

BHHA COMMUNITY RULES

GUIDELINES AND RULES FOR COMPLIANCE WITH THE BODEGA HARBOUR HOMEOWNERS' ASSOCIATION (BHHA) COVENANTS, CONDITIONS & RESTRICTIONS (CC&Rs)

Introduction.

All residents, owners, guests and tenants have the reasonable expectation of residing in a safe, quiet and peaceful residential community. These Community Rules reflect our CC&Rs and policy. Their enforcement provisions are applicable to all owners, guests, tenants, and lessees (also referred to as occupants). Homeowners are responsible for the actions of their tenants and/or guests, and are subject to fine(s) for non-compliance. (See CC&R 7.11, 8.1)

1) Community Rules.

a) Common Areas.

“Common Area(s)” shall refer to that portion of the property (and all improvements thereon) owned and/or leased by the Association for the common use and enjoyment of the owners, and when required by law, the public. (CC&R 1.6)

i) Use of Common Area.

The Common Areas are for the use of members for any recreational activity that does not injure or scar the area or cause unreasonable embarrassment, disturbance, or annoyance to any other owner. Nothing shall be stored in the Common Area without the prior consent of the Board. No camping, fires, or animals not on a leash shall be permitted in the Common Areas. (CC&R 7.6)

Members' family members and accompanied guests (in accordance with the BHHA Amenity Use Policy) may use some Common Areas. Common Areas are not open to the public or short-term tenants.

(See the BHHA Map for common areas where access is allowed by members, their family members and guests; the location of Shorttail Gulch Trail and Pinnacle Gulch Trail and related parking for beach access are open to the public).

ii) Use of Amenities.

Amenities (pool, sauna, tennis courts, exercise facility, as described in the Amenities Policy) are for the use of members/owners, and in some instances, family members with access cards, and tenants (long-term rentals) with a rental lease of six months or longer. Access by long-term tenants is obtained by filing a copy of the lease with the administration office.

Family members with access cards and their guests are welcome to use the amenities, with the exception of the exercise facility. That amenity is available to members and family members with access cards.

BHHA COMMUNITY RULES

Members and long- and short-term tenants may use the playground, basketball, bocce, and have clubhouse beach access. (See CC&R 2.4 and Amenity Use Policy)

Summary Amenity Use Chart:

Category/Amenity	Pool, Locker Room & Sauna	Exercise Room	Tennis/Pickle Ball	Playground, Basketball & Bocce	Clubhouse Beach Access
Members & Accompanied Guests (a)	Yes	Yes (No Guests)	Yes	Yes	Yes
Family of Member with cards & Accompanied Guests (b)	Yes	Yes (No Guests)	Yes	Yes	Yes
Long-Term Renter/Tenants & Accompanied Guests (c)	Yes	No	Yes	Yes	Yes
Short-Term Tenants	No	No	No	Yes	Yes

See Amenity Use Policy for complete policy and definitions of a-c.

iii) Golf Course.

The golf course and cart paths are for registered golfer use only; there is no trespassing on the golf course at any time (except where otherwise posted). Golf course boundaries are marked by white stakes. (See Trespassing Policy)

b) Use of Lot/Residence.

Lots shall be used for residential purposes by the occupants (owners, guests, tenants and lessees). Residences must not be used for commercial or other non-residential uses, except that an owner may use the home as a combined residence and executive or professional office. (See CC&R 7.1)

i) Emergency Contact Information.

Owners must provide the BHHA with a 24-hour working phone number of the property owner, property manager or other designated representative who can respond to on-site emergencies, issues or complaints. Owners must also provide the BHHA with up-to-date information on whether a residence is occupied by an owner (permanent or second home), or long-or short-term tenants or lessees. Owners of short-term rentals must provide their Transient Occupancy Tax (TOT) number.

Owners are encouraged to notify BHHA Administration of the use of residency by other than the owner. Notification may be written or emailed and must contain the address, the name of a contact, a phone number and dates of use.

(BHHA Administration should know whether residences are occupied or not for safety, emergencies and complaint resolution. This information is private and not subject to BHHA disclosure to third parties.)

BHHA COMMUNITY RULES

ii) **Maximum Overnight Occupancy.**

Maximum overnight occupancy for Bodega Harbour homes shall be up to a maximum of two (2) persons per sleeping room or guestroom, plus two (2) additional persons per property, excluding children under three (3) years of age.

iii) **Maximum Number of Guests and Daytime Visitors.**

The maximum number of total guests and visitors allowed at any time in a single Bodega Harbour home (except during special events) should not exceed the maximum overnight occupancy plus six (6) additional persons per property during the daytime, excluding children under three (3) years of age.

Daytime visitors should not be on the property during quiet hours (10pm to 7am).

iv) **Special Events.**

Special events exceeding 18 persons are permitted between 7am and 10pm. Owners are encouraged to provide at least a 24-hour notice to the BHHA Administration (during office hours) and provide estimates of the number of guests and visitors with event start/end times, and are encouraged to inform their neighbors.

Notwithstanding, maximum guest limits may be exceeded on the following national holidays: Easter, Memorial Day, 4th of July, Labor Day, Thanksgiving, Christmas Eve and Christmas, so long as the holiday event and guest numbers are reasonable and do not impose on neighbors.

v) **Noise and Nuisance.**

No noxious, illegal, or seriously offensive activities shall be carried on upon any lot, or any part of the property, nor shall anything be done thereon which may be or may become a serious annoyance or a nuisance to or which may in any way interfere with the quiet enjoyment of each of the owners of his respective lot. (CC&R 7.2) Special consideration is to be given between the quiet hours of 10pm to 7am.

No noxious or offensive activities (for example, the operation of drones, or loud sounds) shall be carried out in residences or in the common area.

Prohibition of Drones. A "Drone" is defined as any powered, pilotless aerial vehicle. Drone operation over Bodega Harbour is permitted only by

- Activities of law enforcement, firefighting, and other public safety or government agency personnel.
- Bodega Harbour programs duly approved by the Board of Directors, as implemented and supervised by the BHHA Administration, with notice to the membership. Owners shall inform the BHHA Administration of the limited professional use of drones for real estate marketing purposes.

Exclusions. Nuisance noise does not arise from:

- Authorized, routine, or customary BHHA or private-party construction, maintenance, yard care, management, delivery, or refuse collection activities between 7am and 7pm;

BHHA COMMUNITY RULES

- An emergency or emergency response, including power outages and restoration of utility service, rescue and medical services, and work necessary to protect persons or property from imminent threat or hazard;
- Otherwise lawful activities of law enforcement, firefighting, and other public safety or government agency personnel.

vi) Outdoor Fire Areas.

Outdoor fire areas, when not prohibited by state or local fire bans, may be allowed but shall be limited to 3 feet in diameter, shall be located on a non-combustible surface, and shall be extinguished as soon as it is no longer in use or by 10:00 pm, whichever is earlier. Wood or charcoal fire areas covered by a fire screen and that meet the above requirements are allowed. No unenclosed fires shall be located within 25 feet of a structure or combustible material. Fire pits approved by the BHHA and BBQs used in accordance with manufacturer's directions are allowed.

vii) Vehicle Restrictions.

No trailer, detached camper, mobile home, commercial vehicle, truck (other than standard size pickup truck or standard size van), boat, inoperable automobile or similar equipment shall be permitted to remain upon any lot, other than on a temporary basis, unless it is parked within an enclosed garage. (See CC&R 7.3)

Campers, trailers or motor homes cannot be used as living quarters within Bodega Harbour. (See CC&R 7.1)

Recreational vehicles may be parked on a homeowner's lot subject to these restrictions:

- No overnight occupancy of recreational vehicles
- Not more than 96 total hours on the property owner's lot in any one calendar month
- Not more than four "stays" on the property owner lot in one calendar month
- No stay will be more than 48 hours in duration
- There will be a minimum of 24 hours between any two stays

(See CC&R 7.4)

viii) Parking.

Vehicles should be kept or parked overnight in the driveway or garage, where feasible. Street parking is allowed consistent with Board rules, county and state laws.

Required garage space may not be converted into any use (such as a recreational room or storage) that would prevent its use as parking space. (CC&R 7.4)

ix) Pets.

Dogs shall be on a leash when in common areas and in private lots (other than the pet owner's lot). Pet owners are responsible for cleaning up after their pets and are responsible for any damage to property (CC&R 7.8). Continual barking by pets constitutes a nuisance. Owners are responsible for picking up pet litter and disposing of it in a garbage receptacle. Owners are cautioned to not leave pets outdoors overnight.

BHHA COMMUNITY RULES

x) Garbage and Refuse Disposal

All rubbish, trash and garbage shall be regularly removed from lots, and shall not be allowed to accumulate thereon. Trash, garbage, and other waste shall be kept in sanitary containers, kept in a clean and sanitary condition, and shall be screened from view of neighboring lots, common areas and streets. (CC&R 7.9)

c) Prevention and Penalties.

All owners are entitled to the reasonable enjoyment of the natural benefits and surroundings of Bodega Harbour. As such, owners and their guests, tenants, and lessees are responsible for avoiding “noxious or offensive” activities, doing or placing things that may constitute a “nuisance”, and other behaviors that engender unreasonable disturbance, or annoyance to other owners in their enjoyment of their lot/residence and Common Area. All such conditions, actions, and activities are termed “nuisances.”

- Whenever practical, neighborly communication is the preferred approach to resolving disputes. However, in the absence of such communication or a successful resolution, nuisances may be enjoined and abated by the BHHA Administration.
- Owners are liable not only for their own nuisances but for those caused by their guests, tenants, and lessees.
- Tenants, lessees (short- and long-term), and guests must receive the Community Rules Notice to Guests prior to occupancy attached as Attachment A.
- These rules do not attempt to enumerate all possible nuisances, which include but are not limited to those nuisances recognized by the Sonoma County ordinances, or California Code (e.g., disorderly conduct, fire hazards, indecency, blight, barking/unleashed/dangerous/unsanitary animals, and other nuisances recognized by law).

i) Reporting Process.

After neighborly communication does not resolve the matter, any owner may call Bodega Harbour Security to inform them of an alleged Community Rules violation. The responding security personnel should be given information as to who may have violated the Community Rules and in which property the violator may be residing. Security will then contact the alleged violation property owner and/or their property management agent, if applicable, and conduct an interview with the homeowner, his or her agent, and/or the owner’s guest, or long- or short-term tenant/lessee concerning the alleged violation. The Security personnel will compile a Complaint Response Resolution Form and Incident Report which will be turned in to the Bodega Harbour Administration Office as soon as possible.

ii) Warning Following First Violation.

Should an owner, owner’s guest, or long- or short-term tenant/lessee violate the Community Rules, the Administrative Office shall send a notice to the owner describing the infraction and warning that future incidents from the same property may result in a fine. If there are no violations for six months the next violation of the Community Rules will result in a warning.

BHHA COMMUNITY RULES

iii) Notice and Hearing.

Should an owner, owner's guest, or long- or short- term tenant/lessee violate the Community Rules after a warning has been issued to the property owner, the BHHA Administration Office shall contact the owner as soon as possible so that part of the security deposit can be held in abeyance, if applicable to tenants/lessees. The owner or the owner's agent will be asked to appear before the Board of Directors at their next regularly scheduled meeting in Executive Session. Evidence of the alleged violation will be presented to the Board and the owner (or agent) will be given an opportunity to discuss the issue. The Board at that time may make a finding that a violation has occurred and may impose a fine on the owner's lot for violation of this policy. (Golf course infractions are covered in the Trespassing Policy)

Fine Schedule:	Warning	No Fine
	Second Violation	\$250
	Subsequent Violations	\$250

END OF COMMUNITY RULES

SEE ATTACHMENT A - "Community Rules Notice to Guests"

SEE ATTACHMENT B - "BHHA Map"