

VIVANTE HOMEOWNERS ASSOCIATION GENERAL RULES

PURPOSE

- I.** To protect the investment of each unit owner.
- II.** To maintain Vivante Community as a quality place to live.
- III.** To maintain a desirable environment throughout the community.
- IV.** All persons shall be treated fairly and equally without regard to race, color, religion, sex, familial status, disability, national origin, or source of income.

HOA MONTHLY FEE

- 1.** Monthly HOA fee of \$ 230.00 is due on the first day of each month and considered late after the tenth day of each month.
- 2.** A late fee of \$25.00 shall be assessed on payments received after the 10th.
- 3.** There is a drop/mailbox located on the front of the clubhouse for your convenience to put your payments in. You can also mail your payment directly to the management company’s address listed on your monthly statement.
- 4.** Make sure your payment is made payable to: Vivante HOA
- 5.** Payments are first applied to any Attorney fees, fines, late charges and then to monthly HOA fee.

FINES

- 1.** Fines for violation of the General Rules shall be:

First Offense	Written Notice	See Exceptions Below
Second Offense	\$50.00	
Third Offense	\$75.00	
Thereafter	\$100.00	Up to \$ 500 per month
Violation Of Rental Rules	See Rental Units Section	
Violation Of Smoking, Pool and Health Rules	Start Progressive fines at \$50.00	Zero Tolerance

SMOKING PROHIBITION

1. Per Utah Code Annotated 57-8-7 (a) and (b) smoking is not allowed in Vivante HOA units, common areas, to include decks, stairways, patios and clubhouse facilities. Zero tolerance of any violation of the smoking rule prohibition. Progressive fine process shall start with the first offense. All smoking should be done 25-feet away from all buildings.

RENTAL UNITS

1. All owners must have written approval from the Management Committee before leasing or renting out their Vivante unit(s.). The following procedures must be followed every time:
 - a) The unit OWNER must have a West Valley City business license to have a rental unit. A copy of the business license must be provided to the Management Company.
 - b) All rental unit OWNERS are required to provide to the Management Company a statement signed by the OWNER and TENANT(S) stating the TENANT(s) have received a copy of the General Rules and agree to abide by them. This must be done prior to the TENANT occupying the unit. Statement should also include the TENANTS name and contact telephone numbers.
 - c) Due to the sensitivity of FHA recertification regarding non-owner occupied units, if OWNERS do not receive prior approval and fail to comply with the above outlined procedures a fine of up to \$300.00 may be imposed and a \$100.00 fine shall be added to the original fine for each month of non-compliance.

POOL/EXERCISE AREAS

1. Pool and exercise area rules are posted in those areas. Zero tolerance of any violation of pool and health rules is in force, to include but not limited to:
 - a) No food or drink in the pool or pool area except for water in plastic containers.
 - b) No Street clothes in the pool only proper swim attire.
 - c) No Smoking or Vaping in the pool area.
 - d) Children must be supervised at all times.
 - e) All safety guidelines are to be followed.
 - f) Toddlers must wear a swim diaper.

Progressive fines shall start with the first offense.

PETS

1. All dogs/cats must be on a leash when outside your unit. No pet is to be left unattended outside, or tied to a door, bush or railing. Only two pets and No pets over 30 lbs are allowed in the community.
2. Per West Valley City Ordinance all pets must be licensed & owners are required to “clean up” after their pets.
3. Nuisance or noisy pets are not allowed, and are subject to removal from the community. No breeding/raising of pets is allowed.
4. Rental unit owners should use discretion when allowing tenants to have pets. Pets are one of the main problems that the community has to deal with.
5. All pets must be registered with the HOA.

PARKING

1. Residents are allowed two personal vehicles. Parking permits are required to park legally in the community; there is a charge for the permits. Residents are to park in their assigned stall. You may apply for permission to have more than two vehicles on the premises. Extra vehicles would require purchasing a \$10.00 permit and paying \$25.00 per month while the vehicle is on the premises. Lost permits can be replaced for a cost of \$ 20.00 each.
2. No trailers, boats or recreational vehicles are allowed to be parked in the community except for occasional circumstances, limit (1) one day.
3. Car repairs are not allowed in or around the community, except for an emergency situation and then only for 48 hours before you need to have it moved. The vehicle shall be towed at your expense if you do not comply.
4. Emergency vehicles are to have 24 hour access to each community residence. Vehicles are not allowed to be parked on the streets or sidewalks of the Vivante community.
5. Any fluids that are leaking or spilled from your vehicle must immediately be cleaned up and properly disposed of.
6. Commercial vehicles, pickups and small transit vans, no box/large trucks. These vehicles are required to park against the back, west wall across from building E, and no equipment, materials, tools, etc. can be protruding from the sides of or over the rear tailgate of trucks.

CLUBHOUSE

1. Clubhouse use is by reservation only and requires a \$50.00 use fee. All association fees/fines must be current to use the clubhouse facilities. To reserve the clubhouse, contact Mountainwest Property Management 1-801-253-3700 no less than 10-days prior to the desired use date. The use fee will be billed to the unit owner's HOA account. Any damage or other violations of the clubhouse use rules would result in fines being assessed to the owner's account.
2. All trash and other personal belongings must be removed immediately after use. Clubhouse must be left clean and damage free.
3. OWNER(S) are responsible for conduct or damage caused by residents or guests.
4. No pets, smoking or alcohol are allowed in the clubhouse.
5. All minors must be attended by a parent or guardian.

NOISE

1. Loud, rowdy, excessive noise or behavior, to include running and jumping in the units, on the stairs and slamming doors is not acceptable within the boundaries of the community.
2. Musical instruments, radios, televisions, stereos, etc. shall be played at a reasonable volume and times.
3. Music/Noise should not be heard outside the confines of an individual unit.
4. **Week day curfews are 10:00 pm to 7:30 am, weekends and holidays are 10:30 pm to 7:00 am. Be considerate of those who live around you.**

GARBAGE

1. All garbage/trash must be placed in dumpsters/totes. Cigarette butts are considered garbage.
2. Residents are not allowed to place garbage/trash in any other areas of the community.
3. Totes are not to be left on the streets after garbage has been picked up.
4. No large items are to be placed in the dumpsters, i.e. sofas, mattresses, etc. If it is found that you have put large items in the dumpsters you will be subject to fines.
5. Break down all boxes before putting them in the dumpsters.

SIGNS

1. No signs of any kind may be placed within the community without the permission of the Management Committee.
2. Please report any tampering or vandalism to the existing community signs to the Management Company.

HARASSMENT

1. No harassment, interference with the duties of, threats real or implied, or intimidation of any Management Company employee, Board Member, Community Manager, Service Person, Inspector, etc. will be tolerated. Progressive fine process shall start with the first violation.

BUSINESS USE:

No commercial trade or business may be conducted in or from any Unit unless:

- (a) The existence or operation of the business activity is not apparent or detectable by sight, sound, or smell from outside the residence; (b) the business activity conforms to all zoning requirements for the Project; (c) the business activity does not involve persons coming onto the Project who do not reside in the Project or door-to-door solicitation of residents of the Project; and (d) the business activity is consistent with the residential character of the Project and does not constitute a nuisance, or a hazardous or offensive use, or threaten the security or safety of other residents of the Project, as may be determined in the sole discretion of the Management Committee.

BALCONIES/PORCHES

1. Balconies, patios and porches are not to be used as storage areas. Bicycles are not to be stored on balconies, patios or porches. Use your inside or outside storage areas for bicycles and other items. If it is determined an OWNER or TENANT is using the balcony or porch areas for storage the OWNER is subject to the progressive fine process.

SKATEBOARDS/LONG BOARDS

1. Skateboarding and Long boarding are not permitted in the condominium complex.
2. Riding of motorized scooters is not permitted in the condominium complex.

MISCELLANEOUS

1. If you have a special situation, circumstances or need regarding payment of HOA fees, parking, etc. please feel free to contact the Management Company.
2. The general rules may be amended, added to or changed as deemed necessary by the Vivante HOA Board and Management Company.

The Vivante Homeowners Association is designed to create a smooth method of operation for the community and its owners. The cooperation of the homeowners and tenants is requested in following the above rules, which are designed to protect the rights of unit owners in our community.

