

ARCHITECTURAL AND CONSTRUCTION RULES

CC&RS

Section 2.09. Repair and Maintenance by Owners. Each Owner shall maintain, repair, replace, paint, paper, plaster, tile, finish and restore or cause to be so maintained, repaired, replaced and restored, at his sole expense, all portions of his Unit, as well as the doors, windows (including replacing glass and any damage that is the responsibility of the Owner of the Unit, but excluding structural repairs), exterior light fixtures (as approved by the Association) actuated from switches controlled from, or separately metered to, such Owner's Condominium, and the interior surfaces of the walls, ceilings, floors, doors and permanent fixtures, in a clean, sanitary and attractive condition, in accordance with the Condominium Plan and the original construction design of the Improvements in the Project. However, no bearing walls, ceilings, floors and other structural or utility bearing portions of the buildings housing the Condominium shall be pierced or otherwise altered or repaired without the prior written approval of the plans for the alteration or repair by the Architectural Committee and the City of Avalon, if required. It shall further be the duty of each Owner to pay when due all charges for any utility service that is separately metered to his Condominium. Subject to any required approval of the Architectural Committee, each Owner shall be responsible for maintaining those portions of any heating and cooling equipment and other utilities which are located within or which exclusively serve his Condominium. Each Owner of a Class II Condominium or Single Family Residence constructed on Class II Land and each Owner of a Class III Single Family Residential Lot shall maintain, repair, replace, paint, paper, plaster, tile, finish and restore or cause to be so maintained, repaired, replaced and restored, at his sole expense, any Residence or Condominium constructed on said Class II Land or in the Class III Area and shall landscape and maintain all landscaping on said areas in accordance with a landscaping plans approved by the Design Committee. Each Owner shall maintain the water lines within the Unit in order to avoid damaging leaks and assure that toilets are properly shutting off. After reasonable notice to an Owner except in the case of an emergency, the Association may enter a Unit for the purpose of inspecting and repairing water lines and toilets. Any repairs or water lines and toilets shall be charged to the Owner of the Unit.

Architectural Rules

1. The documents of the Association (Article IV of the CC&R's) establish an Architectural Review Committee composed of three members appointed by the Board of Directors. This Committee has the authority to consider and act upon any and all plans submitted for its approval and perform such other duties as from time-to-time shall be assigned to it by the Board, including the inspection of construction in progress to assure its conformance with plans approved by the Committee.

2. In addition, it is the Committee's duty to maintain the architectural standards of the Project and to assure that any new construction, alterations or additions will not detract from the beauty of the Project or the enjoyment thereof by the Owners, and that the upkeep and maintenance thereof shall not become a burden on the Association. It is recommended that Owners refer to limitations imposed by the CC&R's before planning any interior or exterior additions or alterations. Alterations in the Common Area can only be made by the Board of Directors.

Request for approval of any alteration must be submitted in writing to:
Architectural Committee
Hamilton Cove Homeowners' Association
P. O. Box 1573
Avalon, CA 90704

3. The Committee shall utilize a two-stage approval process. The Owner's preliminary submission shall include sketches and a description of the work. After the Committee has approved the basic plan, more complete drawings with detailed specifications may be required. If applicable, the Committee may require engineering studies and approvals and permits issued by the City of Avalon.

4. For general information, the following alterations are listed as examples of what shall not be allowed:

- Pictures, plaques, planters, or flagpoles attached to the outside walls and/or doors;
- Screening or any covering attached to deck railings;
- Exterior shutters or blinds;
- Superimposed materials over common balcony surfaces;
- Planters, fences or pots restricting access to and passage through the common balconies;
- Pots that do not conform to the architectural theme or that are so large as to damage the balcony surface, or that are not placed on rollers, as herein provided.
- Use of dead space for anything except storage; and
- Locks on exterior doors other than the locks originally installed.

5. If an architectural change is made without approval of the Architectural Committee, the Owner has thirty (30) days to remove the change or be subject to the Enforcement Procedures, as herein provided.

Construction Rules

6. Construction hours shall be 8:00 a.m. until 5:00 p.m., Monday through Friday only. Once construction is commenced, the work must be continuous and be completed in a reasonable amount of time.
7. No workers may use the power from the Common Areas. Violation of this shall result in the Contractors being requested to leave the Project.
8. All Contractors must comply with state and local license requirements. No work shall be undertaken without all applicable permits.
9. All Contractors must comply with the State Workers' Compensation laws.
10. All Contractors must comply with all state and local building codes.
11. All Contractors must remove all tools, construction materials and debris and must clean up any mess created or tracked through the Common Area at the end of each day.
12. Owners shall be held responsible for any damage or insufficient clean-up caused by their Contractors and their employees.
13. There shall be no storage of construction materials anywhere in the Common Area of the Project. Materials must either be stored fully within the Unit(s) involved or off-site.
14. Owners are responsible to assure that all debris created during construction in their Units is appropriately disposed of immediately in a proper location outside of Hamilton Cove.
15. PRIOR to the commencement of ANY construction, all Contractors must provide a Certificate of Insurance naming the Association as "Additional Insured."
16. An Owner is responsible for any noise and disturbances generated by any work done inside the Unit. If the anticipated work is going to generate unavoidable excessive noise or disturb occupants of adjacent Units, the Owner shall give reasonable notice to the Association and the Owners of affected Units and shall take all reasonable steps to minimize such noise and disturbances. In addition, an Owner must make every effort to schedule noisy or disturbing work for periods when adjacent Units are not occupied. As a general rule, such work shall not be scheduled between Memorial Day and Labor Day which is the period of highest occupancy of Units.
17. Violation of Construction Rules will result in a **Predetermined Fine—\$300.**

6/28/2021

