

# Canyon South 1 HOA



68950 Adelina Road  
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Phone: (760) 325-9500  
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## **GENERAL NOTICE**

### **Notice of Proposed Operating Rule Change**

TO: ALL MEMBERS

Pursuant to *Civil Code* §4360, the Board of Directors will be considering a proposed operating rule change at the Board of Directors meeting to be held at <https://8x8.vc/personali52086/david.j..schuknecht> on April 28, 2022, at 2:00 PM (hereafter "Board Meeting").

**Member Comments:** If you wish to make any written comments on the proposed operating rule change, please submit your written comments via mail to Board of Directors, Canyon South 1 HOA., c/o Personalized Property Management, attn: David Schuknecht, 68-950 Adelina Road, Cathedral City, CA 92234; via fax to 760/325-9300, or via email to [david@ppminternet.com](mailto:david@ppminternet.com)

Please date, identify your address at Canyon South 1, print and sign your name. Anonymous/unsigned comments will not be considered. Properly submitted comments will be delivered to the Board prior to the Board Meeting. Alternatively, if you can attend the Board Meeting, your constructive comments will be considered by the Board of Directors prior to their making a decision on the proposed rule change. Any and all comments made at the Board Meeting will be subject to the standing rules of the Board related to member comments at Board meetings.

The text of the proposed rule change is set forth in **Exhibits A** attached hereto.

A description of the purpose and effect of the proposed rule change is as follows:

- **Purpose:** To update the current rules and regulations to the current decade.
- **Effect:** Little to no effect on day to day operations. Update to the fine and enforcement policy

# RULES & REGULATIONS

## CANYON SOUTH HOMES HOMEOWNER ASSOCIATION NO. 1

If this document contains any restriction based on race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, familial status, marital status, disability, genetic information, national origin, source of income as defined in subdivision (p) of Section 12955, or ancestry, that restriction violates state and federal fair housing laws and is void, and may be removed pursuant to Section 12956.2 of the Government Code. Lawful restrictions under state and federal law on the age of occupants in senior housing or housing for older persons shall not be construed as restrictions based on familial status.

# **CANYON SOUTH HOMES HOMEOWNERS ASSOCIATION NO. 1 RULES AND REGULATIONS**

Canyon South 1 was designed and developed to serve as the primary and secondary residences for many of its owners. As in any society, common rules of courtesy must be observed in order that the common good of all of the residents is served. The following are the Rules and Regulations which have been adopted by the Board of Directors of the Association (the "Board") to establish the standards of reasonable conduct for the owners of units in Canyon South 1 and their guests and lessees. These Rules and Regulations are intended to be subject to change by the Board from time to time to provide for the needs of a majority of the unit owners. If any owner has any suggestions for changes to these Rules and Regulations, please bring them to the attention of the Board in writing.

Each unit owner is responsible for ensuring that the members of his or her family, guests and lessees are aware of these Rules and Regulations, and comply with them.

## **I. IMPORTANT PHONE NUMBERS**

Fire Department	911
Police Department	911
Paramedics	911
Gas Company	1-800-427-2200
Electric Company	1-800-684-8123
Telephone Company	1-800-483-4000
PSDS (Trash)	760-327-1351
MOTUS Earthquake Insurance	1-833-668-8746

## **II. INSURANCE**

The Association maintains fire and casualty insurance coverage for all buildings and other common areas, and general liability coverage for the Association. The management company will provide you with timely specific data upon your request. You should arrange for fire and casualty insurance coverage of the interior of your unit and your personal effects, liability coverage, and earthquake coverage, if you desire it.

## **III. AIR CONDITIONING, HEATING, PLUMBING, ELECTRICAL**

The Association does not provide any maintenance services inside your Unit. Maintenance is an owner's responsibility and calling the Association only delays reaching someone who can solve your problem. A number of valley Heating & Air conditioning companies have experience in servicing this community.

If you are an absentee owner, you can arrange for a friend or neighbor to run water in your sinks and flush the toilets to keep water in the traps. However, we strongly recommend that your main water valve be shut off during long absences from your home to prevent flooding from a burst pipe.

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The Association does not provide any maintenance services in connection with a unit owner's heating and air-conditioning unit on the roof of the unit. Repair and replacement of the heating and air-conditioning unit is the unit owner's responsibility, and the unit owner is also responsible for any damage caused to the roof of the unit, and the roof of any adjoining unit, directly or indirectly caused during the repair or replacement of the heating and air-conditioning unit.

When installing new air conditioners, unit owners must adhere to the following requirements:

1. Notify in writing/email **within 14 calendar days** the Association's management company, Personalized Property Management (PPM) **to: david@ppminternet.com**, that you will be installing a new air conditioner. You must also provide PPM a copy of the Building Permit issued by the City of Palm Springs prior to the start of the installation. **Please also copy the HOA president on the email at HOA@canyonsouth1.com.**
2. All Labor and material costs associated with purchase and installation of new air conditioners are the unit owner's responsibility. This includes the rebuilding or replacement of the air conditioner platform, and platform cap, and the restoration of the roofing and foam to the condition existing prior to replacement.
3. Any violation of this Rule may result in the Board of Directors requiring the unit owner to re-install an improperly installed air conditioner, or the Board of Directors having the improperly installed air conditioner, re-installed at the unit owner's expense.
4. Unit owners may work with a vendor of their choice as long as they are fullyinsured and adhere to the Canyon South I A/C policy.
5. All roofing work must be done by a board designated representative. Your air conditioner installer must coordinate its work schedule with the roofing contractor since both companies must do their work on the same day to complete the project properly. The unit owner will be invoiced separately for all necessary work.PPM will provide you with the name and contact information of the roofing contractor.
6. The Board of Directors reserves the right to periodically inspect the work during and after completion of the installation of a new air conditioner. It is highly recommended that unit owners hold off final payment to their contractor until the City of Palm Springs has had an opportunity to inspect the work and issue its approval.
7. You may be required to have your unit's ducts tested for leaks as part of the installation of a new air conditioner. This inspection is required by the

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California Energy Commission and the City of Palm Springs. We suggest that you ask your installer to recommend a contractor to do the testing.

8. Upon completion of the installation, the unit owner is responsible for contacting the City of Palm Springs to inspect the air conditioner installation. The unit owner then must submit to the Association's Management Company the city's confirmation that the air conditioner is properly installed.

For those of you new to the desert, a note of caution is in order. If you plan to be away during the warm months, we suggest you leave your air conditioning on and the thermostat set at 90 or 95 degrees. Without some cooling, wood furniture can dry and split. The heat can also adversely affect many of your personal items, as well as installed upgrades.

## **IV. WINDOW/SPRINKLER OVERSPRAY**

The Association will not be responsible for water over-spray and water entering your Unit through open windows. It is impossible to eliminate all sprinkler over-spray, especially when there is a breeze. White "film" on windows may be removed with a household de-scalar. Windows ARE NOT to be covered with newspaper, aluminum foil, sheets, reflective materials, or other materials not specifically intended as window treatments. Light film, such as used on automobile windows, is permitted.

## **V. OWNERS' MAINTENANCE RESPONSIBILITIES**

The Association has no responsibility to repair or maintain the following:

- A. Heating and Air Conditioning units and condensate lines
- B. Any additions installed by the owner after original construction was completed, including, but not limited to the rain gutters and down spouts
- C. Glass windows, sliders, screens, and security doors
- D. Security systems
- E. Lights serviced by a unit's electrical meter, including lights on patios/decks
- F. All personal items
- G. Anything inside of the railing or wall of a unit's back patio, and inside the wall of a unit's entrance courtyard

## **VI. RESTRICTIONS ON USE AND OCCUPANCY OF UNITS**

### **A. LEASING OF UNITS**

Leasing of a unit by a unit owner is strictly limited by Article VIII of the First Restated Declaration of Covenants, Conditions and Restrictions for Canyon South Homes Homeowners Association No.1 (the "Declaration"). "Leasing" is broadly defined as the giving of the exclusive occupancy of a unit to a person other than

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the owner, for which the owner receives any consideration or benefit, such as a fee, service, gratuity or exchange.

Article VIII of the Declaration requires the following:

- The lease must be in writing
- The unit owner shall deliver a copy of any proposed lease to the Personalized Property Management (PPM) or email [to: david@ppmineternet.com](mailto:david@ppmineternet.com), together with the name and residence address of the lessee
- The lease must be for **28** or more consecutive days
- The lease must contain the provisions required by Article VIII, Section 2(B) of the Declaration. The unit owner shall deliver a copy of each signed lease to the Board at least seven days prior to the lessee taking possession of the unit, together with the makes, models and license numbers of the lessee's vehicles
- A unit shall be leased only in its entirety; the lease of separate rooms is not permitted
- A unit shall not be leased for transient or hotel purposes (daily or weekly basis)
- PPM must be notified if the lessee intends to have any pets on the property
- A unit owner shall provide a copy of the HOA rules and regulations to a lessee

## B. SIGNS

Owners are prohibited from posting on any part of the owner's unit, building, lot, automobile, pole, tree, or personal property any commercial signs, posters, flags, or banners of any kind which are subject to view by the public from outside the unit. Owners may post noncommercial signs, posters, flags, or banners on any part of the owner's unit, but not in the common area of Canyon South 1. Provided however, no sign or poster shall exceed nine (9) square feet, and no flag or banner shall exceed fifteen (15) square feet, nor contain any lights, nor contain any construction type materials. ONE SIGN (NOT MORE THAN 18 X 24 INCHES) may be placed adjacent to the front entrance patio wall of a unit to advertise the property FOR SALE OR RENT. Owners may place one other FOR SALE OR RENT sign in the common area near the street adjacent to the unit or at the entrance of a cul-de-sac, if the unit is located on one of the cul-de-sacs. The only information allowed on the sign will be FOR SALE/FOR RENT, name of agent or owner, address and phone number. All signs must be professionally made. **HAND LETTERED SIGNS ARE NOT PERMITTED.**

Owners may not install, erect, or maintain more than one "Security Sign" which provides that an individual unit utilizes a certain security service, without prior written permission of the Board of Directors. Notwithstanding the forgoing, a reasonable number of security emblems may be placed on the inside of the windows of a unit without permission of the Board.

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## **C. PLANTING**

Residents may not plant or change the plantings in the common area without express written approval of the Board. Common area is the area beyond the rear patio slab and beyond the front patio wall of each unit. The common area is maintained by the Association's gardening staff under the direction of the Board. They are instructed to take direction only from the Board.

## **D. LANDSCAPE AND ARCHITECTURAL**

Any unauthorized landscaping is subject to removal, and any expense incurred in removal will be charged to the responsible party.

No unauthorized changes to the architecture may be made without the prior approval of the Board. All requests to build, construct, alter, change, or redesign an existing structure or addition of a peripheral structure shall not be permitted without the written approval of the Board. Additions or changes to the screen doors, garage doors, and/or windows must be approved by the Board. Approval is also needed for installing any light fixtures to the exterior of any building.

Please fill out request form by going to <https://www.ppminternet.com/request-service>

## **E. PEST CONTROL**

The Association has contracted for monthly pest control services in the common areas.

Interior service is available at a special rate per month, which is arranged for with the contractor by the unit owner, and paid for directly to the contractor by the unit owner. You must be home to receive interior service and call the contractor for an appointment. Contact PPM for more information on the interior service.

## **F. DAMAGE**

Each unit owner is responsible for any damage to the common area caused by him or her, his or her family members, guests, or pets, or any lessees, tenants or other persons residing in the unit, and shall pay the cost of all repairs, loss, or replacement resulting from the damage. The Board may assess the unit owner for the costs of repairing damage to the common area. If the damage is caused by a guest or tenant, it will be the unit owner's responsibility to be reimbursed by his or her guest or tenant.

## **G. ROLLERBLADES, ROLLER-SKATES, SKATEBOARDS, BICYCLES, BALL PLAYING**

Baseball, softball, or any other type of activity/sport which uses a ball or device capable of causing damage to automobiles or the common area is prohibited. This includes golf. SKATEBOARDING IS PROHIBITED. Rollerblading, roller-skating, and bicycle riding are permitted on the asphalt only. Such activity on the grass areas and pool areas is prohibited. Resurfacing pool decks is an expensive

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item, and they should be used only for the purpose intended. NO RAMPS of any kind are permitted, except that ramps which comply with ADA requirements are permitted with the prior approval of the Board.

## H. GARAGE, YARD AND ESTATE SALES

No garage, yard or estate sales or similar activity shall be conducted within Canyon South 1, including the residence, garage, common area or outside of any building in Canyon South 1.

## I. PETS

The Association realizes that many residents have pets. Rules are necessary to ensure that pets maintained on the property do not impose a nuisance or burden on other residents and guests. Unit owners may keep no more than two small domestic animals in their unit. The term "small domestic animal" is defined as a dog, a cat, hamster, gerbil, and bird of a type that is normally kept in a home. Unit owners may not keep any other animals in their units without the prior written authorization of the Board. If any pet creates a nuisance to other residents by barking or any other activity, the Board may disallow the occupancy of the pet on the Association property. Pets may be walked within the community but must be leashed at all times. Pet owners will be responsible for any damage done to the property for failure to follow the rules. **It is the pet owner's responsibility to clean up after their pet to keep our community well maintained and beautiful.**

## J. PATIOS

Patios must be kept free of unsightly items and cannot be used for storage. Patio type furniture, a barbeque and flower pots are permitted. Barbeques, gas grills and gas heaters may only be used on a part of the patio which does not have a roof due to potential fire hazards. Clothes lines or clothes racks are NOT PERMITTED. No drying of towels, clothes, or swimwear is permitted on railings. No curtains shall be hung around patios without the prior written authorization of the Board.

Holiday lights are permitted Thanksgiving weekend through January 30 only. Provided however, NO HOLIDAY lights or other objects are to be attached to the exterior wood, stucco or patio walls. MISTING SYSTEMS ARE PROHIBITED.

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## K. BOISTEROUS ACTIVITY

Boisterous activities that may annoy other residents are strictly forbidden.

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## L. TRASH & RECYCLE CARTS

The trash and recycle carts provided by Palm Springs Disposal (PSDS) must be kept within your front patio or garage, and not in the common area without the prior approval of the Board of Directors. Carts should be put on the curb on the night



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prior to or on the day of scheduled pick up and returned to your storage area after collection by PSDS.

## **M. GARAGE DOORS**

Garage doors are the unit owner's responsibility. All garage doors must conform to the current standard of vinyl doors currently in use at Canyon South 1 (both style and color).

Brand:	Hildebrandt
Style:	Sectional door; short panel
Color:	Almond

Unit owners are required to keep garage doors in good working order and appearance. Since the doors are vinyl, painting of the door is not allowed since paint will not adhere properly to the surface and will flake off over time.

## **VII. VEHICLES, ROADWAYS AND PARKING**

A. Double parking, parking in spaces not designated for parking, or parking in front of garage doors is not permitted.

B. Garage doors are to be kept closed except for ingress and egress and loading of packages.

C. No trucks over one (1) ton or commercial vehicles may be kept or stored on the property. Commercial vehicles include, but are not limited to, vehicles used primarily for commercial purposes (despite a business' authorization to allow the employee to drive the vehicle home or use same for personal use). No motor homes, RV's or travel trailers may be parked or stored on the property. A period of twenty-four (24) hours is allowed for the purpose of loading/unloading. Long term parking or storage of vehicles in the common area is not allowed. Disabled vehicles must be removed from the property. Failure to comply with these rules may result in your vehicle being TOWED. No vehicle repairs are permitted on the common area, except for emergency work. No boats or water craft may be stored on the common area.

D. All vehicles must be properly licensed and "road worthy." Any vehicle damaging the asphalt by leaking oil or other fluids, or other damage by any other means will be fined and the owner will be assessed to pay for the damage.

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F. The owners of a unit are allowed a maximum of two vehicles. Only one of the vehicles may be parked on the common area.

G. Car washing is permitted, but we ask that you use the water conservatively, as the water bill is one of our highest utility payments. Use only a hose with a nozzle that shuts off when not in use. **DO NOT HOSE DOWN DRIVEWAYS; IT IS A WASTE OF WATER.**

## **VIII. POOL AND SPA RULES**

The pools are an important attraction for residents in our complex. Some folks use them as a place to socialize, but others retreat to the pools as a place for relaxation and solitude where they can enjoy the sun and get some quiet time.

It is important for both purposes to co-exist. With that in mind please be aware that conversations at the pool carry a long distance. Although you may be enjoying the conversation, your pool neighbor may not be so interested. Please be considerate of your neighbors; don't shout across the pool -- talk quietly. Cell phone conversations, whether at the pool or in a public restaurant, are never enjoyable to folks beside you. Please take long conversations away from the pool area.

Persons using the pools and spas are expected to be courteous to other users of the pools, spas and surrounding areas. The following is a list of partial guidelines governing the use of the Association's pools, spas and surrounding areas.

1. There are no lifeguards on duty. Persons using the pools and spas do so at their own risk. Children under the age of 14 years **MUST** be accompanied and supervised by an adult of at least 18 years of age. No babies in diapers are permitted in the pool. Pool and spa hours are 6:00 A.M. to 11:00 P.M. seven days a week. Persons using the pool and spa after hours are disturbing to other homeowners. Violators will be asked to leave.
2. **NO** pets are permitted in the pool area. This is against California health laws.
3. Proper attire must be worn at all times in the pool and common areas.
4. Pool furniture is owned and maintained by the Association. It is not to be abused or removed from the pool areas. Users of suntan oil or lotions must cover the furniture with a towel. Failure to do so results in the furniture burning. **WHEN LEAVING THE POOL AREA, PLEASE REPLACE THE CHAIRS AND LOUNGES TO THEIR ORIGINAL POSITIONS AND LOWER THE UNBRELLAS.**

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5. The following items are not allowed in the pool area at any time.
  1. Glass containers of any kind.
  2. Bicycles, roller blades or roller skates
  3. Loud music (use headphones)
  4. Animals of any kind
  
6. Lifesaving or safety equipment is NOT to be used as play items. DIVING, RUNNING, PLAYING BALL AND BOISTEROUS PLAY ARE PROHIBITED. Residents and guests are requested to maintain a conversational voice level and to refrain from using profane language. COMMON COURTESY IS THE RULE. Pool gates are to be closed at all times.
  
7. Food and drinks are permitted in the pool area but NOT in the spa or pool itself. Trash and litter must be disposed of in the containers provided. It is the responsibility of the users to maintain the areas in a litter free condition.
  
8. Owners of units are responsible for the conduct of their guests, tenants, and lessees.
  
9. Please shower before you enter the pool or spa
  
10. There is no smoking allowed at all pools & spas.

## **IX. BBQ AREA**

DO NOT put any charcoal briquettes in the barbeque. Clean the barbeque after use, so it is ready for the next person. Please make sure the gas is turned off.

## **X. MISCELLANEOUS**

Any activities or conditions which tend to endanger the health or safety of others or which tend to reduce the value of Canyon South # 1 property are prohibited.

Flowers/foilage is not to be cut from the common area.

Residential fire places are for gas logs. No paper, wood, trash, or other fuel, other than the natural gas should be ignited. With residents living with windows and doors open, the smell is extremely noxious.

Wood, paper or any combustible is not to be stored in the garages.

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No exterior wiring of any kind is permitted, except with the prior written approval of the Board.

## **XI. ENFORCEMENT OF RULES AND REGULATIONS**

The Association, and any owner, has the right to enforce the Association's Rules and Regulations. This right includes requesting the violator to cease the offending action, taking legal action against the violator and making a complaint to the Board. Once a resident provides the Board a written complaint that a rule has been violated, the Board will investigate the allegation, and may take action against the offending resident, including, but not limited to, imposing a fine upon the unit owner in accordance with the following Fine Schedule, a special assessment as hereinafter provided, suspension of privileges, if appropriate, or instituting legal action. However, nothing in this section obligates or requires the Board to take any action against an individual resident. The Board in making this decision will determine the costs and benefits of taking such action.

## **XII. COSTS INCURRED IN ENFORCING RULES AND REGULATIONS**

Costs, including, but not limited to, court costs, reasonable attorney's fees, management fees, incurred in enforcing these Rules and Regulations shall be borne by the responsible unit owner. Non-payment of these costs of enforcement may result in a special assessment being levied against the unit owner and may be collected by what legal means are available.

### **FINE SCHEDULE**

- 1. First Offense: Notice of violation and request to correct the violation**
- 2. Second Offense: \$200**
- 3. Third Offense: \$350**
- 4. Fourth and Subsequent Offenses: \$500**

**The Exception to this fine schedule is only applied to unit owners who violate the leasing terms of their unit for short term rentals.**

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**Short-Term** Rentals:

As the financial incentives of **short-term** renting **can** outweigh the cost of the general fine policy, short term rentals (less than 30 days) are subject to the following fine policy:

1. No friendly reminder will be provided; fine action may begin immediately.
2. First **Violation** fine is \$750
3. Second **Violation** fine is \$1,000
4. Third Violation fine is \$2,000
5. Fourth and continuing **Violations** will be assessed at \$2,500 per occurrence.

If a violation of any rule or regulation is a continuing violation, and the owner does not cease the violation within the time period set by the Board, the continuation of the violation can be treated by the Board as a second, third, or subsequent offense and assess additional fines in accordance with the above Fine Schedule.

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Rules and Regulations adopted by the Board of Directors of  
Canyon South Homes Homeowners Association No. 1  
On June 24, 2011