

EVERGREEN COMMONS ASSOCIATION, INC.
a California nonprofit common interest development corporation – Sacramento, CA

OPERATING RULE –COMMON AREA USE

adopted by Board of Directors, July 2, 2020, Effective 30 days thereafter

SECTION A – Common Area Rules of Use.

The Common Area of the Evergreen Commons Association consists of those amenities, shared by all Evergreen Commons Association Lots (“Households”) and their residents, located at 4427 Park Green Court and commonly referred to as the ‘Park and Pool.’ However, the Association Common Area also includes the access walkways and gates, guest parking lot on Park Green Ct., the western green, basketball court, barbecues, pool house, children’s play area, the eastern green and all walkways, benches, tables, trash receptacles, etc. located throughout.

1. Common Area hours of use:
 - a. Sunday through Thursday - 7 a.m. to 10 p.m.
 - b. Friday and Saturday - 7 a.m. to 11 p.m.
2. All Common Area gates **MUST be CLOSED AND LOCKED** unless entering or exiting.
3. The Association-issued Lot tag with key/s must be carried by the Association Resident while in the Common Area at all times and/or produced upon request by any other Association Resident. Duplication of keys and other Association identification or furnishing either to non-residents is strictly prohibited.
4. Any Association Resident may insist that anyone violating the rules leave the Common Area. Any person so notified must comply.
5. Each Association Household (Lot) is allowed up to ten (10) people, including Household residents, in the Common Area without prior reservation or Board of Directors approval.
6. Association Households and/or Residents may not have events/parties in the Common Area without prior written approval from the Board or its representative/s. An “event” is any activity in the Common Area by an Association Resident involving 11 or more people. All Association Residents wishing to have 11 or more people use the Common Area, shall complete the **Reservation Request & Liability Release** and follow the Common Area Event Reservation Policy. (*See Section B below*)
7. Guests – any person who is not a regular resident of an Association Household is a “guest”.
 - a. Guests **MUST** be accompanied by an Association Resident at all times.
 - b. Guests under 15 years old **MUST** be accompanied by an adult Association Resident.
 - c. Baby sitters may not bring guests.
 - d. Association Residents, whether or not present, are responsible for all damage and rule violations of their guests.
8. Children under the age of 12 years **MUST** be accompanied by their parent or other responsible person who is age 15 years or older (i.e. grandparent, babysitter). The behavior in the Common Area of all children is the responsibility of their parent, whether or not present.
9. Pets: Pets in the Common Area must be leashed and accompanied by the pet owner. Association Residents are required to cleanup any mess left by their pets or the pets of their guest/s.
10. Audio/visual equipment may be used in the Common Area, however neither the content nor volume may be disturbing to others in the vicinity.
11. No use of marijuana in any form anywhere in the Common Area; this includes smoking, ‘vaping’ and/or the consumption of marijuana products including food items.

POOL AREA: The following Operating Rules are specific to the Pool area, however all rules that apply to the Common Area are applicable to the Pool area as well, including use of audio/visual equipment and number of guests.

12. Prohibited Pool Activities: running, pushing, dunking, diving into the shallow pool or wading pool, or other hazardous or unsafe activity.
13. No smoking of any kind is permitted in the Pool area or bathrooms. This includes ‘e-cigarettes’, ‘vaping’, etc.
14. No pets are permitted in the pool area.

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OPERATING RULE: COMMON AREA USE - continued

15. No glass containers anywhere in the Pool Area.
16. No bicycles, skateboards, scooters, drones (i.e. aerial remote-controlled device) or rollerblades may be used inside the pool area.
17. Only clean swimming attire may be worn in the pool. NO street clothes or diapers permitted. Specially designed swim diapers are permitted. Shower before entering the pool.

**Violation of these Rules may result in an enforcement action as provided for in the
Evergreen Commons Assoc. Conditions, Covenants and Restrictions (CC&Rs).**

SECTION B – COMMON AREA EVENT RESERVATION POLICY

1. The Association Common Area (including Park and Pool) may be reserved by an Association Resident (the “sponsoring member”) for “events” involving 11 or more attendees including Resident/s, on a first-come, first-served basis.
2. The Board of Directors (or its designated representative) must approve all events. Approval is at the sole discretion of the Board. Any event that would result in damage to the Association’s Common Area will be prohibited.
3. **The sponsoring Association Resident’s property assessments must be current.**
4. Events with 11 to 29 attendees require a ***Reservation Request & Liability Release (attached, & available online)*** completed and signed by the sponsoring member and delivered to the Board or its representative no less than seven (7) days in advance of the requested event.
5. Events of 30 attendees or more, require advance full Board approval and the sponsoring member to complete the ***Reservation Request & Liability Release***. The event request must be submitted 30 days or more prior to the event in order to ensure Board action. The sponsoring member is also required to distribute a flyer to all owners whose yards back up to the park with date and times of the event. This is done no less than three (3) days prior to the event, as a courtesy to said homeowners.
6. Requests for event reservations not made within the above described timelines are not guaranteed and may be denied.
7. Only one event is allowed per day in the Common Area. To facilitate event requests, an Association online calendar is maintained at: <http://www.evergreencommonshoa.org/calendar.html>
8. All Common Area rules must be followed during events, including no smoking in the pool area.
9. Any part of the Common Area may be reserved for any day of the week.
10. No part of the Common Area may be exclusively reserved. All Association Residents will be able to use the Common Area during events.
11. To ensure that all Association Lots/Households have the same chance to enjoy the Common Area, there will be a limit of six (6) events per lot/household each calendar year.
12. All Common Area gates must remain closed and locked during events. Sponsoring member should have someone at the gate to admit guests.
13. Both restrooms should be left clean and locked when leaving the Common Area after an event.
14. Sponsoring member must bring their own trash bags and remove all event trash from the Common Area – Common Area trash receptacles may not be left filled with event trash.
15. The parts of the Common Area used must be left clean. Failure to do so may result in the Association imposing a deposit fee prior to future events.
16. Repairing or replacing equipment damaged or broken during an event is the sole responsibility of the sponsoring member.
17. Failure to comply with any of these rules can result in a loss of rights to hold future events in the park.

SPONSORING MEMBER TO RETAIN THIS PAGE FOR REFERENCE

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COMMON AREA RESERVATION REQUEST & LIABILITY RELEASE

Sponsor's property assessments must be current for event reservations to be approved

INSTRUCTIONS: Fill in all spaces, circle appropriate time & use areas, then sign, date and deliver to the ECA Reservation Chair (see below).

The undersigned, is an Owner or Tenant of the Evergreen Commons Association (“Association Resident,”) is subject to the Covenants, Conditions and Restrictions (CC&Rs) of Evergreen Commons, and wishes to sponsor an event in the Association’s Common Area with more than ten (10) attendees as follows:

On the _____ day of _____, 20____ from _____ am / pm until _____ am / pm

This event will be attended by a total of _____ persons (“attendees”).

Sponsoring member requests the use of these parts of the Association’s Common Area: *(circle all that apply)*

West Green / Basketball Court / Barbecues / Pool / Play Area / East Green

The sponsoring member, undersigned, agrees that if attendees will total 30 or more persons that the sponsoring member will print and distribute, not less than 3 days prior to the event, a notification to the properties surrounding the park with information about the event including date, time and the sponsoring member’s contact information. *Initial:* _____

The undersigned agrees to comply with all posted/published Common Area rules and to ensure all attendees comply with said rules and regulations of the Association Common Area, including no smoking in the pool area. *Initial:* _____

The undersigned agrees to leave any part/s of the Common Area used, in similarly good condition as prior to the event, being clean and clear of trash & debris and event trash removed from the Common Area entirely. *Initial:* _____

The undersigned agrees that they are legally & financially responsible for any and all damages and/or losses to the Association Common Area caused by the event or the event’s attendees, including but not limited to any cleaning fees required to return the Area to the good condition it was found prior to the event. *Initial:* _____

The undersigned agrees to indemnify, defend and hold harmless Evergreen Commons Association, Inc., its officers, designees and volunteers, in any legal action brought by the sponsoring member’s event attendees or vendors, including any actions brought by the sponsoring member. *Initial:* _____

I have read, understand and agree to abide with all of the conditions above, and request my event be approved.

Sponsor Name (print): _____ Phone #: _____

e-mail address: _____ Lot# _____

ECA property address: _____

Sponsor Signature: _____ Date: _____

Requested reservations with 30 or more attendees require prior approval of the ECA Board of Directors and must be submitted no less than 30-days in advance.

*To make a reservation request for the Association Common Area, contact Lisa Cannon-Wheeler, Reservation Chair:
✓ Phone: 979-0559 ✓ email to: ecapark@mail.com ✓ deliver to 4412 Park Green Court*

----- FOR BOARD USE ONLY -----

Date Rec’d: _____ Action Date: _____ Approved: Yes _____ No _____

By (print): _____ Approval Signature: _____