

# THE RANCH AT CLAY STATION ASSOCIATION RULES

## Change History

Original Supplemental Rules and Design Review Guidelines adopted	October 1, 2004
Rules Amended by board to separate out Design Review Guidelines Also incorporated Design Guidelines adopted May 19 <sup>th</sup> , 2008 Rules re-categorized and renumbered for clarity	December 16, 2009

(Rules are subject to change by the Board)

**THE RANCH AT CLAY STATION HOMEOWNERS ASSOCIATION  
ASSOCIATION RULES  
EFFECTIVE: December 16, 2009**

The Declaration of Covenants, Conditions, and Restrictions (CC&RS) for The Ranch in the County of Sacramento recorded on March 16, 2004 in the office of the Sacramento County Recorder in Book 20040316 Page 1421, and any amendments thereto (CC&R'S) and specifically Article 5.5 of the CC&RS, authorize the board to adopt, amend and repeal Association Rules.

CC&R 5.5 The Right to Establish Association Rules

- A. The Board may adopt, amend, and repeal Association Rules as it considers appropriate. The Association Rules shall regulate the use and enjoyment of the Development.
- B. A copy of the current Association Rules as adopted, amended, or repealed shall be mailed or otherwise delivered to each Owner and a copy shall be posted in a conspicuous place within the Development.
- C. If any provision of the Declaration, the Articles, or the Bylaws is inconsistent with or materially alters any Association Rules, the provisions of the Declaration, the Articles, or the Bylaws shall control to the extent of any such inconsistency.

## 1. PROPERTY USAGE RULES

### 1.1 Outdoor Burning

With the exception of home style barbeques or other appliance approved by the DRC. No other exterior burning of any kind or nature, including but not limited to, construction materials, yard debris, cleared vegetation, or trash shall be permitted unless the owner has complied with Section 4.8 of the CC&Rs.

### 1.2 Fire Safety

Owners are required to maintain a 30' foot fire break around the perimeter of their home and a 16' wide clear fire lane must be provided to within 150' of any structure that has more than 300 square feet of interior space. A 15' mowed or disked strip adjacent to vinyl fence/property line is recommended. Owners may contact the Wilton Fire Protection District for additional information at (916) 687-6920.

### 1.3 Outdoor Lighting

All outdoor lighting shall be enclosed in a manner that directs the light in a specific area. Motion sensor lighting shall be encouraged to minimize night-sky light pollution. No exterior yard lighting without adequate and proper shielding shall be installed on any residence or erected in any yard without DRC approval. Automatic shut off lighting is recommended. Spotlights on garages need to be adjusted so as not to shine in the streets, common areas, and other lots.

### 1.4 Patio Structures, Sunshades, Cabanas, Arbors, Sheds, Trellises, and Gazebos

Structures shall be made of wood, masonry, decorative iron, or canvas in an approved color or similar materials. Visible shade structures designed for temporary use (examples including but not limited to those with aluminum, metal (other than wrought iron shade structures), plastic or PVC supports and plastic or brightly colored shade cover material) are permitted temporarily for up to 72 hours per 7 day period unless approved by the DRC.

- a) The side elevations of the above structures shall not be enclosed in any manner, except for sheds and in the case where a wall on a main dwelling forms a natural enclosure to some or all portions of a side elevation. Professionally designed sunrooms will be considered for approval by the DRC.
- b) The following materials shall NOT be used for the roof (top cover surface) on, patios and sunshades:
  - I. Metal structures and supports, including metal awnings.
  - II. Plastic and fiberglass panels.
  - III. Plastic webbing, reed or straw like materials.

### 1.5 Exposed Equipment

- a) Antennal/Satellite Dishes: In accordance with Section 47.2 of the Declaration and subject to the requirements of Civil Code Section 1376, as it may be amended from time to time, installation and maintenance of television or video antennae or satellite dishes over one meter in diameter visible from any Common area or public street must be submitted to the DRC. Satellite dishes less than one meter do not need approval of the DRC if they meet the following guidelines.
- b) All exposed wiring shall be painted to match the exterior of the residence.

## 1.6 Vehicle Storage

If a Lot Owner desires to store a boat, trailer, recreational vehicle, camper, truck in excess of one ton carrying weight, or commercial vehicle on a Lot it must be completely screened from view. In addition, the proposed location and related improvements must be submitted to the DRC for review and approval. All improvements to screen a non-standard vehicle from view on the Street(s), adjoining lots and common area must be approved by the DRC. Screening may be accomplished by the extension of fencing, addition of trellises and mature landscaping. All landscaping plants, trees or bushes shall be of a minimum 15-gallon size and must mature within 18 months of planting. No vehicle(s) may be placed until all improvements have been approved and completed. Placement of tarps over vehicles to effect screening is not allowed. No trailers, recreational vehicles, campers, boats can be stored on the Lot unless parked entirely within a garage or within a recreational vehicle parking area on the Lot approved as to location and screening by the DRC. For additional vehicle storage information please review Section 4.22 of the CC&R'S.

## 1.7 Signs

Please refer to Section 4.26 of the CC&RS regarding various sign uses permitted. Per CC&R 4.26 and California Civil Code 7.12 and 7.13, real estate signs are allowed on the owners property in the easement area in front of the fence. Such signs must be posted to allow for foot and equestrian traffic.

## 1.8 Landscape Materials

It is recommended that a mixture of lawn, plant materials and ground cover be used. *The use of drought tolerant plant material is encouraged.* Any use of large statuary, water features or fountains, coverage of any colored rock, gravel, sand or wood chips require approval of the DRC. The use of brightly colored fiberglass, plastic or metal yard decoration material is prohibited.

## 1.9 Commercial Use

No part of any residence shall be used, or cause to be used or allowed or authorized in any way, directly or indirectly, for any business, commercial, manufacturing, mercantile, storing vending or non-residential purposes unless specifically permitted by local ordinance and Section 4.24 of the CC&R'S.

## 1.10 Utility Service

No lines, wires, or other devices for communication or transmission of electric current or power, shall be constructed, placed or maintained anywhere in or on any Lot, unless contained in conduits or cables underground or concealed in, under or on a buildings or other approved structures, excluding temporary power or telephone services incidental to construction of approved buildings.

## 1.11 Temporary Occupancy

No trailer, tent, shack, barn, garage, basement of any incomplete building, or temporary building or structure will be used as a residence, either temporary or permanent.

## 1.12 Nuisances

No plans shall be approved which might, in the sole opinion of the DRC, render any Lot portion thereof, unsanitary, unsightly, harmful or detrimental to any property in the vicinity or to the occupants thereof. No horns, whistles, bells, or other sound devices, except security devices used exclusively for security purposes shall be located, used or placed on any Lot.

### **1.13 Clothes Drying Facilities**

No outside clotheslines or other outside clothes drying or airing facilities are allowed on a Lot.

### **1.14 Approval of County of Sacramento**

Except for sheds less than 120 sq feet, no Owner may construct an addition to or remodel a residence, or construct or architecturally alter a swimming pool, spa, accessory structure, or fence without approval of the County of Sacramento. DRC approval is required for all structures.

### **1.15 Storage of Materials**

Storage of construction materials is not allowed in the streets or on Lots owned by others.

### **1.16 Minimum Setbacks**

Minimum setbacks for all structures including accessory structures (pools, spas, sheds, etc.) shall be in accordance with the County of Sacramento.

### **1.17 Construction Activities**

Construction activities are permitted in accordance with Codes and Ordinances of the County of Sacramento and the DRC.

### **1.18 Interior Furniture in an Exterior Location**

Furniture designed for interior use, (examples include but are not limited to upholstered furniture, metal folding chairs, etc.) may temporarily be used in an exterior location for up to 72 hours in a 7 day period. All exterior furniture visible from public areas or adjacent. Lots must be maintained in an attractive condition.

### **1.19 Lot Maintenance**

Each Owner is required to maintain his or her Lot/Residence, including all improvements and landscape thereon, in good condition and repair.

## **1.20 Easements**

All lots within the Community have an approximately 25 foot wide Public Utility Easement (P.U.E.) and Private Riding and Hiking Trail Easement (T.E.) along the street frontage. The purposes of the P.U.E. is for planting and maintaining trees, installation and maintenance of electroliers, traffic control devices, water and gas pipes, and for underground wired and conduits for electrical, telephone and television services, together with any and all appurtenances. The purpose of the T.E. is to provide public access, including horseback riding and hiking. Contained within the P.U.E. and T.E. is an approximately 12.5 foot Drainage Easement (D.E.) for the purpose of digging, constructing, reconstructing, repairing and forever maintaining thereon a drainage canal, ditch, or pipeline for drainages purposes, together with the spoil bands and appurtenant structures. Owners are restricted from planting, constructing, grading, placing items that obstruct the drainage flow within the D.E. areas.

## **1.21 Additional Driveways**

Any additional driveways must be approved by the Sacramento County Department of Public Works and the DRC.

## **1.22 Common Area and Easement Maintenance**

Homeowners may not remove, mow, scrape or otherwise control weeds or other plant material in common areas without prior approval by the Board. The Board of Directors hereby grants permission to Homeowners to mow or maintain the 25 foot Trail Easement owned by the Homeowner.

## **1.23 Wastewater Setbacks**

Each lot within the Community will have an individual wastewater disposal system that is sized and constructed in accordance with the requirements of Sacramento County. The wastewater disposal system will consist of a septic tank and its own subsurface disposal system of either a leach field or series of seepage pits, depending on the subsurface characteristics. In addition, each lot will have a reserve area set aside for replacement or expansion of the subsurface disposal system. The location of the expansion area will be identified on the plot plan. Homeowners are required to comply with the mandatory setbacks regarding disposal systems from private wells, drainage courses, cuts and fills, and structures. Each Lot has an individual septic tank and leach lines. Any proposed use of that part of each lot must be in accordance with Sacramento County regulations and as shown on the individual lots plot plans provided by JTS Communities.

## **2. DRC RULES**

### **2.1 Electronic DRC Meetings**

The DRC shall meet as necessary to properly perform its duties. The DRC can convene electronically, if necessary.

### **2.2 Plan Submission Response Time Frame**

Within thirty (30) days of receipt of plans for approval, which comply with the above Rules, the **DRC shall review** the plans (as set forth under "DRC Meetings") and shall grant written approval, written denial, or a written request for additional information or clarification of information submitted. Any plans submitted which do not comply with these rules may be rejected by the DRC. Such rejection shall be accompanied by a statement of what deficiencies must be corrected prior to formal review by the DRC. If the DRC fails to send a response within the 30 days, plans will be deemed approved by default. It is still the responsibility of the Owner to comply with the CC&Rs and Association Rules.

### **2.3 Meeting Timeframe**

Notice of meetings shall not be in writing and may be given by telephone. Meetings shall be held not more than 25 days after receipt of a plan submitted for approval.

### **2.4 Record Keeping**

The DRC shall keep records including copies of its Rules, Guidelines and Procedures, plan approvals and/or rejections, and copies of correspondence to Homeowners and others.

### **2.5 Use of Consultants / Owner Attendance**

In reviewing plans, the DRC may, but is not obligated to, have the plans reviewed by and consider the opinions of professional consultants and others including those who are not Members of the Association, conduct open hearings and consider evidence and comments from all relevant sources, and make a personal inspection of the property involved without the presence of other Members of the DRC or the Owner of the property. If the DRC chooses to conduct an open hearing, at least five (5) days prior written notice of such hearing must be given to the Owner submitting plans for approval. Such hearing may be adjourned and reconvened at a time no later than twenty-five (25) days from the date the plans were submitted for approval. Owner-Applicants shall be entitled to appear at any meeting of the DRC at which the Owner Applicant's proposal is scheduled for review and consideration. In order to arrange for attendance if desired Owner-Applicant must contact Merit at (916) 608-3068.

### **2.6 Approval / Disapproval Options**

The DRC Members will review the plans and either grant approval in entirety, disapproval in entirety, or approval subject to conditions. Management shall notify the Homeowner in writing of the action taken by the DRC.

### **2.7 Conflicts of Interest during approval process**

Any Member of the DRC, or any consultant retained by the DRC who has an ownership or financial interest in the property for which an application is being processed, or is legally related to the applicant, must disqualify himself or herself from participating in the architectural review process of that application.

### **2.8 Judgment of the DRC**

Any condition or materials not defined within these Rules and Guidelines shall become a matter of judgment on the part of the DRC unless described in the CC&R'S. See the CC&R'S for the general use restrictions.

## **LANDSCAPING/PLANS RULES**

### **2.9 Prospective Owners**

The DRC may review and act upon plans submitted by prospective Owners prior to their acquisition of title. Any such action of the DRC for prospective Owners shall be conditioned upon such prospective buyer acquiring a fee simple interest in the property described in the plans. Such approval is not applicable to any other property without the express written consent of the DRC.

### **2.10 Design Review Fee and Building Permits**

Section 11.1 of the CC&Rs among others requires that homeowners submit plans for DRC approval prior to construction. A **one time** Design Review Fee of \$300 must be included in the original submittal of any plans. An exception to this fee for new owners only if the new Owner receives a Certificate of Compliance from the Seller dated within 6 months of the sale/recording date. All Lot Owners are required to submit building plans and site plans to the DRC prior to submittal to Sacramento County for Building Permits.

### **2.11 County Permits still required**

Approval of any plan by the DRC does not waive the necessity of obtaining County permits, which may be required. If DRC approval is obtained and the County or other authority requires modifications to the plans, such modification to the plans must be reviewed and approved by the DRC pursuant to procedures set forth in these Rules, prior to the start of any work.

### **2.12 Construction Schedules**

Reasonable construction scheduled must be submitted with owners plans if construction is expected to take more than 1 year from date of approval. The DRC/Board of Directors may consider landscaping extensions for approved construction schedules as well as for reasons beyond an owners control per CC&R 4.15H. If extensions are granted, they will be without penalty.

### **2.13 Construction not complying with approved plans**

If the DRC finds that the work has not been done in substantial compliance with the approved plans, the DRC shall notify the Owner in writing and request that the Owner remedy same. If the Owner fails to remedy the non-compliance within thirty days after the date of the notice of non-compliance, the DRC shall then set a date on which a hearing will be held before the DRC.

### **2.14 Work without DRC approval**

If work is commenced or completed without DRC approval, the DRC may require the Homeowner to submit plans for approval and may approve or disapprove the plans, notwithstanding the fact that work has commenced prior to DRC approval. If plans submitted for approval are found to be in violation of the CC&R'S, these Rules or otherwise by the DRC, or the Owner fails to submit plans as requested by the DRC within thirty days after the date of written request from the DRC, the DRC shall then set a date on which a hearing will be held before the DRC.

## **2.15 Violation Process for work having been done without approval**

In the event the DRC receives a complaint that work has been commenced or completed without DRC approval, the following procedures will be taken.

- a) The DRC will make an investigation to verify the complaint is accurate.
- b) The DRC will make a determination whether such construction is in violation of the CC&R'S, including the failure to obtain DRC approval.
- c) If a determination of violation of the CC&R's or Association Rules is made by the DRC, the DRC will notify the Board.
- d) The Board shall notify the homeowner of the violation and pursue the normal violation due-process and other requirements.

## **2.16 Screening**

Screening approved for use to screen vehicles such as RVs, trailers, boats must be planted within 45 days of DRC approval. Plants or trees intended to soften lines on structures must be planted within 45 days of completing construction on the building or within 45 days of approval, whichever is later. Screening that is damaged or fails to grow such that it is unlikely to serve its purpose as screening in the future, must be replanted promptly after becoming aware of the problem. Vehicles with commercial advertising that are also used for personal transportation, and in the absence of such signage would otherwise be considered a personal vehicle, are allowed without screening.

## **2.17 View Preservation**

If there is a particular view of importance or obstruction to any Homeowner, it should be noted with submission of plans for neighbor acknowledgement. The documents do not provide for view protections and this item is noted to encourage neighbors to work cooperatively should view issues be of note

The DRC may request any additional information, plans and details as it reasonably sees fit to adequately review the request for approval.

## **2.18 Sports Courts**

Enclosure Options for Sports Courts: Homeowners choosing to enclose a Sports Court or other Facilities may enclose it with high quality black chain link fencing, black welded wire, or wrought iron whichever is appropriate for that structure. Enclosures for batting cages are required. High quality netting is required for all sides, including the top. All sports courts, sports facilities, batting cages and enclosures for them must be maintained in aesthetic condition.

## **2.19 Walled areas for private recreation**

Walled areas for private recreation must be located immediately adjoining the primary residential structure. Materials and colors for such walls shall be compatible with the adjoining residential structure.

**2.20 Site Design:** Owners should not change or interfere with the established grade and drainage pattern(s) on the lot without the prior approval by the County of Sacramento to the extent required by applicable municipal ordinances and requirements as specified in the CC&R's. ANY INTERFERENCE within the drainage pattern(s), as initially constructed, can cause water to become entrapped under the structure, which could impact structural integrity.

The construction of retaining walls, pools, spas, patios, gazebos, curbs, decks, walks or any other landscape amenities can block, alter or modify drainage patterns, thereby requiring corrective measures to be taken to insure proper water flow. Particularly in areas of more sensitive soils, disturbance of constructed drainage courses could materially impact soil content and negatively affect the structural integrity of Buyer's home. Pooled water, incorrect drainage, leaky irrigation systems, over-watering or other conditions can also lead to groundwater infiltration and must be avoided.

Your lot includes natural pre-existing drainage features in conjunction with designed grades and swales. The building pad on your lot was designed and graded to ensure proper drainage away from your home. The proper governmental authorities then approved the grading.

Owners should take precautions when performing site grading, landscaping, building activities to ensure natural drainage flow is maintained. Natural ponding may occur on the lot due to pre-existing natural site topography in areas that were not graded. Buyer assumes responsibility for maintaining proper drainage on Owner's own lot and assumes responsibility for any drainage runoff that may affect other neighboring property, so as not to impact neighboring properties. It is the homeowner's responsibility to maintain the existing drainage pattern. Altering the grades and swales in any way can not only create problems for you, but in storm conditions might cause water or erosion damage to your neighbor's property for which you would be responsible.

Drainage problems frequently arise when homeowners install, or hire contractors to install landscaping, swimming pools, patios, sidewalks, or fences. Often these contractors will disrupt the pre-existing or designed drainage pattern, causing problems for the homeowner. It is your responsibility as a homeowner to inform any contractors you may hire that they must design and install their work maintaining the proper grades and swales.

### **2.21 Fencing:**

- a) No changes are allowed to the vinyl rail fencing installed by JTS Communities except for access purposes. Use of open rural fencing is encouraged where fencing is desired for security or zone or use enclosures of the property. Solid fencing shall be prohibited except where required for noise attenuation or as allowed for private outdoor recreation areas. One option for pet containment that will be permitted is welded wire attached to the vinyl fence. See 3.4 d for exception "animal enclosure."
- b) No fences composed of chain link, or woven wire shall be allowed on any lot unless I approved by the DRC. Any such visible fencing shall be approved by the DRC as to location, height and materials.
- c) No landscaping or fences installed shall prevent adequate driver visibility from the streets within the Community.
- d) Fences, including painting, shall be of a material that is compatible with the surroundings and of a material similar to that of existing fences. All proposed fencing must be in accordance with approved guidelines and meet with the approval of the DRC.

## 2.22 Minimum Improvement Standards

- a) **No Building in Set Back Areas:** No structures may be installed in front of setback areas, including any Property frontages along roadways. No buildings or structures are permitted over the septic system, leach lines, or reserve area as shown on each lot's plot plan provided by JTS Communities. All septic tank riser lids, leach pit chutes, and caps must remain clear and readily visible. All septic tank riser lids must remain clear and readily visible and accessible by vehicles (trucks etc.) for maintenance and repair.
- b) **Secondary Residences:** Any appearance of the secondary residence, recreation room, or casita shall be architecturally compatible with the primary residence and shall be reviewed and approved by the DRC and the County of Sacramento and Wilton Fire District.
- c) **Other Secondary Structures:** No structure of a temporary nature such as a trailer, tent, shack or other outbuilding shall be used on any lot at any time as a residence either temporarily or permanently.
- d) **Animal Enclosures:** Animal enclosures include but are not limited to pens, paddocks, corrals, stables, barns, feeding/protective structures or any other facilities within which animals are permanently kept or which are intended primarily for keeping of animals. All animal enclosures must be submitted for review by the DRC.
- e) **Horse Shelters:** All homeowners that have horses on their property are required to have some form of shelters (i.e. barn, shed row etc.) Plan submission must include an installation timeline.
- f) **Temporary Kennels** or small animal pet enclosures, up to 150 S.F. upon move in do not need DRC approval. Notify the Property Management Company upon installation of temporary enclosures. Kennel must be high quality black chain link or welded wire fencing. Size and location of permanent enclosures must be submitted within 1 year of temporary enclosure installation and management notification.

## 2.23 NEIGHBOR ACKNOWLEDGEMENT

The Neighbor Acknowledgement portion of the improvement application must be completed if the adjacent lots to the right and left of the Owner's Lot are occupied. In order to be considered occupied, homes must be completed and persons must be residing on those lots. The purpose of the neighbor acknowledgement and signature portion of the improvement application is so that neighbors may communicate concerns with one another when planning an improvement.

Sometimes the party making the improvement does not realize that a proposed improvement may result in excessive noise or other problem and when your neighbor brings a plan to you for signature this is your opportunity to discuss it. The DRC will not deny an application and plan based upon a negative neighbor comment unless the proposed improvement has a direct, severe and extremely negative impact on the neighbor objecting to the improvement. Examples of this would be a proposed installation of an illuminated sports court directly adjacent to an adjoining residence, secondary structures of excessive size for woodworking or other construction hobbies, the adding of additional stories to a home or the addition of a cantilevered balcony that extends over a property line and severely impacts privacy. The DRC will not deny a plan and application to preserve a view. Though individual lots do not have a right to view preservation, persons submitting plans and applications should include all items on their plan that may impact a neighbor so that neighbors may have an opportunity to discuss and resolve any issues when presenting plans to one another for signature. Persons wishing the DRC to deny or place conditions on proposed improvements must submit their comments to the DRC in writing and must detail the perceived problem that will negatively impact them. The comments of persons wishing the DRC to deny or place conditions on an improvement proposed by their neighbor are ***not confidential***. If a proposed improvement is denied or approved with conditions based upon neighbor comments, the DRC reserves the right to share such neighbor comments with the party who proposed the improvement.

## 2.24 No Liability

Neither the DRC, the Board, nor other HOA representatives shall be liable to any Owner for any damage, loss, or prejudice suffered to be claimed on account *of*:

- a) The approval or disapproval of any plans, drawings and specifications, whether or not defective;
- b) The construction or performance of any work, whether or not pursuant to approved plans, drawings and specifications;
- c) The development of any property within the Community; provided, however, that such Member has acted in good faith on the basis of such information as may be possessed by him.

### **3. CONSTRUCTION RULES**

It is the responsibility of the Homeowner to present their service personnel, contractor or subcontractor(s) with a copy of these Rules and to make sure that they are understood and obeyed. The Association will enforce these Rules and pursue any necessary remedies to the full extent of the law.

#### **3.1 Neat and Clean Job Site**

Contractors are required to keep their job sites neat and clean. Trash and discarded materials shall be removed routinely. All trash stockpiled for removal shall be located in the least conspicuous location on the lot until removed. There will be no stockpiling or dumping, or staging of materials on adjacent lots or streets. Trash not removed will be removed by the Association and billed to the owner of the lot.

#### **3.2 Utilities and Facilities**

Contractors will use only utilities and facilities provided on the immediate site on which they are working.

#### **3.3 Speed Limits**

Construction vehicles must follow currently established County speed limits. The speed limit on Stablegate Rd is 35 MPH. The speed limit on all other streets is 30 MPH by County Ordinance.

#### **3.4 Radios and Noise**

Loud radios or noise loud enough to be heard by neighboring properties will not be allowed.

#### **3.5 Work Related Vehicles and Construction Equipment**

No work related vehicles, trucks, vans, cars etc. may be left in the Community overnight. Construction equipment may be left on the site when needed but may not be parked or stored in the street at any time.

#### **3.6 No Contractor Pets**

Contractors' personnel are not permitted to bring pets into the Community.

#### **3.7 Attention to natural habitat**

The contractors attention is called to the fact that certain areas on the site exist as natural habitat and are to remain as such. Therefore, the following restrictions apply to all construction operations performed in these areas:

- a) Designated trees are to remain untouched and unharmed.
- b) No access whatsoever is permitted through open space areas.
- c) All earth removed from excavations must be removed from the site.
- d) The dumping of trash, changing of oil, lumber, concrete, mortar, rocks removed from the Lot, etc. is prohibited.
- e) The storage of construction materials is not permitted in open space areas.

### **3.8 Construction Noise and Activities**

Construction noise emanating from any construction activities for which a Building Permit or Grading Permit is required is prohibited on Sundays and Federal Holidays, and shall only occur Monday through Friday 6:00 A.M. to 8:00 P.M. and Saturdays 8:00 A.M. through 6:00 P.M. Essentially quiet activities, which do not involve heavy equipment or machinery, may occur at other times. Work occurring within an enclosed building, such as a building under construction with the roof and siding on, can occur at other times as well.

- a) Construction noise emanating from any construction activities will conform to Sacramento County Code. Chapter 6.68 Noise Control and 6.68.090 Exemptions.

### **3.9 Compressors and Generators**

Construction equipment such as compressors or generators shall be located as far as possible from adjacent homes. Power equipment and tools shall be muffled or shielded.

### **3.10 Discharge liability**

Lot Owners will be held responsible for any fees or penalties resulting from discharge into storm drain systems by construction personnel working on their custom Lot. If the County of Sacramento cites the Association or Declarant for discharge, all legal remedies will be pursued to seek reimbursement from the Lot Owner.

### **3.11 Clean Water Act Compliance**

Each Owner is responsible for compliance with the Clean Water Act, filing and payment for any necessary National Pollutant Discharge Elimination System (NPDES) permits, Storm Water Pollution Prevention Plans (SWPPP) which specify Best Management Practices (BMP's) that will prevent all construction pollutants, erosion, non-storm water discharges from moving off-site into receiving waters. The California Regional Water Quality Board in compliance with California Code of Regulations, Title 23, Division 3, Waste Discharge Reports and Requirements will issue any necessary permits. The California Regional Water Quality Board can be reached at (916) 255-3000. During grading and construction all newly graded areas will be revegetated and/or mulched with straw to prevent erosion following the guidelines of Sacramento County Storm Water, (916) 875-7246 or (916) 874-6851, and Natural Resources Conservation Service, (530) 662-2037. Buyer and Buyer's Contractors are required to exercise care during grading and construction to prevent sediment and other on-site materials from migrating to drainage swales and downstream creeks. Seeding, spreading of straw, silt fences, straw bale dikes, and/or other erosion prevention measures may need to be employed by the summer months to ensure proper erosion protection by the rainy season, September 15th, and to account for the possibility of summer storms. If areas do not achieve a minimum 70 percent seed germination with at least one inch of growth by December 1, those areas must be covered with straw mulch applied at the rate and method specified in Sacramento County Erosion Control Requirements and Specifications. This additional mulching, if required, shall be done within 5 workdays after December 1. Only limited grading work or excavation should occur between September 15th and May 15th.

4. **GENERAL RULES**

- 4.1 Pursuant to Section 3.12 of the CC&R'S, "Declarant" under the CC&Rs is exempt from certain provisions of the Declaration.