

Effective April 11, 2017

RULES OF THE LA SONATA HOMEOWNERS ASSOCIATION

The following Rules of the Association shall apply to all areas of the LA SONATA Addition until such time as they are amended, modified, repealed or limited by the Board of Directors of the LA SONATA Homeowners Association, Inc., an Oklahoma nonprofit corporation, as prescribed by the Declaration of Covenants, Conditions and Restrictions.

These Rules update and replace the previous Initial Use Restrictions and Rules, attached as the Declaration of Covenants, Conditions and Restrictions. It establishes procedures for the LA SONATA HOA Board to enforce the LA SONATA Covenants, Conditions and Restrictions, the By-Laws, the Design Guidelines and these rules.

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LA SONATA HOMEOWNERS ASSOCIATION RULES

I. DOCUMENTS OF THE LA SONATA HOMEOWNERS ASSOCIATION

A. Articles of Incorporation: Articles of Incorporation is filed with the Oklahoma Secretary of State and established the LA SONATA Homeowners Association, Inc. as a nonprofit corporation. A copy of this document can be obtained by requesting it from the LA SONATA HOA and the Office of the Secretary of State.

B. Declaration of Covenants, Conditions and Restrictions (CC&Rs): The CC&Rs are rules that apply to a group of homes or lots in a specific development or subdivision; in this case the homes, lots and property of the LA SONATA subdivision.

1. Recording: They are filed of record in the Oklahoma County Registrar of Deeds Office and define how property in the subdivision may and may not be used.

2. Purpose: They prevent property owners from making changes to their individual properties that could result in an unattractive or inharmonious setting, which could adversely affect the value of other owners' property.

3. Obligation to Obey: All homeowners have committed to follow the CC&R's by their purchase of their home.

4. Enforcement: The LA SONATA HOA Board is required to enforce the CC&Rs.

C. By Laws: The By-Laws outlines the structure of the LA SONATA HOA and the specific rules pertaining to the organization and operation of the Board of Directors. A copy of or a link to the By-Laws can be found at <http://lasonata.org>

D. Rules: This document, 'The Rules of the LA SONATA HOA', establishes policies and procedures to govern the interpretation, application and enforcement of the LA SONATA CC&Rs, By-Laws and these Rules.

1. Use Restrictions: These Rules establish procedures for the enforcement of the LA SONATA Covenants, Conditions and Restrictions, the By-Laws and these rules.

2. **Design Guidelines:** Architectural, design, development, and other guidelines, standards, controls, and procedures including, but not limited to, application and review procedures to provide guidance to homeowners regarding all structures and improvements in the LA SONATA neighborhood.

II. BOARD OF DIRECTORS

A. Scope of the Homeowners Associations and Membership:

1. **All Homeowners:** All homeowners, no matter what area of the LA SONATA neighborhood they live in, are members of, and pay dues to, the LA SONATA Homeowners Association (LA SONATA HOA).
2. **LA SONATA HOA Authority:** The LA SONATA HOA has the responsibility to maintain all common areas; create, amend and enforce the Use Restrictions and the Design Guideline in the LA SONATA Rules, below, for all of the LA SONATA addition.

B. Meeting and Records: The LA SONATA HOA Board of Directors shall meet regularly to carry out its duties and responsibilities. All residents are encouraged to attend these meetings, which are held on as listed on Community Website Calendar.

The Board may exclude residents when it meets in executive session. Minutes of all Board meetings, including the annual meeting are created and maintained by the Board. The Board will provide to homeowners, any association information required by law and by these governing documents to be disclosed.

C. Board Member Duties: In an effort to foster a vibrant, responsive and competent homeowners association that will provide a sense of community and responsible leadership, the officers of the LA SONATA HOA have specific roles and responsibilities outlined in the By Laws. Each of the other members of the Board may be assigned duties determined by the Board at the 2nd Board of Directors Meeting following the annual meeting. These responsibilities are flexible and may be changed as the Board determines necessary.

D. Enforcement Duties: It is the duty of the Board to enforce all of the HOA documents, in accordance with the guidelines provided in each.

III. COMMITTEES

A. Creation: The LA SONATA Board may from time to time create offices and committees, and appoint by majority vote individuals to fill them. All decisions and recommendations made by a committee shall be done by majority vote. In creating

committees it is the intent of the LA SONATA Board to encourage the involvement of nonBoard members and to allow them to contribute to the neighborhood and to involve them in the decision-making process.”)

B. Written Records: All meetings of committees shall be recorded and the minutes shall be maintained. The minutes shall include the members in attendance and all decisions made. A report of the committee meeting shall be made at the following meeting of the LA SONATA Board. The committee’s minutes shall be adopted by the committee at its next meeting and submitted to the Board, which shall retain them with the other official records of the LA SONATA HOA.

C. Committee Quorums: A quorum at a committee meeting shall be those members present at a duly called meeting of the committee for which there was adequate, timely notice to all its members.

D. Expenditures:

1. Committee Expenditures: Each committee will have a budget approved by the LA SONATA Board prior to any commitment to the expense.

2. Unbudgeted Expenditures: Projects and expenses of more than \$100 not in the adopted LA SONATA HOA budget must be approved by the LA SONATA Board.

3. Emergencies: All emergency repairs will be dealt with by the LA SONATA Board on a case-by-case basis.

4. Reimbursements: No officer or other individual who has authority to write checks on any of the accounts may write a check reimbursing him/her. Violation of this provision shall result in the automatic removal of all check-writing privileges and loss of office. Reimbursements will not be given for any expenditure that has not been pre-approved by LA SONATA Board. Receipts will be presented in a timely manner and the receipt must contain only the items that reimbursement is being requested for.

5. Confirmation: All invoices received by LA SONATA HOA from any vendor must be approved by the LA SONATA Board before it may be paid.

IV. USE RESTRICTIONS AND RULES FOR RESIDENTS

A. Dues: Following the Annual Meeting, homeowners will be invoiced for the amount of dues for the upcoming year. **It is the responsibility of the owner to produce evidence to prove that dues were paid. If the error is on our part, the HOA will pay any fees in obtaining this proof from your bank. A returned check fee will**

be assessed in the amount of \$25.00 if a check is not honored.

1. **Invoice:** Except for those homeowners who move to LA SONATA after the invoicing period, it is the responsibility of the homeowner to pay the dues before the due date, regardless of whether an invoice was received
 2. **Due Date:** The dues must be paid by March 31st
 3. **Late Fee:** An 18% (or maximum legal rate) late fee shall be charged if dues are paid later than the due date. The dues and any late fees must be paid by April 30th. All dues paid after April 30th MUST include the late fee before it is considered paid
 4. **Past Due Notice:** If the dues and late fees are not paid by April 15th, a letter will be sent informing the resident/owner that they will have until May 1st (15 more days) until the debt is sent for collection
- B. General Use:** The LA SONATA neighborhood (both those properties owned by individuals and those owned by the LA SONATA HOAs, the greenbelts and all the other common areas) shall be used only for residential, recreational, and related purposes and for the use and enjoyment of all LA SONATA residents.
- C. Activities Prohibited in LA SONATA Neighborhood:** The activities listed below are prohibited anywhere within the LA SONATA Neighborhood. The list is not exclusive. Any activity that can cause harm or damage to any of the natural surroundings, regardless of whether it specifically stated, is prohibited. These restrictions, if violated, may result in a fine being imposed. Repeated violations of these rules may result in fines being increased with each offense.
1. **Dumping:** Dumping of garbage, trash, ashes, grass clippings, leaves or other debris; petroleum products, fertilizers, or other potentially hazardous or toxic substances in any drainage ditch or within a resident's property or any common area is prohibited.
 2. **Impairment of Drainage:** There shall be no obstruction or rechanneling of drainage flows including changes to drainage swales, storm sewers, or storm drains.
 3. **Wildlife:** No capturing or trapping of wildlife is permitted except in circumstances where the animal poses an imminent threat to persons or a serious threat to property and where the LA SONATA HOA Board of Directors has authorized the capturing or trapping of wildlife.

- 4. Damage to Environment:** No activity which materially disturbs or destroys vegetation, wildlife, wetlands, or air quality, or which uses excessive amounts of water or which result in unreasonable levels of sound or light pollution shall be permitted..
- 5. Motorized Vehicles:** No vehicle other than tagged, street legal vehicles may be used in the LA SONATA neighborhood. This prohibits the use of go-carts, and motorized skate boards and scooters. Small children's toy cars are excluded from this rule.
- 6. Cutting Down Trees:** No tree or shrub, the trunk of which exceeds 2 inches in diameter, shall be cut down or otherwise destroyed without the prior express written consent of the LA SONATA Board.
- 7. Construction in Common Area:** No construction, erection, or placement of anything, permanent or temporary is permitted on any of the common area except as authorized by LA SONATA Board. This includes gardens, signs, play equipment, clothes lines, garbage cans, woodpiles, above ground pools, docks, piers, antennas, satellite dishes, hedges, walls, fences of any kind, dog runs or animal pens
- 8. Landscaping in Common Area:** No landscaping, gardening, creation of flowerbeds or erection of any item is to be done on the common areas without prior written permission from the LA SONATA Board. Any person proceeding without permission may be asked to restore the common area to its original condition and failing to do so; the LA SONATA Board may restore the common area and charge the expense to the homeowner.
- 9. Pet Waste:** Residents must pick up their pet's waste from their yard, other residents' yards and all the common areas.
- 10. Foul and Obnoxious Odors:** Any activity which emits foul or obnoxious odors or other conditions that disturb the peace or threaten the health or safety of the residents of LA SONATA are strictly prohibited.
- 11. Activities in Violation of Law:** Any activity that violates local, state, and federal laws or regulations is prohibited. However, the Board has no authority or obligation to take any enforcement action in the event of a violation.
- 12. Offensive Activity:** Any noxious or offensive activity, which in the reasonable

determination of the LA SONATA Board may cause embarrassment, discomfort, annoyance or nuisance to any of the residents of the LA SONATA neighborhood, is prohibited.

- 13. Burning of Trash:** Outside burning of trash, leaves and debris or other materials is strictly prohibited.
- 14. Skateboard Ramps:** No skateboard or bicycle ramps may be constructed in any yards or on any common area.
- 15. Loud Noises:** The use or discharge of any radio, loudspeaker, horn, whistle, bell, or other sound device that is of such a volume that it disturbs the peace of the LA SONATA neighborhood is prohibited. However, alarms used exclusively for security purposes shall be permitted. Barking dogs may violate this provision if they unreasonably disturb the peace and quiet of the neighborhood.
- 16. Fireworks:** Use and discharge of fireworks/firecrackers is strictly prohibited and a violation of Oklahoma City ordinances.
- 17. Fire Arms:** Discharge of any fire arm, including air rifles and pistols such as pellet or BB guns, is strictly prohibited and is a violation of City ordinances. Violations should be reported to the Oklahoma City police. The LA SONATA HOA Board of Directors is under no obligation to prevent or stop such activity.
- 18. Parking of Vehicles:**
 - a. Overnight Parking:** The parking of any vehicle on public streets or the thoroughfares of the LA SONATA neighborhood over night is prohibited.
 - b. Daytime Parking:** Vehicles may be parked on the public streets during the day for reasonable periods of time, but no longer than 10 hours.
 - c. Commercial Vehicles:** No commercial vehicles may be parked on the street, or on the lot overnight, and are limited to daytime hours while work is being completed. A commercial vehicle is any vehicle that has advertisement on it exceeding 1' by 1', or a vehicle with non-standard attachments such as camper shells or parts such as exposed utility boxes, lifts, hoses, pulleys or cranes or baskets. This includes moving van type vehicles with large box storage and towing vehicles
 - d. Delivery Vehicles:** Construction, service, and delivery vehicles shall be

exempt from this provision during daylight hours for such a period of time as it is reasonably necessary to provide the service or to make a delivery.

e. Recreational Vehicles: Boats, sleeper campers, any/all recreational vehicles may be parked on a lot for short periods (2 days) for clean-up and prepping before or after a trip. These types of recreational vehicles may also be stored permanently on a lot only if they are parked behind the front building line, are behind a solid fence, and must be on a concrete pad. They shall be limited to a maximum of 6' in height hidden behind an 6'fence, or may be visible up to 2' above a 6'fence from ground level. In all cases, these types of vehicles shall not be visible in any other way (i.e., through the slats of stockade fences, through ornamental fencing, or from the greenbelt common areas, etc.). All newly constructed fences require pre-approval from the LA SONATA Architectural Committee.

h. Sidewalk Parking: At no time shall any vehicle be parked on or over any part of any LA SONATA sidewalk. Blocking the sidewalks forcing adults and children to walk out into the street is a safety issue. Parking over or blocking a city sidewalk is also a violation of OKC ordinances, see Municipal Code Chapter 59, Section 10250.8. No such "sidewalk" parking shall be tolerated in any LA SONATA area, gated or otherwise.

D. Uses of Homeowner's Properties

1. Leasing: A homeowner has the right to lease or rent their home.

a. Leasing Form: Homeowners shall submit a Lease Information Form to the LA SONATA HOA Board if they lease or rent their property.

b. Contact Information: All contact information for the homeowner and the resident must be provided on the form and the homeowner is responsible for insuring that all information is up to date.

c. Length of Lease: The LA SONATA Board has the right to set a minimum time on the length of the lease.

d. Homeowner Responsible: The homeowner of the property will be held responsible for the conduct of renters and the condition of their property and structures, as well as any dues or fines.

2. Use of Property for Business: Home based businesses are permitted as long

as the business activity is not apparent by sight, smell or sound; conforms to all zoning requirements, and does not require visitation to the property by customers, suppliers, other business invitees, or door to door solicitation of residents. The business activity must be consistent with the residential character of the property, and the business must not constitute a nuisance, or hazard; be offensive or threaten the security or safety of other residents. A determination of such condition may be made by the LA SONATA HOA Board in its sole discretion.

- 3. Maintenance of Property:** Homeowners are responsible for the maintenance and upkeep of their property. Structures, equipment and other items on the exterior portions of a lot that become rusty, dilapidated or otherwise in disrepair must be maintained and brought to acceptable condition.
- 4. Changes to Property:** All changes to the property or structures, such as adding structures or changing the general appearance of structures, shall be started only after an application for such changes has been approved by the Architectural Committee. Such changes are subject to any HOA Rules and guidelines set by the Architectural Committee.
- 5. Pets and Livestock:**
 - a. Livestock:** No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot.
 - b. Pets:** Dogs, cats and household pets may be kept, provided they are not kept, bred or maintained for any commercial purpose. No more than two (2) household pets may be kept without written permission of the Association.
 - c. Pets Restrained:** Dogs and cats must be restricted behind a fence, on a leash or in a building at all times.
 - d. Immunizations:** All dogs and cats must have their annual required immunizations. A record of those immunizations should be on their tags, which should be worn at all times. (Residents should report a violation of the rules regarding pets to the Oklahoma City Action Desk.)
- 6. Unsuitable Hobbies:** Pursuit of hobbies or other activities which tend to cause an unclean, unhealthy, or untidy condition to the outside of any structure on a homeowner's property is prohibited.

- 7. Trash Containers:** The visibility of rubbish, trash, or garbage is prohibited. Trash containers must be placed behind the front house building line or as not to be visible from any other lot within the project. However, trash and trash bins may be set at the curb at regular trash pickup times in approved containers. Trash and trash bins may not be put out for pick up before 7:00 pm the evening before pick up and must be returned to their storage location by 8:00 pm the evening of pick up. Placing trash out for pick up for a longer period of time is subject to a fine by the City of Oklahoma City and the LA SONATA Homeowners Association.
- 8. Storage of Gasoline:** On site storage of gasoline, heating or other fuels is strictly prohibited, except for a reasonable amount to be used for emergency purposes and operation of lawn mowers and similar tools or equipment.
- 9. Garage Sales:** Each resident who wants to hold a garage sale must first get their own individual city permit to display in a visible location to any inspector from the city. (For information call the city of OKC.)
- 10. Conversion of Garages:** Conversion of any carport or garage to finished space for use as an apartment or other integral part of the living area is not allowed.
- 11. Advertising:** No sign of any kind advertising the sale of any goods or service(s) shall be displayed anywhere on any lot. Real estate signs advertising the sale of a home that are no larger than 18 inches by 24 inches are permitted during the sales period. Construction or maintenance of any billboard or structure is prohibited.

 - a. No sign advertising a property as For Rent or Lease may be placed in any yard or common area without the prior written consent of the Homeowners Association. Owners are permitted to rent property, but an Owner may not advertise the property for rent by placing a sign in the front yard or common areas without permission as aforesaid.
 - b. No signs protesting an action or failure to take an action by a homeowner, the Board of Directors, the Association or other third party may be placed in any yard or common area. Signs placed in a yard or common area that attempt to settle a dispute in the fashion may be removed by the Association or its Agents without notice or permission.
- 12. Artificial Vegetation:** No artificial grass, trees or plants shall be placed or

maintained in such a manner that it may be seen from outside the lot, unless approved by the Architectural Committee.

- 13. Front Lawn Clutter:** The front lawns of homeowners' property including the driveway as well as all easements, streets, and common property shall be free of all toys, tools, and debris including, but not limited to bikes, balls, scooters, and power tools overnight on a regular basis.

V. DESIGN GUIDELINES

- A. Establishment:** Pursuant to the LA SONATA CC&Rs the standards and specifications stated below shall constitute the Design Guidelines for the LA SONATA Homeowners Association. The methods of enforcement of the provisions of the Design Guidelines in this document are outlined in the last section of this document. All residents need to review these Design Guidelines **BEFORE** submitting an application for approval to begin any landscape or architectural projects, including additions, or changes to any part of the lot. Any/all costs incurred by removing/redone a project that has not been or is not approved by the Architectural Committee shall be the responsibility of the homeowner in addition to fines for leaving a project uncorrected.
- B. Application:** These guidelines apply to LA SONATA .
- C. Homeowners' Projects:** Homeowners should review these Design Guidelines **BEFORE** beginning any landscape or architectural projects, including additions or changes to any part of the lot.
- D. Procedures for Approvals**
- 1. Application:** An application form must be completed and presented to the Architectural Committee before work is started on any project. The application shall be evaluated to determine the appropriateness for all changes to type or color of structures. The application/approval process shall determine if the change is appropriate for the neighborhood. Applications shall include drawings and descriptions. Starting work before written approval is received, will result in an automatic \$1,000 fine. All work must stop immediately and not resume until an application is approved and a letter is received to approve the project.
 - 2. Notice:** The Architectural Committee will approve or deny requests within 45 days of receipt and a letter of approval will be sent. Approval is not complete until the letter is received. If approval is NOT given, all necessary changes must be made to the project to bring it to compliance within 30 days.

- 3. Completion Time Limit:** Approved projects must be completed within 120 days from the date of Architectural Committee's letter of approval.
 - 4. Inspection:** After the 120 days have passed the Architectural Committee will inspect the project and, if the project has been completed and is approved by the Committee, a final approval letter will be sent.
 - 5. Incomplete Project:** If the project is not completed within this time the approval will become void and a new written approval or extension must be requested. It may be considered a violation if this guideline is not met. Once a project is completed, it is the responsibility of the owner to keep everything in good repair. Allowing any part of the property or buildings to be in disrepair or unkempt, may be a violation of these guidelines and subject to enforcements.
 - 6. Emergency Replacement:** Replacement of existing structures or any part of the property does not require an application if replacement is exactly the same as the original in appearance; otherwise approval of changes are necessary.
 - 7. Retention of Letter:** It is the owner's responsibility to keep a copy of the approval for future reference.
 - 8. No Waiver of Future Approvals:** Approval of any/all projects does not inherently imply approval to subsequent projects.
 - 9. Variances:** Also, if non-conforming improvements are made and approved by the Board (e.g., through error or hardship, etc.) it is not to be construed as permission for future non-compliance or waiver of future enforcement rights. Under certain circumstances, the Board may authorize variances at times. Inability to obtain permits or other government approval or financing shall not be considered a hardship warranting a variance. As long as the Declarant owns any portion of LA SONATA, the Board may not authorize variances for major structural projects without the written consent of the Declarant (excludes fences, storage buildings, etc. which now fall under the authority of the Board).
- E. Specific Guidelines:** The following specific guidelines shall control any further development or changes to any existing properties:
- 1. Roof Specifications:** When replacing or repairing roofs, all residences shall incorporate or maintain an 6/12 minimum roof pitch and use, as a minimum, thirty (30) year architectural composition roofing, weathered wood in color, including for any additions and connected parts of the residence

(e.g., covered patios). No three tab shingles allowed.

Due to numerous variations in shingles and manufacturing styles and types, any change in style from the original shingles or any color other than a 'weathered wood' color requires pre-approval from the LA SONATA Homeowners Association Architectural Committee before any construction can begin.

2. Architectural Details: The exterior of any residence shall be at least sixty percent (60%) brick, stone or stucco, and forty percent (40%) may be of frame or other material which will blend together with the brick, stone or stucco. It is the intention of this restriction to allow panels of materials other than brick, stone or stucco to be used, but in no event shall a continuing wall consisting of fifty percent (50%) of the exterior of the residence be built of any material other than brick, stone or stucco. This restriction is intended to encourage the use on the principal exterior of residences of masonry construction, but may be modified to allow the use of other materials to blend with the environment to eliminate repetition of design. In no event shall out buildings be of a material other than the residence. Any additions to the structure after it was originally approved should conform to the construction finishes for the residence.

3. Chimneys: Chimney materials must be brick, stone or stucco to the top of the first floor plate except where the chimney is on the interior or contained within a covered porch or patio, in which case it may be of other appropriate material.

4. Mailboxes: All mailboxes must be of brick construction. Any deviation from this standard must be approved by the Declarant or Architectural Committee.

5. Fencing: All fences shall be of wood, brick, rock or wrought iron construction and may not exceed 72 inches in height. All fences must be maintained in good condition with no visible holes or loose or missing pickets. No fencing shall be installed on the front portion of any Lot and must commence at least five (5') feet from the front of the main structure.

Prior to installation, an owner or builder must submit specifications for any proposed fencing to the Architectural Committee for approval. A survey of the property should be made to determine the location any fence to avoid possible infringement on neighbor or LA SONATA HOA property.

6. Painting: Finishes applied as part of any maintenance or refurbishing process must be done with materials and colors that are complimentary to and consistent with other residences in the neighborhood. Prior to commencement of any such project that changes the color of the property: the homeowner must get approval

from the Architectural Committee.

7. Detached Structures: DETACHED STORAGE BUILDINGS OR OTHER STRUCTURES ARE NOT ALLOWED UNLESS THE BUILDING OR STRUCTURE CONFORMS TO THE REQUIREMENTS OF THIS PARAGRAPH.

(A) Detached storage buildings are permitted so long as the structure conforms to the exterior requirements contained in Section 2 above and the roofing requirements contained in Section 1 above. It being the intent of this provision that the storage building conform exactly to the original home. Any storage building that does not conform to these requirements must be completely hidden from the street and any adjoining property owners.

8. Play Equipment: Notwithstanding previous amendments to the LA SONATA CC&Rs, all play sets, swings, or other play and recreational equipment to be installed on any lot, must also be approved, before installation. Small equipment, such as “little Tykes” is allowed, but must be kept in an orderly manner if it, or any part of it, can be seen from anywhere outside the homeowner’s property.

9. General Appearance: The property owner is responsible for maintenance of structures, landscaping, and general yard appearance to meet the neighborhood standards stated in the LA SONATA CC&Rs. **To further clarify, as a visual rule of thumb, homeowners’ yards and flowerbeds shall be compared to the LA SONATA Main HOA common areas and entrances under normal situations.** Every LA SONATA homeowner shall keep their flower beds free of weeds and grass year round; lawns mowed, **weed-free (including but not limited to dallisgrass, crabgrass, and other ‘grasses’ that are considered weeds by definition,** and edged consistently during the mowing season. **Lawns shall be kept green during the spring & summer season.** Bushes shall be **live,** trimmed and shaped. Trees shall be **live,** trimmed and cut back to enhance the property. Over grown shrubs and trees that cover over the front of houses or that extend outside of their intended area(s) shall not be tolerated.

10. List Not Exclusive: This list is not exclusive and may include such other guidelines or limitations as the LA SONATA Homeowners Association Board of Directors may add, as well as such others as may be determined by the Architectural Committee on a case-by-case basis.

11. Height: Although the height of the building is not specific, considerations will be given based on the amount of actual visibility of the detached structure, from the street as well as the neighboring lots. There are no pitch requirements

for outbuildings and the requirements for an attached structure do not apply to detached, outbuildings. Approval of height will be made from the application information on a case to case basis.

12. Size: Approval of size will be made from the application information on a case to case basis.

13. Placement: The placement of the structure will be approved based on the visibility of the structure from the street as well as neighboring lots. It must not interfere or block the natural straight line visibility from a neighboring lot. The approval of the placement of the structure will be made based information on the application on a case by case basis.

F. Grandfather Provision: Buildings that were constructed and changes that were made to a structure prior to April 11, 2017, that would otherwise be in violation of these Design Guidelines shall be permitted to remain without change if they had previous approval. However, homeowners with this situation should contact the Architectural Committee and request that it issue a letter approving this variance from the Design Guidelines. The Architectural

Committee will issue a letter approving any such building or change. Such letter will be essential to protect you and any purchaser of your home if you are charged with a violation of the Design Guidelines at a future time.

G. Enforcement Guidelines:

1. First Letter: When the Board receives a report of a violation of the Design Guidelines or CCRs, the Board will validate the claim and then send a letter to the homeowner bringing to their attention that they are in violation of one of the Design Guidelines or CCRs of the LA SONATA Homeowners Association. The letter will ask that they come into compliance. It will not discuss fines, liens or other forms of enforcement.

2. Second Letter: If the violation is not corrected, the Board will send a second letter to the homeowner stating the nature of the violation, setting a date by which time the violation must be remedied and notifying them of the potential fines and methods of enforcement available to the Board.

3. Fines: If the violation continues, the Board may impose fines against the homeowner in the amount of \$100 for the first month and raised in increments of \$100 per month until the guidelines are met, take action to remedy the violation and bill the homeowner for the costs or seek injunctive or other legal relief.

- 4. Collection and Liens:** If the homeowner refuses to pay fines or costs, the Board may turn the debt over to a collection agency to recover the fines and costs or place a lien against the property to recover all such fines and fees.
- 5. Board Charge:** The Board of Directors is charged with the responsibility to enforce the By Laws, Covenants and Restrictions, Design Guidelines, and the Rules and Regulations.
- H. Appeals Process:** Homeowners may address the Board at any Board meeting to present their case regarding any action taken by the Board. The homeowner shall notify the Board of any such appeal at least 10 days prior to the meeting. Upon hearing from the homeowner and any other concerned person, the Board shall render a decision, and such decision shall be final.
- I. Special Note:** Homeowners should contact the Architectural Committee and request that it issue a letter approving any variance from the Design Guidelines in the case of **buildings that have been constructed and changes that have been made prior to the adoption of these Design Guidelines.** By obtaining such a letter you will protect yourself and any purchaser of your home from being charged with a violation of the Design Guidelines.

VI. CLUBHOUSE RULES AND PROCEDURES

A. Purpose: These clubhouse rules are intended to preserve and maintain the value of the clubhouse while providing a benefit to the residents of LA SONATA.

B. Clubhouse

1. Prohibited Behaviors

a. Smoking, Alcohol, Weapons (concealed or open carry) are not allowed in the Clubhouse, Fitness Room, Pool area, or Play Area, including parking lot.

b. Noise: Excessive noise shall not be permitted. The determination of excessive noise shall be solely the right of the La Sonata HOA. As the Premises and Pool are near private homes, all those who use Clubhouse, Fitness Room, Play Area and Pool should be respectful of neighbors.

c. Parking: The Facility's parking lot is only for those using the Clubhouse, Fitness Room, and Pool. Service vehicles are allowed for the duration of services being performed. No other vehicles are allowed.

d. Pets: Pets are not permitted in the Clubhouse, Fitness Room, Play or Pool area, except as authorized by the La Sonata HOA Committees.

e. Attire must be worn inside the Clubhouse

2. Liability: The La Sonata HOA is not responsible for loss or damage to personal

property.

3. Responsibility: Homeowners will be held responsible for the actions and behavior of their guests

C. Event Room Rental

1. Good Standing Required: No residents may rent the clubhouse unless they are in good standing with any dues or fines

2. Acknowledgement and Release of Liability: The ACKNOWLEDGEMENT AND RELEASE OF LIABILITY form must be signed by adult resident of LA SONATA making reservation. The La Sonata HOA is not responsible for loss or damage to personal property.

3. Rates: The La Sonata Board of Directors shall establish a rental amount for the year at the first regular Board meeting of the year. The Board reserves the authority to limit the number of times and how often a resident may rent the clubhouse

4. Procedure: A Clubhouse reservation form must be completed and signed by any Homeowner and submitted to the HOA Office or any HOA Clubhouse/Pool Committees member with two checks made payable to “**La Sonata HOA**” as follows:

a. First Check- for reservation fees, which is **non refundable** \$25.00 (1-25 persons)
\$50.00 (more than 25-45)

b. Second Check- for cleaning and damages deposit \$100.00

c. Return of Deposit: deposit check will be returned **IF** the Clubhouse/Pool area is left clean, which includes vacuuming, mopping, garbage emptied from inside receptacles to proper outside receptacles, and furniture returned to its original place, kitchen clean - judgment of which shall solely be within the authority of the La Sonata HOA Committees. Cleaning supplies may be found in the cabinets in the Event room. **Trash must be placed in bags and put into city trash bins or dumpsters by Renters and liners replaced in interior trashcans.**

5. Damages: Any damages incurred will be taken out of deposit. Any charges that exceed the deposit will be levied to the homeowner renting the facility.

6. Maximum capacity according to the OKC Fire Marshall: Clubhouse: 59– includes **ALL** interior rooms

7. Reserved Time: Please be aware that the Clubhouse may be used by someone else later the same day or following day, so doors must be locked. Please keep time within your reserved time for set up and clean up. **The Clubhouse and Fitness facility have automatic locking mechanisms and may be programmed by the Committees to lock automatically.**

8. Decorations: The interior of the Clubhouse may be decorated, provided that these decorations do not require the use of nails, paint, tacks or glue (any material likely to leave residue or damage) on walls, fixtures, or furniture. Renters and guests in the Clubhouse may **NOT** bring in any appliance such as a microwave oven or toaster oven, as this would violate the fire code.

9. Exclusions: Use of the Clubhouse includes Clubhouse room, Restrooms, and the Kitchen. Use of the Pool includes the Pool itself and the surrounding tiles outdoor perimeter of the Pool, but Pool use may **NOT** be reserved for sole use. Use of the Fitness Room is **NOT** included in the reservation when Clubhouse is reserved by a homeowner.

10. Hours: Activities in Clubhouse must not begin before 10:00 am and must conclude by 9:30 pm

11. Loss of Privilege: If the rules are not observed or excessive mess is left by Renter or Renter's guests, **Renters right to use the Clubhouse and Pool may be temporarily suspended or revoked** according to the judgment of the HOA Committees. Violations of these Guidelines constitute a Refusal of Rental Terms

D. Pool

1. Prohibited Behaviors

a. Smoking, Alcohol, Weapons (concealed or open carry) are not allowed in the Clubhouse, Fitness Room, Pool area, or Play Area, including parking lot.

b. Noise: Excessive noise shall not be permitted. The determination of excessive noise shall be solely the right of the La Sonata HOA. As the Premises and Pool are near private homes, all those who use Clubhouse, Fitness Room, Play Area and Pool should be respectful of neighbors.

c. Parking: The Facility's parking lot is only for those using the Clubhouse, Fitness Room, and Pool. Service vehicles are allowed for the duration of services being performed. No other vehicles are allowed.

d. Pets: Pets are not permitted in the Clubhouse, Fitness Room, Play or Pool area, except as authorized by the La Sonata HOA Committees.

e. Attire: Shoes must be worn inside the Clubhouse. Proper swimwear must be worn (Bathing suits only, no diapers, cutoffs, etc)

f. Skin Disorders: Anyone with a contagious skin disorder or other infection may not enter the Pool.

g. Glass containers, Food, Beverages are **NOT PERMITTED** at **Poolside**. Please discard trash in proper containers or take trash away with you for disposal elsewhere. Your cooperation and vigilance is needed to help keep the Clubhouse, Fitness Center and Pool clean.

2. Liability: There is NO Lifeguard on Duty. Swimming is at your own risk. The La Sonata HOA is not responsible for loss or damage to personal property.

3. Responsibility: Homeowners will be held responsible for the actions and behavior of their guests

4. Supervision: Any adult or guardian who will be responsible for the child's conduct

and safety while at the Pool **must accompany children under 12 years of age**. The guardian designated must be at least 18 years of age, and the guardian **cannot supervise more than 4 children at one time**.

5. Guests: Residents may have **UP TO four (4) guests** in the Pool area at one time. Guests are only allowed when accompanied by an **adult homeowner**. For parties of children **under age 13**, additional guests (under age 13) are allowed **ONLY** when supervised by adults.

6. Additional Pool Rules are posted outside by the Pool and incorporated by reference into these guidelines. However, in the event of a conflict between these rules and those posted at the premises, the rules in this document shall control.

7. Personal Conduct in the Pool area must be such that the safety of self and others is not jeopardized.

8. Lightning: The Pool **must** be evacuated and closed at any sign of lightening.

9. Maintenance: Pool will be closed as posted by sign and or on the community website calendar for routine maintenance. A sign shall be posted to the left hand side of the door from inside the Clubhouse, covering or above the hours of use and shall be posted on the outside gate as well.

10. Maximum Capacity according to the OKC Fire Marshall: Pool: **42-** includes those in the water as well as **on** the surrounding deck

11. Dates and Hours: The Pool shall be closed for the winter upon decision of the Committees. The **projected** annual opening date for the Pool is the Saturday of Memorial Day weekend (pending successful inspections from county/ city authorities) and the **projected** close date is the Tuesday following Labor Day.

E. Fitness Room

1. Prohibited Behaviors

a. Smoking, Alcohol, Weapons (concealed or open carry) are not allowed in the Clubhouse, Fitness Room, Pool area, or Play Area, including parking lot.

b. Noise: Excessive noise shall not be permitted. The determination of excessive noise shall be solely the right of the La Sonata HOA. As the Premises and Pool are near private homes, all those who use Clubhouse, Fitness Room, Play Area and Pool should be respectful of neighbors.

c. Parking: The Facility's parking lot is only for those using the Clubhouse, Fitness Room, and Pool. Service vehicles are allowed for the duration of services being performed. No other vehicles are allowed.

d. Pets: **Pets** are not permitted in the Clubhouse, Fitness Room, Play or Pool area, except as authorized by the La Sonata HOA Committees.

e. Attire: Shoes must be worn inside the Clubhouse.

f. Glass containers and Food are **NOT PERMITTED** in Fitness Room. Water Bottles **are** permissible Please discard trash in proper containers or take trash away with you for disposal elsewhere. Your cooperation and vigilance is needed to help keep the Clubhouse, Fitness Center and Pool clean.

2. Liability: The La Sonata HOA is not responsible for loss or damage to personal property.

3. Responsibility: Homeowners will be held responsible for the actions and behavior of their guests.

4. Hours; Fitness room will be available from **6:00 AM to 10:00 PM** daily. These hours are subject to change based on the decision of the Committees without prior notice.

5. Guests: Due to limited size and availability of Fitness equipment, **ONLY** La Sonata homeowners or their tenants will be allowed use of the Fitness room. No guests are allowed.

6. Supervision: Children under the age of 14 will **NOT** be permitted to use Fitness equipment in the Fitness room. Ages 14-17 may use equipment **with adult supervision** (over the age of 18). At age 18 no supervision is required.

7. Maximum capacity according to the OKC Fire Marshall: Clubhouse: **59** – includes **ALL** interior rooms

F. Playground Area

1. Prohibited Behaviors

a. Smoking, Alcohol, Weapons (concealed or open carry) are not allowed in the Clubhouse, Fitness Room, Pool area, or Play Area, including parking lot.

b. Noise: Excessive noise shall not be permitted. The determination of excessive noise shall be solely the right of the La Sonata HOA. As the Premises and Pool are near private homes, all those who use Clubhouse, Fitness Room, Play Area and Pool should be respectful of neighbors.

c. Parking: The Facility's parking lot is only for those using the Clubhouse, Fitness Room, and Pool. Service vehicles are allowed for the duration of services being performed. No other vehicles are allowed.

d. Pets: **Pets** are not permitted in the Clubhouse, Fitness Room, Play or Pool area, except as authorized by the La Sonata HOA Committees.

2. Liability: The La Sonata HOA is not responsible for loss or damage to personal property.

3. Responsibility: Homeowners will be held responsible for the actions and behavior of their guests.

4. Parking for Playground Area is on the **right side** of the entrance to the community. Please ensure your vehicle is parked well to the side, allowing room for incoming vehicles.

1.

VII. ENFORCEMENT OF CC&RS, BY-LAWS AND RULES:

A. General Violations:

- 1. Purpose:** As members of the LA SONATA Community we all want to see that the neighborhood is kept in an attractive and well maintained condition. It is because there are CC&Rs, By-Laws and Rules for our area that we have all agreed to by making our home here. The purpose of these rules is to enhance the enjoyment of the residents who live here and to maximize our property values.
- 2. Board Duty:** To ensure that these are followed the Board of Directors has been given the responsibility to enforce them. It may levy fines, make special assessments and take other actions against violations or these rules.
- 3. Procedures:** Enforcement procedures include giving notice to a resident of a violation. This notice may be in the form of a letter, a posted sign or a personal visit. If the violation continues a fine may be assessed against either or both the homeowner and/or the resident or other action taken by the LA SONATA Board.

B. Two Types of Violations:

- 1. Prohibited Activity:** Violations regarding a prohibited activity include those violations that require an activity to cease; such as excessive noise, riding go-carts in the neighborhood and any other such prohibited activities. These violations are each treated separately and consequences occur for each time the violation happens. Notification of the violation will be repeated with each occurrence.
- 2. Prohibited Condition:** Violations regarding a prohibited condition include those violations that require some action by the resident to come into compliance. These violations include, but are not limited to, violations of the Architectural Design Guidelines, unkempt landscaping or structures, debris and the prohibited parking of vehicles.

3. Enforcement Process

- a. First Notice:** When the LA SONATA Board receives a report of a violation of the LA SONATA CC&Rs, By-Law or Rule, it will send a letter to the residents bringing to their attention the violation. The letter will ask that they cease any such activity and/or take action to come into compliance. It will not discuss fines, liens or other forms of enforcement.
- b. Second Notice:** If there is a second violation, or if a prohibited condition is not corrected, the Board will send a letter to the residents stating the nature of the violation, quote the pertinent Covenant, By-law or

Rule and notify them of the potential fine and methods of enforcement available to the Board. If the violation consists of a prohibited condition the letter will also set a date by which time the condition must be remedied.

c. Fines for Prohibited Activity: Upon a third violation of a prohibited activity, the Board may impose a fine against the residents in the amount of \$100 for each violation. Subsequent violations of the same Covenant, By-Law or rule may result in an increase in the amount of the fine by increments of \$100 up to a maximum of \$500 for each occurrence.

d. Fines for Prohibited Condition: If the prohibited condition is still not corrected, the Board may impose fines against the resident in the amount of \$100 for the first month, which may be increased in increments of \$100 per month, up to \$500.00 a month, until the condition is corrected. In the alternative the Board may take action to remedy the violation and bill the residents for the costs or seek injunctive or other legal relief.

e. Hearing: Although all residents are encouraged to attend the meetings of the Board of Directors, the notified residents may address the Board and present their case regarding the violation at the first Board meeting following the receipt of the notice or at the following Board meeting. If the residents choose to appear before the Board, it will hear them and any other concerned persons. Following the hearing, or after the latter Board meeting, if the residents choose to not appear, the Board shall render a decision and such decision shall be final.

f. Collection of Fines and Costs: If the residents refuse to pay the fines or costs, the Board may turn the debt over to a collection agency to recover the fines and costs or place a lien against the property to recover all such fines and costs.

C. Exceptions: Certain violations may be so obvious and egregious that the Board has the authority to forego the above stated procedures and take immediate action. Those violations are ones that place the health, safety or welfare of the LA SONATA residents in danger.