

**SUNRISE BLUFFS
HOMEOWNERS
ASSOCIATION**

RULES & REGULATIONS

These rules and regulations govern the Sunrise Bluffs Homeowners Association clubhouse, recreational facilities and common areas. Questions should be directed to the Association Office at: 1000 Sunrise Bluffs Drive, Belen, NM 87002: Phone: 505-861-3626

Index

<u>Section</u>	<u>Subject</u>	<u>Page</u>
1.0	GENERAL	4
1.1	Standards of Conduct Policy for those in Elected or Appointed Positions	4
1.1a	Guidelines for All Committees	5
1.1b	Guidelines for Rules and Regulations Committee	5
1.2	Violation Procedures and Penalties	6-7
1.3	Age Restrictions	7
1.3b	Residency Applications	7-8
1.4	Children and Nonresident House Sitters	8
1.5	Use of Clubhouse & Common Area Facilities	9-10
1.5a	Posted Signs	10
1.6	Rental of Facilities	10
1.7	Trash Can Storage, Disposal, Pick-up	10-11
1.8	Solicitations	11
2.0	PETS AND ANIMALS	11-12
3.0	TRAFFIC, IDENTIFICATION, PARKING and STORED VEHICLES	12-14
3.1	Car Washing & Vehicle Repairs	14
4.0	HOA Monthly Dues and Late Fees	14

Forward

Pursuant to the provisions of the Declaration of Covenants, Conditions and Restrictions (hereinafter referred to as CCR's), the Sunrise Bluffs Homeowners Association Articles of Incorporation and By Laws, the Board of Directors hereby adopt and promulgate the Rules & Regulations set forth herein.

The Rules and Regulations established herein are for the protection and enjoyment of all Association members and their guests and are strictly enforced.

These Rules and Regulations may be amended or repealed by the Board of Directors as they deem appropriate.

These Rules and Regulations supersede and cancel all similar Rules and Regulations promulgated prior to March 8, 2022.

We welcome constructive comment on these rules and reports of observed infractions, particularly regarding unsafe operations. Comments regarding these rules should be forwarded in writing to the Association office.

A copy of these Rules and Regulations, CCR's, By Laws and other association documents may be obtained from the Association office.

If you have questions:

- **Prospective Buyers or Tenants** contact the Association office at 1000 Sunrise Bluffs Dr., Belen NM, 87002; phone 505-861-3626.
- **Residents** may email the Board of Directors at srbod@gmail.com

Board of Directors
Sunrise Bluffs Homeowners Association

1.0 General

A. The Board of Directors of the Sunrise Bluffs Homeowners Association, in conjunction with Rules and Regulation Committee Members, has established rules for the community and the association facilities to be followed by all association members and their guests. It is the responsibility of all members to ensure that their family members and guests are familiar with and abide by all Association rules.

1. The Sunrise Bluffs facilities are for the exclusive use of all association members and bona fide guests of the members.
2. Tenants of association members may use the Sunrise Bluffs facilities provided that they are paying the Homeowners Association fees on the property they are renting, or the member from whom they are renting must give them their membership status to use during the members absence from the community. The membership status given to the tenant from the association member is a revocable privilege subject to the tenant abiding by the Rules & Regulations of the community. Any reference, within this Rules & Regulations document, regarding member, property owner, homeowner or resident is applicable to the tenant who has been given membership status by the association member.
3. Any activity within the Sunrise Bluffs Subdivision that in any way interferes with maintenance, safety and sanitation, or contributes to the discomfort of others to the extent that it is a nuisance to the neighborhood shall be prohibited.

1.1 Standards of Conduct Policy for Members in Elected, Appointed or Paid Positions

A. Those members in either elected, appointed or paid positions within the Association are expected to observe the following:

1. Treat all residents and guests with dignity and respect at all times.
2. Treat everyone you deal with, while representing Sunrise Bluffs, with dignity and respect at all times.
3. Respect the opinions of others even if you disagree.
4. Communicate openly and honestly with residents.
5. Avoid discussing sensitive or confidential issues with regard to your committee and/or organization.

1.1a Guidelines for All Committees

1. All Committees shall be designated by action of the Board of Directors.
2. Committees shall elect their own chairperson to serve for the committee term.
3. Committee members' terms shall be for one year; January 1st through December 31st. Committee members may serve consecutive terms.
4. Each committee designated by the Board of Directors may develop additional guidelines that apply to it specifically. These guidelines shall be approved by action of the Board of Directors.

1.1b Rules and Regulations (Covenants) Committee Guidelines

In addition to the general guidelines, the following guideline shall apply to the Rules and Regulations Committee if such a committee is approved by the Board of Directors.

1. The committee shall be composed of a minimum of five (5) members and a maximum of nine (9) members in good standing in the community. In order to reduce the possibility of tie votes, the number of members on the committee shall always be an odd number.
2. The committee shall meet when called by the chairperson for specific items announced when the meeting is called. The committee shall meet on an ad hoc basis, when called upon by the Board of Directors. The committee shall also meet on the second Tuesday of October at 10:00 AM to organize for the coming year.
3. The chairperson shall prepare an agenda for each meeting. Members wishing to place a specific item on the agenda shall submit the item to the chairperson at least five (5) days prior to the meeting when possible. Exceptions can be made under urgent circumstances.
4. The minutes of all meetings of the committee shall be prepared and placed in the binder in the Clubhouse within five (5) business days of the meeting.
5. Due to their oversight of the Rules and Regulations Committee members of the Board of Directors shall not be voting members of the committee.

1.2 Violation Procedures and Penalties

A. The Board of Directors act as the focal point for reminding homeowners of any HOA Rules or Regulations of which they may be violating.

1. Homeowners who observe perceived violations of the Association's Rules and Regulations may report their observations to a Board member or email the Board at srbod@gmail.com.
2. The Board will clarify if the reported actions are a violation of the Association's Rules and Regulations.
3. If the actions are deemed by the Board to be in violation of the Rules and Regulations, the Board shall attempt to resolve the violation informally by contacting the violating Homeowner and requesting compliance.

B. The Board will document all minor Homeowners first violations, including the completed corrective actions

However, subsequent violations or any refusal by the Homeowner to comply with the Rules and Regulations will be discussed by the Board in Executive Session.

Upon upholding the report as a violation, the Board of Directors will send a Notice of Violation to the Homeowner requesting that the Homeowner correct the violation within 30 days of receipt of the letter or face a fine as determined by the Board of Directors.

1. The Homeowner may request a hearing before the Board of Directors on the validity of the violation. The request must be made in writing by the Homeowner within 14 days of receipt of the notice of violation.
2. The Board of Directors will determine after the 30-day period that either the violation has been corrected or that the Homeowner has failed to comply.

C. In the case of a failure to comply with the Notice of Violation or a subsequent violation of the Rules and Regulations, the Board of Directors will take disciplinary action.

1. The Board of Directors will either dismiss the violation or impose a fine for failure to comply. Said fine is determined by a case-to-case decision.
2. The President of the Board, or the Management Company by direction of the President, will send a letter to the Homeowner advising that the fine is now due and will be delinquent if not paid within 15 days of receipt of the letter. A penalty will be added to any fine not paid within the 15-day period, and an additional penalty will be charged for each 15 days thereafter that the fee remains unpaid. Additional penalties will be at the discretion of the Board of Directors.

3. Failure to pay the fine may result in the suspension of the Homeowner's right to use any of the Common Facilities until the fine is paid. Legal action may be taken to collect the fine due.
4. The Homeowner may submit a request to have a hearing before the Board of Directors regarding the violation and fine. The request for a hearing must be made in writing within 10 days of the notice of the Board of Directors action.
5. If a hearing before the Board of Directors is requested within the 10 day period, the fine will be stayed until after the hearing is completed and the Board of Directors has ruled on the violation.

D. The Board of Directors shall be the final level of appeal for any violation of the Rules and Regulations. Repeated violations of the same rule by the same Homeowner shall result in the fine being doubled for each subsequent violation.

1.3 Age Restrictions

A. This Community is intended to qualify under the Housing for Older Persons exemption to the Fair Housing Amendments Act of 1988 (the "Act") and Regulations issued by the Secretary of Housing and Urban Development.

Residency shall be limited to homes occupied by at least one person 55 years of age or older and by no person under the age of 25 years, except that the Act states that there may be homes in the Community that are not occupied by at least one person age 55 and older so long as at least eighty (80%) percent are so occupied. The circumstances under which the Board of Directors of the Sunrise Bluffs Homeowners Association (B of D) will allow homes with residents less than 55 years of age shall be solely at the discretion of the B of D, based on the facts of each situation and such considerations as the B of D alone shall consider important. In no event shall people under 25 years of age occupy homes in the Community.

The possibility always exists that the Act or Regulations may be amended, either by federal Legislature, Administrative or Judicial Action. In the event that revisions to or interpretations of the Act or Regulations require substantive changes in the Community or increased operational costs in order to maintain qualifications under the Act, the B of D will conduct a written vote of all Property Owners and abide by the majority vote before making any change in the Age Restriction.

The B of D shall not discriminate against any resident with respect to race, color, religion, sex, national origin, familial status or disability as provided in the Fair Housing Laws.

1.3b Residency Applications

B. All current and prospective purchasers or renters of homes in the Sunrise Bluffs Community must complete a Residency Application stating the names of all prospective residents/renters. Any prospective resident under the age of 55 must be approved for residency within the community by the Board of Directors, in writing, prior to the

prospective resident occupying a home in Sunrise Bluffs. All prospective renters must be approved by the Board of Directors, in writing, prior to the prospective renter occupying the home in Sunrise Bluffs. Any prospective change in residency in a home owned by an existing homeowner will again require the same Residency Application to be completed, and, if applicable, written approval from the Board of Directors prior to occupancy.

1.4 Children and Nonresident House Sitters

Children

A. This is a 55+ Community. Persons under the age of 25 are not eligible for residency in Sunrise Bluffs.

Emergency situations in families do arise, and exceptions may be evaluated for possible approval by the B of D, not to exceed three (3) months. Child care on a continuing basis is not permitted, nor is continuing care of grandchildren and/or great-grandchildren.

Children in temporary residency, if approved by the B of D, are the responsibility of, and must be under the direct supervision (in the company of) of a responsible adult at all times, and are the ultimate responsibility of the host Property Owner.

Failure by a Property Owner to keep visiting children in the direct supervision of a responsible adult or failure to maintain orderly conduct of visiting children may result in revocation of children's visiting rights for that Property.

Nonresident House Sitters

B. For safety reasons, Property owners notify the Board of Directors or the Community Manager when a nonresident house sitter is being used while the homeowner is out of town.

It is the responsibility of the property owner to ensure that nonresident House Sitters are familiar with and abide by all Association rules. Any inappropriate behavior, by the House Sitters will not be tolerated; Property Owner will be held accountable per the SRB Violation Procedures and Penalties.

Nonresident House Sitters must use Guest Passes placed in plain view on the front vehicle dash. Guest Passes are provided by the Property Owner.

For security reasons, Nonresident House Sitters will only be given the Homeowner's gate card or opener by the Property Owner.

Nonresident House Sitters may not use the Clubhouse and Common Area Facilities unless accompanied by another Property Owner, or approval by the Board of Directors.

1.5 Use of Clubhouse and Common Area Facilities

A. The Sunrise Bluffs Community Clubhouse and Common Area Facilities offer a secure and safe area for the enjoyment, rest and relaxation of the property owners. To ensure that the residents of Sunrise Bluffs get the maximum benefit from the Clubhouse, the following rules and regulations apply:

1. (a) Smoking is prohibited within any Sunrise Bluffs Homeowners Association buildings or facilities.
 - 1) Club House: Smoking is prohibited on the West Side (front entrance) of the Club House with the exception of the parking lot. Smoking is also prohibited on the North Side (pond patio).
 - 2) Club House: Smoking is permitted outside only in the East Side Back Patio (patio facing the highway) of the Club House.
 - 3) Common Area Recreation Facilities: Smoking is prohibited on the North Side of the Recreation Building entrance, with the exception of the parking lot.

- (b) Shoes and shirts are required inside the Clubhouse and outside Patio Areas of the Clubhouse. Shoes and shirts are also required in the Billiard and Exercise Rooms of the Common Area Recreation Facilities. No swim attire is allowed.

- (c) Swim attire is allowed inside the Swimming Pool Facilities, outside Pool Lounge, and the outside Pool Common Area Recreation Facilities.

2. The clubhouse, with all amenities therein, is for the exclusive use of the property owners of Sunrise Bluffs and their guests. Use of the clubhouse by any other group or entity will require the approval of the Board of Directors.

3. The clubhouse will be available to the property owners daily with established procedures for entry

4. All property owners will be responsible for maintaining the cleanliness of the clubhouse and cleaning up after using the facilities.

5. The clubhouse will be available to property owners for a variety of social functions. Property owners should obtain permission from the Board of Directors, at least 30 days in advance, for any special ceremonies to be held at the clubhouse. Any regularly scheduled monthly functions will take precedence over specific requests for the same time and date. The Clubhouse Calendar will be the controlling document.

6. Outside community groups or organizations may apply to the Board of Directors for permission to use the clubhouse. Should any group fail to uphold the standards of clubhouse use regarding cleanliness and respect of property owners, the Board of Directors reserves the right to refuse any future use of the clubhouse to that particular group or organization.

7. The clubhouse has a kitchen facility, therefore, for health reasons, no pets will be allowed in the clubhouse. The only exception would be animals trained to assist the handicapped, such as, Registered Service Dogs
8. Guests of property owners will be allowed to use the clubhouse when accompanied by the property owners. Children under 12 years of age must be supervised at all times. Property owners will be responsible for the behavior of their own guests. Guests should be made aware that the clubhouse and common area facilities are for the purpose and enjoyment of the Sunrise Bluffs property owners. Any inappropriate behavior will not be tolerated. Should property owners or guests display inappropriate behavior, he/she will be banned from use of the clubhouse and other common area facilities as determined by the Board of Directors.
9. Should an Association Member wish to borrow any equipment from the clubhouse, they must first complete the sign out form and have consent from at least one member of the Management Committee. They must also be aware that any group previously scheduled on the calendar to use the clubhouse and the equipment shall have first priority over the member wishing to borrow the item at that time.

1.5a Posted Signs

- A. Rules regarding conduct and the use of equipment in the recreation facility and other areas of the Association facilities will be posted in the areas to which they apply. The posted rules are incorporated as written within the official Rules & Regulations of the Homeowners Association. Posted Sign updates or changes are the responsibility of the Rules and Regulations Committee and must be approved by the Board of Directors.

1.6 Rental of Facilities

- A. Outside community groups or organizations are prohibited from rental of Sunrise Bluffs facilities subject to exceptions approved by the Board of Directors.

1.7 Residents' Trash Can Storage, Disposal & Pick -Up

- A. All Association members are responsible for the proper disposal of trash in the approved containers provided by the City of Belen for each home. No person shall discharge or deposit food scraps, garbage, oil, gas or other waste materials on any lot or Homeowners Association property.
- B. Residents working on projects, hobbies or yard maintenance on their property shall dispose of debris from said work in their personal garbage can or carry it to a local dump. Debris shall not be moved to or left in the streets of Sunrise Bluffs.
- C. Residents' trash cans are to be stored either inside their fenced area or inside their structure (garage or home). Trash cans are never to be stored in common areas.

- D. Trash cans may be placed at the curb any time after noon of the day before pick-up and may remain there until any time before noon the day after pick up.

1.8 Solicitations

- A. No door-to-door peddling, soliciting, or form of commercial enterprise will be permitted within the Sunrise Bluffs Community. Exceptions would be those activities that are sponsored by the Association members and are providing a service to those members.

2.0 Pets and Animals

A. All pets approved for the Community of Sunrise Bluffs must be considered to be domesticated by the general populace. The Board of Directors of the Homeowner's Association reserves the right to judge domesticity of any animal. No farm classified animals are allowed at the home site.

1. Residents must receive written approval from the Homeowners Association prior to obtaining or bringing a pet into the Community. Up to two pets are allowed per home unless a specific variance is granted by the Board of Directors.
2. Pets must be kept on a leash (no longer than 8 feet) when not on Resident's home site. Dogs and cats must be kept at all times inside the home, within a fenced yard or on a leash. Pets found loose on repeated occurrences will be considered a nuisance. If the Board of Directors deems a pet to be a nuisance, then the Board of Directors has the right to order that the pet be removed from the Community.
3. Pets belonging to guests of residents must abide by the same rules as resident pets. As a resident, please inform your guests who bring their pets into the community of the Pet Rules in Section 2.0, Pets and Animals.
4. Pet droppings should be removed daily from the Lot. If pets are walked in the Community, the owner is required to clean up all pet droppings.
5. Pets must be walked on a leash within the community common area: street, grass, sidewalks, and pathways. Pets are not allowed in either Clubhouse or Recreation/Pool buildings; this includes the enclosed patio adjacent to the pool. Pets are also not allowed on another resident's property without the expressed permission of that resident.
6. Pet owners are responsible for deterring excessive barking which creates a nuisance for other residents.
7. Pet owner hereby acknowledges responsibility for any damages caused by the pet to either private property or Homeowners Association common areas, and will bear all financial responsibility for said damages.

8. If the Homeowners Association is unable to identify a pet or contact the owner, then the Board of Directors reserves the right to have any stray animal removed from the Community.
9. All pet owners must complete a Pet Registration Form and include a photo of the pet(s). Once completed, the form and accompanying documents must be turned in to the association office. The original form is kept in a file cabinet in the HOA Office.

3.0 Traffic, Identification, Parking and Stored Vehicles

A. For the purpose of the Rules and Regulations of the Sunrise Bluffs Homeowners Association, the term “Motor Vehicle” shall be defined as any vehicle powered by any method other than human power. This definition includes all motorized vehicles whether or not the vehicle is required to be licensed by the State of New Mexico. A motorized wheelchair operated by a disabled person shall be exempt from this definition.

1. Any person operating any motor vehicle within the boundaries of the Sunrise Bluffs Development shall be at least 16 years of age.
2. All Motor Vehicles within the Sunrise Bluffs property shall be currently registered and licensed with the State of New Mexico or the State of the Homeowner’s primary residence if other than New Mexico.
3. The allowable speed limit on all streets and roads throughout the Sunrise Bluffs Community is 15 miles per hour.
4. Upon Closing on a home the new owners are issued SRB Parking ID stickers. Stickers are to be attached to the driver’s side of the windshield. When a vehicle is replaced or an additional vehicle is acquired, the homeowner will obtain a new sticker from the HOA Office. Homeowners are responsible for obtaining stickers for renters.

B. The Sunrise Bluffs Board of Directors has adopted the following clarification for parking taken from page 25 Article X Use Restrictions of the Declaration of Covenants, Conditions and Restrictions for Sunrise Bluffs Community.

1. Only those vehicles that can be parked within the garage, carport or RV Port of the home are permitted on the lot.
2. This pertains to registered motor vehicles intended for highway travel. Exempted from this definition of “vehicle” are alternate forms of transportation such as; motorized scooters, golf carts, motorized wheel chairs, etc., used internally within the Sunrise Bluffs community.
3. If for any reason one of the above mentioned alternate forms of transportation cannot be regularly parked in the garage or carport, the homeowner must submit a

written request for a temporary or permanent exemption from the Board of Directors of the Sunrise Bluffs Homeowner's Association. This request must include the reason for the requested exemption and the proposed location where the alternate form of transportation is to be parked or stored.

4. No homeowner's vehicles may be parked regularly on the Sunrise Bluffs' streets or block or partially block or overhang a sidewalk, driveway, fire hydrant, or mailbox. Vehicles belonging to short term visitors will normally be exempt from rules regarding street parking but not exempt from blocking or partially blocking any sidewalk, driveway, fire hydrant or mailbox. Inoperable or disabled vehicles must be removed from the streets. No parking or storage of any vehicle, trailer, camper or motor home is permitted on any vacant lot.
5. Vehicles too large to be parked within a homeowner's garage or carport must be regularly parked in the storage area. Exceptions are Recreational vehicles which are permitted to park on the street only and entirely within the RV owner's property lines for up to 72 hours. Permission must be obtained from any homeowner prior to parking any vehicle in front of anyone else's property. For all new home owners moving into the community, a parking exemption will be allowed for up to 1 week in order to allow them the time they may need to complete the moving-in process.
6. Stored vehicles may not be used as a dwelling place, additional living quarters or in any way occupied for any length of time. This includes vehicles in the storage area, on the owner's lot where permitted and on the street. This is in accordance with Belen City Ordinance 17.16.020. Stored vehicles may be hooked up to utilities where available only for the purpose of servicing the vehicle.
7. If for any reason a vehicle cannot be regularly parked in the garage, carport, RV Port or storage area, the homeowner must submit a written request for a temporary exemption from the Board of Directors of the Sunrise Bluffs Homeowner's Association. This request must include the reason for the requested exemption as well as the estimated duration of time the exemption is requested.
8. Upon closing on a home the new owners are issued two vehicle guest passes. Homeowners are responsible to write their house number on the guest passes. These passes are to be placed on the driver's side of the dashboard of the guests' vehicle. Home owners may obtain additional guest passes from the HOA Office. Home owners are responsible to obtain vehicle guests passes for renters.
9. Owners of vehicles should not leave them running and unattended due to noise and environmental impact.
10. RV Ports are intended only for parking RVs (motor homes, fifth wheels, travel trailers, etc.) and a tow vehicle. Tow vehicles may be parked in the RV Port if, and only if, that tow vehicle fits entirely within the structure of the RV Port. RV Ports may alternatively be used as covered patios. If used in this manner, only items

generally considered to be Outdoor Deck, Porch and/or Patio Furniture and Equipment are permitted. RV Ports are not to be used for storage of items usually considered household or garage storage. RV Ports are not to be used for activity that usually takes place in a garage or workshop such as major servicing of vehicles, or woodworking. If appropriateness of the use and/or content of an RV Port is in question the Board of Directors will make a judgment on a case-by-case basis.

3.1 Car Washing and Vehicle Repairs

A. Car washing in driveways or in the street immediately in front of a resident's home is permitted provided that the resident uses a shut off hose nozzle.

1. Vehicle repairs or maintenance, including changing of oil or lubrication, will be permitted only in the resident's garage.

4.0 HOA Monthly Dues and Late Fees

A. Payment of HOA monthly dues are to be paid by the first of each month. A late fee penalty has been established by the Board of Directors. Refer to the Assessment Policy available in the HOA Office.