Please follow all posted rules.

ACTIVITY

Fountain of the Sun has a Shuffleboard Club – “The Sunshine League”. All residents are eligible to be club members. Fountain of the Sun is a member of the Arizona Shuffleboard Association and is in District 4. District 4 is bound on the west by Power road and on the east by Apache Junction. FOS has three teams.

The courts are reserved for play on certain days and hours by the FOS shuffleboard teams. Please check the FOS activities calendar in the *Sun Times* for such reservations.

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SHUFFLEBOARD MAINTENANCE

The courts are hosed off once a week. After wind and dust, it may be necessary to hose the courts during the week. Before you play on court it **MUST** be cleaned. **DO NOT** play on a dirty or un-waxed board. Take the stiff push broom and remove leaves and dirt from gutters.

Then take wide rag mop using it dry and sweep boards. Next take small blue pads, spray with water and place on long handled mop head. Wash each board twice, rinsing pads between sweeps. Take the wax roller, and if wax is needed, only fill half full. Apply one even coat of granulated wax down one side and return doing same on opposite side. The court is now ready to play. One roller of granulated wax is normally sufficient to play (8) frames.

If there is no wind, more frames could be played before applying additional wax. Too much wax can slow down the discs.

After finishing play, remove the granulated wax using the wide push broom. Pick up the wax with hand brush and dust pan and place used wax in the bucket so marked. If you use score boards wipe scores off with yellow cloths. When completely finished wash score boards with rags found in shack.

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HORSESHOES

GENERAL: The horseshoe courts are located just south of the Activity Center and Exercise Room. There are six (6) courts, with storage boxes and a shed. There are horseshoes and clothespins located in the storage box. You must have a key to gain access to the box.

This facility and equipment are for the use of Fountain of the Sun residents and guests interested in playing horseshoes. In return, it is requested that proper care be taken in use of this facility. Residents are responsible for their guests and children.

RULES:

1. Residents are requested to wear name badges.
2. Please follow all posted rules

ACTIVITY

Fountain of the Sun has a team entered in the Apache Trail Horseshoe League. All residents are eligible to compete. The horseshoe pits are reserved for play on certain days and hours by the FOS Horseshoe Teams. Please check the Activities Calendar in *Sun Times* for such reservations.

MAINTENANCE

All horseshoes should be washed and brushed in containers provided before putting them back in the storage boxes. Pits are regularly wet down on Mondays and Wednesdays. It may be necessary to wet them at other times of the week. At completion of play, cover clay with plastic and carpeting. Clothespins are used for keeping score. Return them to the container when play is complete.

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FISHING

1. Fishing Permit

- a. To fish at FOS you must have a fishing permit purchased from Fountain of the Sun Association at 540 S. 80th Street, Monday-Friday 7 a.m. – 3 p.m.
- b. The cost for an annual household (1-year) permit is \$10.
- c. A state permit is not valid for fishing at FOS.
- d. Fishing is not permitted in the “front lake” next to Broadway Road.
- e. FOS Lakes are private bodies of water, and are not part of the Urban Fishing Program.
- f. You must live in FOS or be accompanied by an FOS resident that possesses a valid FOS fishing permit to fish at FOS.
- g. Your license must be worn and visible at all times while fishing.

2. Catch & Release at All Times!

- a. FOS Lakes are catch and release only!
- b. Needle-nose pliers should be kept at all times for safe and proper hook removal.
- c. Only barbless hooks may be used

3. Fishing

- a. A maximum of 1 line per person is permitted for shore anglers.
- b. Unattended lines are absolutely prohibited.
- c. We would love to see your pictures and hear your stories! Please forward them to foseditor@cox.net for the opportunity to have them included in *Sun Times* and/or on the website.

4. Violations

- a. If the violator is not a FOS resident, they are trespassing, and police can be called.
- b. Anyone fishing at FOS without a permit, or who is not a FOS resident is breaking the law and can be reported.
- c. Your dollars pay to fund the fish in the Lake. Please report ALL suspected violations immediately to help protect our limited resources.
- d. Violations can be reported to FOSA office at 480-380-4000 or to FOS Security at 480-986-6087.

**FISHING IS ALLOWED DAWN TO DUSK ONLY
NO SWIMMING IN THE LAKE**

7-109

PICKLEBALL COURT RULES:

Changes to the Pickleball section of the Rules and Regulations were approved by Motion #12 at the September 22, 2021, FOSA Board Meeting

- Playing times: Court #1 7 AM to 9 PM; Courts #2 and #3: 7 AM to 5 PM
- Use of “Quiet Paddles” is mandatory for ALL players
- COURTS ARE FOR PICKLEBALL USE ONLY
- Use courts at your own risk
- No children under 18 allowed the courts without adult supervision
- Tennis shoes or court shoes required
- No beverages (except water), glass, pets, food, profanity or smoking allowed on the courts
- No Rollerblades, bicycles or skateboards
- Persons waiting to play must stay outside the Pickleball court
- During Open Play, when paddles are waiting in the rack, rotate off after one game
- Last players using the court at the end of the day, please secure all umbrellas

RULES AND REGULATIONS

GENERAL: FOS has three Pickleball courts. Come and enjoy the fastest growing sport in America!

For new players or guests, paddles and balls are available at no charge at the Pickleball courts. If you would like to become a member of the FOS Pickleball Club (FOSPC), please go to <https://fospc.com/membership>. For membership benefits, please go to <https://fospc.com/membership-benefits>.

For all Pickleball players, we recommend you review the FOSPC website (<https://fospc.com>) on a regular basis to stay abreast of important information such as: court schedules, skill level ratings, types of play, quiet paddles, board members and FOSPC meetings/minutes.

7-110

SOFTBALL

Although the Fountain of the Sun does not have a softball field, we do support teams for men and women. These teams, along with the Shuffleboard Teams, sponsor four hamburger luncheons each year which supports the softball teams totally, and assists with shuffleboard costs. The hamburger luncheons are traditionally the second Wednesday in the months of December, January, February and March.

If you are interested in playing softball, please contact the administration office for the current Softball Commissioner.

CHAPTER VIII

GOLF COURSE

8-101

RULES

General information, Rules and Policies are available at the FOS Country Club. You may call the Country Club at 480-986-3158.

CHAPTER IX

ABUSIVE BEHAVIOR

9-101

ABUSE OF ASSOCIATION EMPLOYEES OR VOLUNTEERS

Abusive behavior, including, but not limited to, the use of profanity on the part of residents towards the employees or volunteers of our Association is not appropriate and will not be tolerated. For incidents of assault or battery, the Mesa Police Department will be contacted.

CHAPTER X

ALARM SYSTEMS

10-101

OWNER RESPONSIBILITIES

Each resident who installs or subscribes to a service providing a mechanical or electrical device which is used to detect unauthorized entry into a residence or vehicle or for alerting others of an emergency, or of the commission of an unlawful act on or within a residence or vehicle (an alarm system) shall be responsible for the proper maintenance and use of the alarm system to ensure compliance with these rules at all times.

RULES AND REGULATIONS

10-102 NO AUTOMATIC DIALING DEVICES

No person shall use, or cause to be used, any automatic telephone device or telephone attachment that directly or indirectly causes a public primary telephone trunk line to be utilized and then reproduces a pre-recorded message or signal directly to Security.

10-103 NO AUDIBLE ALARMS

No person shall use, or cause to be used, any ~~alarm which causes siren~~, bell, horn, or other noise-making device to be activated, whether alone or in conjunction with a silent alarm within FOS.

10-104 NO PRIMARY CALL TO FOSA SECURITY

No person shall use, or cause to be used, any alarm system which is designed to call or otherwise directly notify FOSA Security.

CHAPTER XI

WIRELESS CONNECTIVITY

11-101 WIRELESS CONNECTIVITY POLICY

BY CLICKING ON "LOGIN" ON THE WI-FI SYSTEM SIGN-UP PAGE, YOU REPRESENT THAT YOU HAVE READ, UNDERSTAND AND AGREE TO THESE TERMS OF SERVICE.

Access to the Service

Wi-Fi Service at Fountain of the Sun Association (FOSA) is a complimentary Service for patrons and is completely at the discretion of FOSA.

By your use of the Service, you acknowledge (i) that the Service may not be uninterrupted or error-free; (ii) that viruses or other harmful applications may travel through the Service; (iii) that FOSA does not guarantee the security of the Service and that unauthorized third parties may access your computer or files or otherwise monitor your connection; (iv) that the Service is provided on an "as is" and "as available" basis, without warranties of any kind, whatsoever; and (v) **that you assume all risk associated with your activities conducted online through the Service and that you assume all liability and damages incurred by yourself, FOSA, or a third party that arise or result from your activities conducted online through the Service, whether known or unknown at the time of use, and you agree to defend, indemnify and hold harmless FOSA and its employees, agents, directors and officers from and against any and all legal claims, damages or actions arising out of your use of the Service.**

FOSA **does** maintain and support a web-site filtering utility that endeavors to maintain protection from malware and threats, in addition to reliable Web filtering, to block or obstruct access to pornographic or sexually specific sites (see Arizona Revised Statutes **ARS 13-3501, ARS 13-3502, ARS 13-3506, ARS 13-3507**).

Access to the Service may be denied, blocked, suspended, or terminated by FOSA at any time for any reason including, but not limited to, violation of these Terms of Service, actions that may lead to liability for FOSA, disruption of access to other patrons or networks, and violation of applicable local, state, and/or federal laws or regulations. Use of the Service shall not be construed as creating a relationship of any kind between

RULES AND REGULATIONS

FOSA and any user of the Service. These Terms of Service shall be governed, interpreted and construed according to the laws of the State of Arizona.

Acceptable Use of the Service

Activities conducted online through the Service shall not violate any applicable law or regulation or the rights of FOSA, or any third party. FOSA will fully cooperate with law enforcement upon receipt of notice that use of the Service is in violation of applicable law. If you are unsure whether your use of the Service and activities conducted online may violate these Terms of Service, you are advised to cease the activity immediately. Examples of prohibited activities include, but are not limited to:

- Spamming and Invasion of Privacy
- Intellectual Property Right Violations
- Obscene or Indecent Speech or Materials
- Defamatory or Abusive Language
- Forging of Headers
- Hacking, Scans, or other Subversive Information Gather Activity
- Distribution of Internet Viruses, Trojan Horses, or Other Destructive Activities
- Facilitating a Violation of the Agreement of Use
- Resale of the Service

RULES AND REGULATIONS

Amendments & Revisions June 19, 2019

SECTION

- 1-104 ENFORCEMENT RESPONSIBILITY
- 1-105 REPORTING VIOLATIONS
- 1-106 ENFORCEMENT OF RULES AND REGULATIONS
- 2-101 GATE ACCESS RECORDS
- 2-102 GATE ENTRY
- 2-103 FOSA RESIDENT WINDSHIELD DECALS
- 2-104 TEMPORARY PERMITS
- 2-105 IN-HOUSE GUEST PASS
- 2-107 AGE SPECIFIC ZONING
- 2-108 SPEED LIMIT AND STOP SIGNS
- 2-109 FOSA PARKING LOTS
- 2-110 TELEPHONE DIRECTORY
- 2-111 SUN TIMES NEWSPAPER
- 2-112 SUN TIMES EXPRESS
- 2-113 SCHEDULING OF ACTIVITIES
- 2-114 CATERED ACTIVITIES
- 2-115 NAME BADGES
- 2-117 TRASH BINS
- 2-122 GARAGE, ESTATE AND OTHER SALES
- 2-123 SOLICITATION
- 3-102 VEHICLE IDENTIFICATION
- 3-104 GATE/GUEST PASSES
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- 3-108 STORAGE OF GOLF CARTS – SINGLE FAMILY HOME AREAS
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- 4-100 GENERAL INFORMATION
- 4-101 RV STORAGE AREA (RVSA) POLICY
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- 5-102 CITY LAWS
- 5-105 NUISANCE FEEDING OF ANIMALS
- 6-102 FACILITY ROOMS
- 6-103 FACILITY RENTALS – RESERVATION AGREEMENT AND FEES
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- 6-105 ACTIVITY CENTER BULLETIN BOARD
- 7-103 SWIMMING POOL AND FITNESS ROOM RULES
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- 7-109 PICKLEBALL
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- 10-104 NO PRIMARY CALL TO FOSA SECURITY
- 11-101 WIRELESS CONNECTIVITY POLICY