

RULES & REGULATIONS OF PARK RIDGE COMMUNITY IMPROVEMENT DISTRICT

Established: March 21, 2016

Effective: May 20, 2016

ARTICLE I PURPOSE, SCOPE, AND AUTHORITY

These regulations are promulgated by the Board of Directors of Park Ridge Community Improvement District pursuant to Article XVII of the District By-Laws in order to promote and protect the health, safety and general welfare of the residents of Park Ridge who are members of the District.

These provisions are applicable to all Members, their families, guests and others owning or residing on private property or utilizing the common ground and amenities within the covenant boundaries of the District. Violation or infractions of these provisions shall result in consequences contained hereinafter.

ARTICLE II DEFINITIONS

As used in these Rules and Regulations of the Park Ridge Community Improvement District the hereinafter enumerated terms shall be defined to mean and include:

- (a) "District" shall mean and refer to the Park Ridge Community Improvement District.
- (b) "Property" or "Properties" shall mean and refer to all real estate subject to regulation and control by the District by virtue of any Declaration of Covenants, Conditions, and Restrictions filed of record and subjecting such property and the owners and occupants thereof to regulation by the District. It shall also refer to property owned, leased, managed or otherwise lawfully controlled by the District.
- (c) "Common Area" shall mean all property owned or leased by the District for the common use and enjoyment of the Members of the District.
- (d) "Improvements" shall mean and refer to any structure or landscaping including, but not limited to, exterior alteration, detached structure deck, storage building, fencing, sprinkler system, and water lines or change of paint colors, repairs or excavations which are located on subdivision Lots or Common Area.
- (e) "Member" or "Members" shall mean and refer to every entity or person who holds membership in the District pursuant to Article III of the By-laws.
- (f) "Truck" shall mean any non-commercial vehicle licensed over 3/4 ton.
- (g) All other terms not defined in this Article, which are defined in the Declaration of Covenants, Conditions, and Restrictions of the District (and filed of record as Document Number 2006E0046881 at the Jackson County, Missouri Recorder of

Deeds Office) or in the Articles of Incorporation or By-Laws of the District shall have the same meaning herein as in the instrument or instruments aforesaid in which they are defined.

ARTICLE III USE OF COMMON AREA AND OTHER AMENITIES

3.01 MEMBERS RESPONSIBLE FOR DEPENDENTS, GUESTS AND CONTRACTORS. Members will be responsible for their dependents, guests and any contractor they might hire who would access the Member's private property across District Common Area. In cases of improper conduct, a Member, their dependents and/or guests will be asked to leave the premises. Vandalism, theft, defacing or destruction of property will result in enforcement of these rules as outlined under Article 5.03.

3.02 CLARIFICATION OF RESIDENT FAMILY MEMBERS. Resident family member shall mean Owner of the Lot in question and related persons residing in the Member's home. This may include domestic employees, provided the Member's home becomes their legal residence. Proof of family residency, such as legal custody/visitation documents, driver's license, voter registration, etc. may be required. All other relatives shall be considered extended family and will be considered guests of the Member.

3.03 CARE OF AMENITIES & COMMON AREA. When using District amenities, Members shall use those amenities for the purpose which they are intended and strive to leave the amenities in as good repair as was found. This includes Common Area, recreational facilities, clubhouse facilities, play grounds, tennis courts and swimming pool facilities. Members shall make no alterations to District amenities without consent of the District Board of Directors. Violation will result in assessment of three (3) points and a minimum fine of \$50.00.

3.04 USE OF AMENITIES. When using District amenities, Members shall not allow the amenities to be used for any purpose other than that for which the amenities are intended and shall ensure that the use is carried out and conducted in a reasonable manner which complies with District rules and regulations as well as local, state and federal laws. No alcohol or tobacco use will be permitted at any time on District Common Area. No minors will be allowed on District Common Area after midnight on weekends and 10:00 p.m. on week nights, unless supervised by a responsible adult over twenty-one (21) years of age.

ARTICLE IV ARCHITECTURAL REVIEW BOARD ("ARB") GUIDELINES AND RULES

4.01 PURPOSE, SCOPE AND AUTHORITY. These rules and regulations are promulgated by the Board of Directors of the Park Ridge Community Improvement District pursuant to Article XVII of the District By-Laws to regulate the construction, external design, appearance, use, location and maintenance of improvements, alterations, repairs, change of paint colors, excavations and other work which in any way alters the exterior of any property or

improvements located on the subdivision Lots or Common Area of the subdivision known as Park Ridge, for the common welfare and enjoyment of residents and Members of the District. These provisions are applicable to all Members, residents, Owners and tenants constructing or creating improvements on a Lot located within the Property covered by the Declarations, pursuant to the authority outlined in Article Eight of the basic Declarations.

4.02 APPLICATION FOR IMPROVEMENTS.

- (a) Any addition to an existing building, exterior alterations, change in an existing building, change of exterior paint color, excavation, or any new detached structure must have the approval of the Architectural Review Board (“ARB”) before any work is undertaken. Examples of such projects include, but are not limited to, a deck, storage shed/outbuildings, fencing, sprinkler system, water lines. Any such addition, exterior alterations or change in existing buildings, shall be compatible with the design character of the original building.
- (b) The guidelines with respect to awnings, materials and cover, roofs, fences, walls and screens, height restrictions on fencing and improvement, quality and type of materials and finish, landscaping and planting, exterior antennas, swimming pools, driveways and patios, retaining walls, play equipment and flag poles are contained in the Design and Construction Guidelines attached as exhibits to the Declaration of Covenants, Conditions and Restrictions of the District (and filed of record as Document Number 2006E0046881 at the Jackson County, Missouri Recorder of Deeds Office), which are herein incorporated by reference and a copy of which may be obtained by any Member upon request at the District office.
- (c) The Design and Construction Guidelines referred to in paragraph (b) above represent specific written interpretations issued by the ARB as the means of satisfying the District’s obligation to regulate property use at Park Ridge.

4.03 PROCEDURE FOR CONSTRUCTION/ALTERATION APPROVAL.

- (a) All applications will be received by and coordinated by the District office.
- (b) Disapproval shall be explained explicitly. If the applicant does not agree with the decision of the ARB, an appeal may be made, in writing, to the District Board of Directors within thirty (30) days after the date the application was disapproved by the ARB. The Board of Directors may, upon two-thirds (2/3) majority vote of Directors, overrule and reverse the approval of the ARB if the Board of Directors find that the original finding was improper or unfair.
- (c) Any Owner who believes that the ARB has improperly or unfairly approved a request for improvements to an existing property, may appeal that finding, in writing, to the District Board of Directors within ten (10) days of the date of the approval. The Board of Directors may, upon two-thirds (2/3) majority vote of Directors, overrule and reverse the approval of the ARB if the Board of Directors find that the original finding was improper or unfair.
- (d) All approved applications shall be kept on file in the District office. The applicant shall be notified in writing by the District of the action taken by the ARB.

- (e) NO NEW CONSTRUCTION, IMPROVEMENT TO AN EXISTING STRUCTURE OR LANDSCAPING MAY BE INITIATED WITHOUT THE APPROVAL OF THE ARB.
- (f) The ARB may take up to thirty (30) days for approval or disapproval of submitted plans; however, the ARB has established a minimum of five (5) working days as a reasonable time for completion of the ARB review process, but may, at their option, take up to thirty (30) days to make a decision on unusual or complex applications.

4.04 GENERAL REQUIREMENTS FOR ALL IMPROVEMENT APPLICATIONS.

- (a) The applicant shall submit one (1) copy of a plot plan showing the location of the proposed improvements on the Lot, existing grades of the property line with proposed finished grades as applicable to the improvement.
- (b) The applicant shall submit one (1) copy of the rear and side elevations and structural cross sections where applicable. Plans or specifications should indicate the type of materials and color of the exterior.

4.05 CONSTRUCTION PRIOR TO APPROVAL. Pursuant to the authority and means of enforcement of the ARB provided by terms contained in the By-Laws of the District, the ARB may, pursuant to this rule, authorize action by the Board of Directors including, but not limited to:

- (a) the removal of the structure failing to conform with architectural guidelines or built without approval of the ARB in violation of the covenants and restrictions;
- (b) after due notice to the offending Owner, the District and its authorized agents may, but shall not be obligated to, enter onto the Lot being modified in violation of the design guidelines and correct the violation. The cost of such correction of the violation will be assessed as a citation against the Lot in violation and if not paid on a timely basis, shall become a lien upon the Lot and may be the subject matter of a suit to enforce said lien or for personal liability of the Owner.
- (c) After-The-Fact Fines for Unapproved Alterations. Any alteration started and/or completed without application and approval:

Fine A - \$250.00

1. Landscaping changes
2. Tree removal-Private Property
3. Irrigation systems
4. Play equipment/Basketball Goals/Trampolines
5. Exterior lighting/Antennas/Satellite dishes
6. Compost bins
7. Awnings
8. Flag poles
9. Room additions/Porches/Dormers/Doors/Windows
10. Decks/Gazebos/Arbors
11. Pools/Spas/Hot tubs/ Jacuzzis/Ponds

12. Fences
13. Garages/Driveways/Sidewalks
14. Patios/Screens
15. Ground water control/Retaining walls
16. All common ground alterations
17. Dog pens
18. Tennis courts

Fine B. Application filed after project started and/or completed (no plot plan required) is \$2,000.00:

1. Roofing - change of materials. House would have to be reroofed with an approved roofing material.
2. House Painting - change of color. This would be colors outside of the District color palette. House would have to be re-painted with a color selected from the District color palette.

Fine C. \$2,000.00

1. Tree Removal on Common Area

NOTE: All applications for alterations, including exact replacements, listed under Fine A requires one (1) copy of plot plan showing outline and/or location of improvement, with dimensions, description and colors applicable.

4.07 LACK OF CONSTRUCTION AFTER APPROVAL. Approval for construction stands for one (1) year. Construction must be commenced and completed within one (1) year of said approval or new approval must be sought if the construction or improvement originally approved has not taken place. Once commenced, the construction shall be completed within three (3) months unless a request for extension is made to the ARB for good cause.

4.08 ENFORCEMENT OF ARB RULE VIOLATIONS.

- (a) Enforcement of the rules, regulations and covenants regarding improvements, alterations, and construction in violation of the Design and Construction Guidelines shall be the responsibility of the Board of Directors.
- (b) Whenever a violation is observed by District personnel, a member of the ARB or Board of Directors or reported to the District, then the Board of Directors may issue a warning and if the violation is not corrected shall issue a written citation to the offending Member or Owner of the property in question. The citation shall specify the date, time and nature of the violation.
- (c) Citations issued by the Board of Directors shall designate the violation. With the exception of the After-The-Fact Fine policy, every violation of the rules and regulations shall result in the assessment of points against the responsible party and fines assessed in the amount indicated below:

- i. Warning Issued;
- ii. Citation will be issued for violation(s), and may be issued daily as follows:
 1. First three (3) point violation - \$25.00
 2. Second three (3) point violation - \$50.00
 3. Third three (3) point violation - \$100.00
 4. Fourth three (3) point violation - \$200.00
 5. Each day thereafter shall constitute a separate violation for which further three (3) point violations will be issued - \$200.00

ARTICLE V ENFORCEMENT OF DISTRICT RULES AND REGULATIONS

5.01 CITATIONS. Whenever a violation is observed by the District, the District may issue a citation to the offending Member, or if the offender is a guest or the child of a Member, to the Member responsible for the conduct of the offending individual. The citation shall specify the date, time and the nature of the violation(s). In the event violations are committed by guests or Members' children the citations may be served on the responsible Member by personally serving them or by mailing the citation by first-class mail to the residence address of the responsible Member.

5.02 FINES AND ACCUMULATION OF POINTS. Citations issued by the District shall designate the number of points assigned to the violation(s) cited. Every violation of these rules and regulations shall result in the assessment of three (3) points against the responsible party (either the offender, or the Member(s) responsible for guests and children), except that violations which involve a danger of injury to the offender or others shall result in the assessment of six (6) points against the responsible party. Fines in the amounts below may be assessed for violations:

- (a) First 3-point violation - \$25.00
- (b) Second 3-point violation - \$50.00
- (c) Third 3-point violation - \$100.00
- (d) Subsequent 3-point violation - \$200.00
- (e) First 6-point violation - \$100.00
- (f) Subsequent 6-point violation - \$200.00

5.03 VANDALISM, THEFT AND DESTRUCTION OF PROPERTY. When it is of record and can be shown that a Member, his/her children, or guest(s) took part in an act of vandalism, theft, or intent to deface or destroy any part of the District's property or Common Area, the assessment shall automatically be 12-points and the cost to repair damages. A violation involving vandalism, theft, or intent to deface or destroy District's property or Common Area, shall result in automatic suspension from use of the Common Area, recreational facilities and voting, along with Members of his/her family and guests for a period of ninety (90) days.

5.04 SUSPENSIONS AND OTHER SANCTIONS. Whenever the points assessed against a single Member during a 12-month period total 12, the Member may be suspended from using the Common Area, recreational facilities and voting, along with Members of his/her family and guests, for a period of ninety (90) days. Points from violations shall be cumulative during one (1) calendar year only. If a Member shall receive additional points subsequent to a suspension during any one (1) 12-month period, the Board of Directors of the District may impose any of the sanctions or take any of the actions authorized by Article XVII of the District By-Laws.

5.05 VIOLATIONS OF SUSPENSIONS. Any person who shall be suspended pursuant to paragraph 5.04 of these Rules and Regulations shall observe the limitations imposed by the suspension, and shall not enter upon the Clubhouse, Common Area or recreational facilities, or, if the suspension shall so provide, allow his/her family or guests to do so. The violation of a suspension shall constitute grounds for the assessment of points pursuant to paragraph 5.02, and shall be grounds for the consideration of additional sanctions in accordance with the provisions of paragraph 5.04. When a Member is issued a citation justifying the imposition of a fine and the assessment of points, he or she shall be given written notice of the alleged offense and action to be taken by the District, which shall be mailed to the Member's residence by first class mail.

5.06 PROCEDURE AND APPEALS. In accordance with Article XVII of the District By-laws no action shall be taken to assess points, levy fines or impose other sanctions against a Member except in accordance with the following procedure:

- (a) When a Member has been issued a citation justifying the imposition of a fine and the assessment of points, or when he/she has accumulated sufficient points to justify suspension or other sanction, he or she shall be given written notice of the alleged violation(s) and the action to be taken by the District. This notice may be mailed to the Member's residence by first-class mail.
- (b) The Member shall have ten (10) days following the date of the notice required by subparagraph (a) to request a hearing in front of the Board of Directors. Such request shall be made in writing to the District Secretary. If such a hearing is requested all sanctions shall be stayed. If no hearing is requested the sanctions specified in the notice shall be effective upon the expiration of the 10-day period.
- (c) If a hearing before the Board of Directors is requested, it shall be held within thirty (30) days from the receipt of notice by the District Secretary at a special meeting duly called and noticed for that purpose. At the hearing the Member(s) shall be allowed to be present and represented by counsel. He or she may present evidence, call and examine witnesses and cross examine witnesses called for the purpose of establishing the violation(s) as alleged.
- (d) All evidence to be presented to the Board of Directors shall be presented in the presence of the appellant. If there is an architectural violation, information or input on the background of the violation shall be furnished by a representative of the ARB to the Board of Directors and it shall be received in evidence before the Board in the presence of the appellant. The Board of Directors shall announce the procedure to all appellants that all evidence will be taken in open session. Decisions in all cases shall be made in open session and announced to the parties, and then shall be mailed to the

- parties. Requests for continuance of an appeal should be made in writing and received by the Board at least 24 hours prior to the start of the hearing.
- (e) Five (5) days following the mailing of the decision of the Board of Directors, the sanctions therein shall be effective.

5.07 LEGAL PROCEEDINGS TO ENFORCE SANCTIONS. In the event any Member(s) shall fail or refuse to abide by the terms of any District action regarding fines, suspensions and other sanctions, the District may utilize the courts to enforce the action taken. In such a case the Member(s) involved will be responsible for the payment of all costs, attorney's fees, and other expenses incurred by the District.