

# Western Winds Homeowners Association, Inc.

## Rules and Regulations for all homeowners, tenants, and other residents

Previously issued: April 17, 2017; updated: November 19, 2020, March 11, 2024, and September 4, 2024.

Western Winds Homeowners Association's ("Western Winds" or the "Association") rules and regulations are promulgated within the context of Arizona Revised Statutes for planned communities, City of Tucson ordinances, and the Declaration of Covenants, Conditions, and Restrictions (CC&Rs). Western Winds consists of both community and residential property. All governing documents can be downloaded from the Association's website:

<https://85705ww.com>

### *Compliance...*

All residents should respect that Western Winds strives to be a clean, quiet and safe community. All units must be maintained to preserve the appearance of the community and the market values of the units. For those homeowners who lease their units, these rules and regulations must be provided to each tenant. All residents, whether homeowners or tenants (and their families), and guests must comply with these rules and regulations. Any resident found to be in violation may be subject to a penalty to be charged to the relevant homeowner's account.

In compliance with Arizona Revised Statutes, the Association requires that a homeowner provide it with the name and contact information for all adults in leased property, the time period of the lease, the beginning and end dates of the lease, and a description and license plate numbers of the tenant's vehicles. This information can be mailed to the Association at: 405 East Wetmore Road, #117-170, Tucson, Arizona 85705. We do not require a copy of the lease itself.

Vehicles include automobiles and motorcycles.

### *Community property...*

As a planned community, the Association owns two parcels of land, referred to as common areas or property. One parcel is designated for parking and the other is designated for community use. The parking areas on the community property are also referred to as "fingers." Both parcels may have gravel areas under which are cables for electricity and telecommunications, and pipes for sewage and water. Residents must be cautious on gravel areas especially as the cables and pipes are fragile. The community property extends about ten (10) feet beyond the east and west walls where the electrical transformers that supply the units are located.

Residents must ensure that the community property is kept tidy and free of trash. Debris, litter, and trash including bush and tree trimmings, and furniture are not to be deposited on community property. Homeowners will be charged for removal.

Should a resident detect an unsafe situation, they should contact the Tucson Police Department immediately. Should a resident detect an electrical, sewer, or water hazard on community property, they should contact the Association at [hoa@85705ww.com](mailto:hoa@85705ww.com) immediately.

Homeowners are responsible for activities and property within the boundaries of their own lot, and for providing insurance for their lot, including the storage unit, and any other external structure.

### *Residential property...*

Each unit is assigned a lot separate from community property. Each unit except 4133, 4135, 4137, and 4139 (lots 23, 22, 21, and 20 respectively), is assigned a storage unit with a covered parking space as part of their residential property.

The paint colors may be found in the general information on the Association's website.

*Landscaping...*

All landscaping on community property is the responsibility of the Association; all landscaping on residential property is the responsibility of the homeowner. Landscaping on community property must not be interfered with or augmented by residents. Landscaping on residential property must not interfere with other lots or community property.

*Noise levels...*

Excessive noise resulting from audio or video equipment and vehicles is strictly prohibited. Please be respectful of neighbors – audio and video sound volumes should not affect neighbors, especially through walls. Vehicle engines must not be “revved up.”

The City of Tucson ordinance § 16-31 describes the restrictions regarding sound, especially between the hours of 10:00 pm to 7:00 am. Misuse before 7:00 am and after 10:00 pm should be reported to the Tucson Police Department.

No vehicle should be left unattended with an engine running.

*Parking...*

Western Winds community property is private; however, Western Winds Drive is a public street and is subject to all traffic rules and regulations. The speed limit on Western Winds Drive is 25 miles per hour.

Each unit is allowed two vehicles to be parked off of the street. For those units with covered parking, one vehicle must be parked in the assigned space, and the other may be parked on community property. For those units without covered parking, both vehicles may be parked on community property. Any additional vehicles must be parked on the street. However, as street parking is limited, residents should avoid doing so unless they have more than two vehicles. Guests may park on community property to the extent that space is available. However, resident parking always takes priority over that of guests.

For safety reasons, parking is not allowed in the driveways or gravel areas – this includes vehicles making deliveries on a temporary basis. The entrances to the fingers are designated no parking zones. Emergency vehicles must have access to the driveways and those areas designated as fire lanes at all times. (Fire lanes are designated with red curbs.) Emergency vehicles and those providing ambulatory services may park in the driveways on a temporary basis.

The Association may, at its own discretion, arrange to have a vehicle towed from the community property if it is found to be parked in violation of the rules and regulations. The contact information for the towing company may be found in the general information on the Association’s website. The towing fees may be charged to the homeowner at fault. If a resident has a vehicle towed, they are entirely responsible for the towing fees and other consequences.

Commercial vehicles, and recreation vehicles, such as boats, campers, and trailers are prohibited from the community property at all times.

*Pets...*

Dogs must be kept on a leash at all times. All pets must be given shade and water at all times.

Should residents have problems with loud excessive dog barking in violation of the noise ordinance, residents can file a report with the Pima County Animal Association at (520) 743-7550.

Dog feces must be removed from both community and residential property immediately.

*Storage units...*

Homeowners are responsible for keeping their storage units in good condition, and ensuring that they are termite free.

*Trash and waste...*

All trash must be disposed of in the proper containers provided by the City of Tucson in compliance with environmental laws and regulations. Oil and other chemical waste may not be disposed of on either community or residential property at any time. Trash may not be burned and incinerators may not be used anywhere on the community or residential properties.

Trash containers may be placed on the street on the evening of the day before collection, and must be removed by the evening of the day of collection. Collection dates can be found on the City of Tucson's website.

Any trash that cannot be kept in a closeable container must not be visible from the street or any lot and must be moved to the street on the day of collection only.

Trash containers may not be stored on patios visible to the street or other lots. Trash containers may be stored on community property in discrete locations such as not to interfere with vehicle access or parking.

*Vandalism/suspicious activity*

Vandalism should be reported to the Tucson Police Department immediately. Any act of vandalism is strictly prohibited.

Be wary of strangers lurking behind the west wall and around the storage units – suspicious activity should be reported to the Tucson Police Department

*Vehicle repairs...*

In general, vehicle repairs and oil changes are not permitted with the exception of battery charges, bulb changes, and tire changes. Battery changes may be performed only by professional repair service. Vehicle batteries and oil may not be stored on either the community or residential property at any time.

Visible vehicles must be kept in working order with a valid registration. Any vehicle that is not in working order or registered must be covered and kept on a temporary basis only for no longer than one month.

Vehicles and vehicle parts may not be stored on community property at any time.

*Water usage...*

The Association bills each homeowner for the recovery of a portion of the City of Tucson Utility fees for water, sewer, environmental services, green stormwater, and miscellaneous fees. The unbilled portion is paid out of the assessment funds. Water usage is monitored by the Association to ensure that usage is not excessive. Car washing, jacuzzis, and swimming pools are prohibited according to the CC&Rs. Homeowners are responsible for water line and sewer breaks within their lots. However, homeowners will be held responsible for materials flushed in toilets that clog sewer lines on community property.

*Yard and carport sales...*

Yard and carport sales are strictly prohibited.

*Cross-reference to CC&Rs – Article 6...*

The CC&Rs – Article 6 – Permitted Uses and Restrictions contain additional rules and regulations (subject to current law):

<https://home.85705ww.com/docs/ccrs.pdf>

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*Violations of rules and regulations and penalties...*

Notices of violations and assessment of penalties are discussed in the fines policy document:

<https://home.85705ww.com/docs/fines.pdf>

2 bedrooms

LOT 26 - \$40,900 (single unit)

2 baths, LOTS 7, 8, 13, 14, 19 - \$43,900. ALL OTHER 2 bath, 2 bedrooms - \$41,500.

2 bedrooms

PRICES SUBJECT TO CHANGE WITHOUT NOTICE.

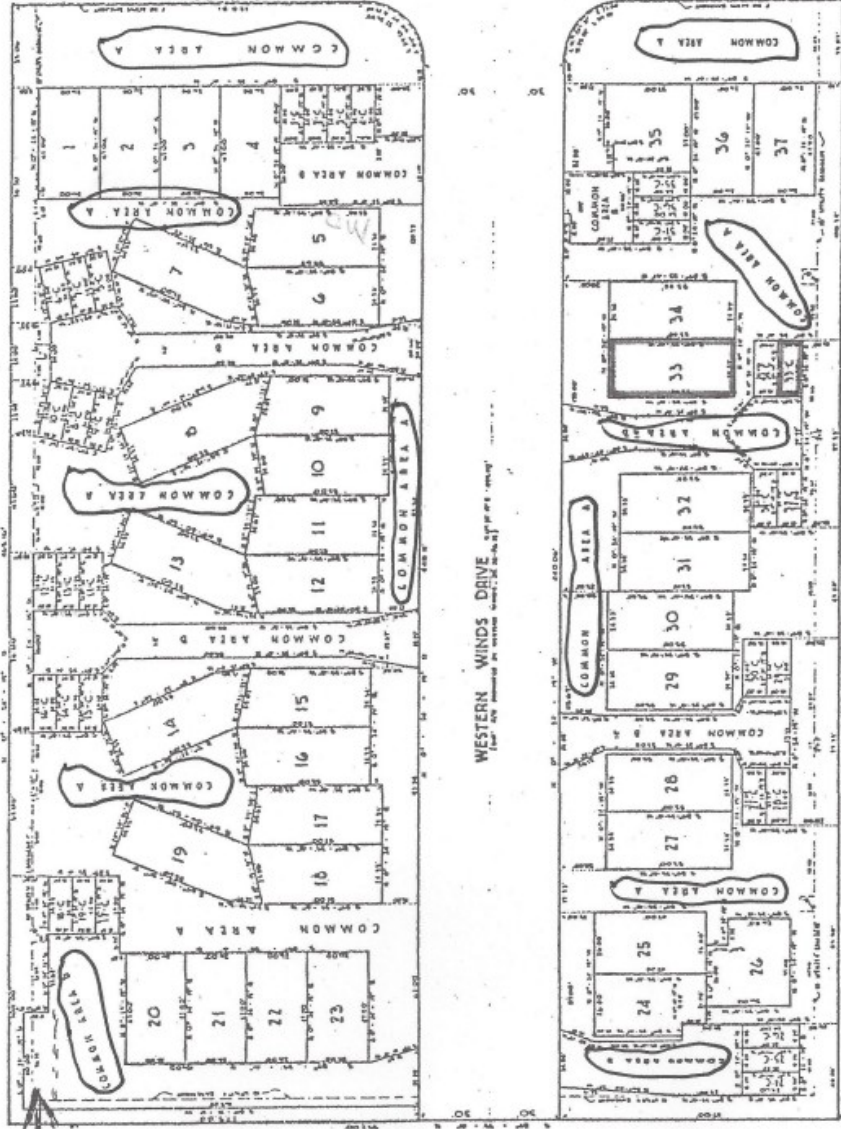
ORACLE ROAD

30-36 2

Open parking-no  
carports or storage  
Lots  
20, 21, 22, & 23.

PROPERTY FROM BATTLE OF BATTLE BATTLE

ORACLE ROAD 1/2 MILE



WESTERN WINDS  
LOTS 1 THRU 37 & COMMON  
AREAS A & B

SHEET 1 OF 1

# **Western Winds Homeowners Association, Inc.**

## **Board Resolution**

### **Rules and Regulations for all homeowners, tenants, and other residents**

This resolution of the Board of Directors (the “Board”) of Western Winds Homeowners Association (the “Association”) on November 19, 2020.

BE IT RESOLVED, that the Board of the Association does hereby approve the Rules and Regulations of the Association updated as of November 19, 2020, effective December 1, 2020.

Approved:

Western Winds Board of Directors:

Dan Chandler	Martin Kaplan	Nigel Brooks	Toni Swartz
Dan Chandler President	Martin Kaplan Vice President	Nigel Brooks Treasurer	Toni Swartz Board member-at-large

November 19, 2020