



RULES & REGULATIONS

The Board of Directors, from time to time, and subject to the provisions of the Biltmore Square CC&R's and the Arizona Condominium Act, may adopt, amend, and repeal Rules. The Rules may, among other things, restrict and govern the use of the Units, the Common and the Limited Common Elements; provided, however that the Rules may not unreasonable discriminate among Unit Owners and shall not be inconsistent with the Condominium Act, the applicable federal and state Fair Housing Acts, the Biltmore Square CC&R's , the articles or Bylaws. A copy of the Rules, as they may be from time to time be adopted, amended or repealed, shall be mailed or otherwise delivered to each Unit Owner and may be Recorded.

The following Rules and Regulations apply to all persons owning, occupying, or otherwise using a Unit or the Common Elements within Biltmore Square Condominiums, a Condominium ("Biltmore Square Condominiums").

References to Biltmore Square Condominiums refer to the Units, the Limited Common Elements (including exterior patios and balconies) and the Common Elements within and outside the Biltmore Square Condominiums buildings.

All persons are required to abide by these Rules and Regulations. Unit owners ("Owners") are responsible for and shall be held accountable for the conduct of their families, guests, invitees, employees, lessees, and all other persons occupying their Unit or using any portion of Biltmore Square Condominiums, including the recreational amenities. Users of Biltmore Square Condominiums and Biltmore Square Condominiums facilities other than Owners are referred to as "Occupants".

The Association's Board of Directors ("Association Board") is responsible for administering and enforcing the Rules and Regulations that pertain to Biltmore Square Condominiums.

1. Payment of General Assessments. Owner general assessments are billed monthly, on the first of the month and must be paid no later than the 15th of each month. Late fees to be assessed by the 16th of each said month.

2. Moving. All boxes must be broken down and disposed of at the designated recycling receptacles. Do not leave boxes or other items in the common areas. The unit Owner is responsible for any and all damage to the common areas as a result of the move.

3. Renting. Pursuant to Section 4.22 of the Biltmore Square Condominiums Declaration of Condominium (CC&R), no prior approval shall be necessary to lease a Unit, subject to the following conditions:

- a. Units may not be leased for a term less than 90 days.



RULES & REGULATIONS

- b. There shall be no sub-leasing of units.
- c. The owner must notify the Property Manager and Board of the intent to lease prior to commencement of the lease term. The unit owner shall provide the association with a completed Resident Registration form. Resident Registration forms may be obtained from the management office.
- d. The leasing of the Unit shall not relieve the Owner of any obligations or a liability under the CC&R's, including liability for violations of rules, regulations and Association resolutions by the Unit occupants or damage to the Common Elements or Limited Common Elements.
- e. The Owner is deemed to have transferred and assigned to the tenant for the term of the lease all the Owner's rights and privileges to the use of the Common Elements, including recreational facilities and parking.
- f. Any unit owner who leases their unit must provide the lessee with copies of this Declaration and the Rules.

4. Association Management. The Association's managers and their employees, and other employees and agents of the Association, act at the direction of and under the supervision of the Association Board respectively. Owners and Occupants shall not direct, supervise, interfere with or in any manner attempt to assert control over Association personnel. Biltmore Square Condominiums personnel are not permitted to serve individual Owners, Occupants or Units during their association work schedule, other than as may be required by their duties to the Association.

Complaints regarding any services or the condition of any portion of Biltmore Square Condominiums for which the Association Board is responsible shall be made to management or the Association Board.

5. Entrances and Hallways. The walkways, hallways, and entrance areas within or serving Biltmore Square Condominiums may not be obstructed, encumbered or used for any purpose other than ingress and egress.

6. Storage. No portion of the Common Elements within Biltmore Square Condominiums other than designated storage areas may be used for the storage of personal property. Personal property must be stored within the Units or within storage areas assigned as Limited Common Elements to a Unit. Parking spaces are not to be used for storage.

7. Smoking. Smoking is prohibited in all portions of the Common Elements including but not limited to pool and fountain area courtyards, stair wells, hallways, breezeways, vestibules, floors 1-3 of the parking garage and must be 20 feet from any enclosed entry way. Exception to the rule: balcony or patio assigned to a Unit as a Limited Common Element.



RULES & REGULATIONS

8. Access Remotes and Gate Keys. Access remotes and gate keys are required in order to access Biltmore Square Condominiums. The Association Board regulates access to the condominium buildings and parking facilities. Access to the parking facilities serving Biltmore Square Condominiums is subject to regulation by the Association Board. The Association does not provide initial access remotes or gate keys; homeowners are responsible for transferring upon change in ownership and/or occupants. The Association does charge a fee for replacement or additional access remotes and gate keys.

9. Animals and Pets. No animals, livestock, or poultry of any kind other than usual and common household pets shall be raised, bred, or kept on any part of Biltmore Square Condominiums. No animal, unless grandfathered shall exceed 25lbs. Two dogs, two cats, or one of each not to exceed a total of two animals may be kept in a Unit. Animals may not be kept, bred or maintained for any commercial purpose and any animal which endangers the health or safety of or unreasonably disturbs Owners or Occupants or otherwise creates a nuisance (e.g., noise, smell, intimidation, etc.) is prohibited. All pets must be registered with the Association.

No pet shall be kept or left on any balcony or tied to any structure outside a Unit when the pet owner or other responsible person is not present. Litter boxes or dog pads are not permitted on any balcony or any other portion of the Common Elements. Animal urination or defecation on any balcony is not permitted.

All pets must be held or kept leashed and under the control of a responsible party at all times that they are on the Common Elements. Pet owners shall be held strictly responsible for immediately collecting and properly disposing of waste and litter of their pets. Any pet owner who fails to clean up after their pet(s) is subject to an immediate fine of \$100.00 by the Association. In addition, if a pet owner fails to clean up after his or her pet, the Association may perform such service and bill the Owner of the Unit within which the pet owner resides or where the pet was visiting.

Pets are allowed to pass through pool areas but are strictly prohibited from remaining or lingering in the pool area. Pet in the pool areas is a direct violation of health and safety laws and may result in the revocation of city bathing pool permits leaving the unit Owner or Occupant the respective pet is associated with financially responsible for any and all incurred fines/costs.

The Association may designate specific portions of the Common Elements where people may walk their pets on leashes. Pets must be taken to the outside perimeter of the community to urinate or defecate. Pets are not allowed to use any portion of the breezeways, pools or fountain areas to urinate or defecate.



RULES & REGULATIONS

If an Owner or Occupant fails to abide by any restrictions or rules applicable to pets, the Owner or Occupant's pet may be barred from the Common Elements. In addition, the Association Board may require the removal from Biltmore Square Condominiums of any pet which endangers the health or safety of any person or which creates a nuisance or an unreasonable disturbance, as the Association Board may determine in its sole discretion.

10. Damage to Property. Owners shall reimburse the Association, or third parties, as applicable, for any damage to Common Elements, Limited Common Elements or to the property of any third party, caused by an Owner or Occupant of a Unit.

11. Garbage and Trash. Each Unit shall be kept in a good state of preservation and cleanliness. No storage of trash will be permitted in or outside any Unit in such manner as to permit the spread of fire, odors, seepage, or encouragement of vermin. Garbage or trash shall be disposed of properly and promptly and placed in containers, trash chutes, or dumpsters provided by and located in areas designated by the Association. The placement or storage of trash in hallways or other portions of the Common Elements other than in designated trash containers, chutes, or dumpsters is strictly prohibited. The Association may subscribe to a trash service for the use and benefit of the Association and all Owners. The Association may adopt and promulgate Rules and Regulations regarding garbage, trash, trash containers, and collection. All trash must be bagged.

12. Flammable and Toxic Substances. Carrying, storing, keeping, or using flammable, combustible, explosive, or other harmful fluids, chemicals, or substances, or any toxic or hazardous waste or substance is prohibited within Biltmore Square Condominiums (including units, parking areas, common areas and storage bins).

13. Controlled or Illegal Substances. Controlled or illegal substances as defined by state and federal laws, other than those prescribed by a licensed physician for medical reasons, are not permitted on or within any portion of Biltmore Square Condominiums. Use of controlled or illegal substances and under-age drinking may be reported to the police.

14. Governmental Requirements. Each Owner and all Occupants shall at all times comply with all statutes, ordinances, rules, regulations, and requirements of all applicable governmental authorities having jurisdiction over Biltmore Square Condominiums.

15. Noise and Nuisance. No noxious, offensive, unsightly, dangerous, or unsafe activity or condition may be carried on in any Unit, nor shall anything be done which may be or become an annoyance or nuisance to the other Owners or Occupants. All radio, television or other electrical equipment of any kind or nature installed or used in each Unit shall fully comply with all rules,



RULES & REGULATIONS

regulations, requirements, and recommendations of the local fire department and public authorities having jurisdiction over Biltmore Square Condominiums. No Owner or Occupant shall make or permit any disturbing noises or activity or permit anything to be done which will interfere with the rights, comforts or conveniences of other Owners. No Owner or Occupant shall permit any musical instrument, radio, stereo, phonograph, television, loudspeaker, or other sound producing or amplification device in any portion of Biltmore Square Condominiums to disturb or annoy any other Owner or Occupant of Biltmore Square Condominiums.

Between the hours of 10:00 P.M. and 7:00 A.M., no music or other sounds produced by musical instruments, radios, stereos, phonographs, televisions, loudspeakers and other sound producing devices shall be allowed within any of the Common Elements or Limited Common Elements or be allowed from any Units to the extent such sounds can be heard outside of such Unit.

16. Parking. Automobiles and other vehicles may be parked only within areas designated for vehicle parking and must fit within the confines of the Biltmore Square Condominiums parking spaces. Parking spaces may not be used for storing any items other than an operative vehicle. Delivery, contracting and service personnel should contact the Management Office for parking instructions.

Only passenger vehicles may be parked or otherwise stored on any part of the Condominium. A passenger vehicle is defined as any domestic or foreign car, station wagon, sport wagon, pick-up truck of less than $\frac{3}{4}$ capacity with camper shells not exceeding (8) feet in height measured from ground level, minivan, jeep, sport utility vehicle, motor cycle and similar non-recreational vehicles that are used by the owner of the unit or its family members, tenants, guests or invitees.

No disabled vehicle, vehicles constituted as $\frac{3}{4}$ ton, vehicles over 18 feet in length or 7 feet in width, or having more than 4 wheels, mobile homes, motor homes, campers, trailers of any kind, boats, boat trailers, recreational vehicles, pick-up trucks with camper tops or other raised enclosures are not permitted to be parked on any part of the Condominium, except the "High-Profile Vehicles Parking" designated on the Southwest side of the structure (by the gate) after management approval.

All "No Parking", Fire Lane and handicap restrictions shall be observed. Posted speed limits throughout shall be observed. Vehicles left unattended on any portion of Biltmore Square Condominiums other than designated parking areas are subject to being towed at the expense of the owner.

Each Unit has one (1) deeded parking space in the garage. If you have more vehicles than assigned spaces, you will need to arrange to park your additional vehicle on the 4th floor of the parking garage or in unassigned parking surrounding the community perimeter. A Resident shall not use, nor shall the resident permit his family, guest(s), or invitee(s) to use other Resident parking space(s). Board



RULES & REGULATIONS

Members and Management shall have the right to remove such vehicles parked in violation of this rule at the expense of the respective Resident thereof, or take other appropriate means to see that such wrongful parking is not repeated.

Vehicle information for all vehicles belonging to or issued for use to an Owner or Occupant must provide Management with the vehicles make, model, color and license plate number. The amount of vehicles allowed to be registered to each unit shall be determined at the discretion of Management.

No vehicles shall be left standing or stored in the parking garage in a non-operative condition, nor shall there be any repairs done to vehicles in any parking space, except in an emergency situation.

No trailers, boats, oversized recreational vehicles, and/or campers are to be permitted on or in the Common Elements. No automobile belonging to a Resident, a member of a Resident's family, employee, guest or invitee of a Resident shall be parked in such manner as to impede or to prevent ready access to the parking areas. Residents, their employees, service personnel, agents, visitors, licensees and the Residents' families shall obey all parking and traffic rules and regulations, including any and all signs and directions posted in the parking area(s) and any other traffic regulations published in the future for the safety, comfort and convenience of the Residents.

No personal property may be stored in a Parking Space other than a vehicle. Bicycles must be stored in the area set aside for bike storage.

17. Vehicle Maintenance. The repair or maintenance of any car, truck, boat, or similar vehicle on any portion of Biltmore Square Condominiums is strictly prohibited except in emergency situations.

18. Skate Boarding or Scooters. Skate Boarding or the use of Scooters on the premises is dangerous and is prohibited. The offender will be given a warning after the first offense. A fine of \$50 will be levied on the offender for each subsequent offense.

19. Outdoor Cooking. Cooking on a unit's balcony or patio is prohibited. Barbeque Grills are located by the outdoor pools and should be used for any outdoor cooking at the Complex.

20. Balconies and Patios. Furniture, furnishings, umbrellas, plants, equipment or other materials kept or stored on any Balcony/Patio shall be of a neutral color harmonious with and not conflict with the color scheme of the exterior walls of the Building. In addition no astro turf, carpet or other floor covering shall be installed without the prior written permission of the Biltmore Square



RULES & REGULATIONS

Homeowner Board of Directors. No barbeque grill may be kept or used on and Balcony/Patio. No clothing, clothes lines, linens, blankets, rugs, pool toys or floats, boxes, coolers, mops, buckets may be hung or stored from or on any Balcony/Patio.

21. Window Coverings. No reflective materials, including, but without limitation, aluminum foil, reflective screens or glass, mirrors or similar items, shall be installed or placed upon the outside or inside of any windows of a unit without the prior written consent of the Biltmore Square Association Board of Directors. Further, no window tinting or enclosures, drapes, shades, blinds, screens or other items affecting the exterior appearance of a unit shall be constructed or installed without the prior written consent of the the Association Board of Directors.

22. Board of Director Approval Required. In all instances where there is uncertainty of applicability of the above rules and regulations the resident will consult with the Biltmore Square Board of Directors. All decisions rendered must be provided to the resident in writing.