

TROON MOUNTAIN COMMUNITY ASSOCIATION (TMCA)* CONSTRUCTION, REMODELING & MAJOR REPAIR RULES & REGULATIONS

(*Includes Boulder Pass, Parcel C, Troon Mountain Estates, 25000 Troon Mountain and Windy Walk II)

Revised and Effective as of May 19, 2023

(Note: Summarized Bullet-Style Format Purposely Used for Brevity)

1. The purpose of this document is to briefly review the requirements contained in the Troon Village and Troon Mountain CC&R's and Troon Village Standards and Procedures.
2. **RULES AND RESPONSIBILITIES:**
 - General Contractor (GC) and Owner are both responsible for compliance with all construction, remodeling and repair rules, restrictions, regulations and mandates of the City of Scottsdale, Troon Village Association (TVA) and Troon Mountain Community Association (TMCA)
 - Owner is responsible for GC's compliance with these Rules
 - GC's responsibility to inform Sub-Contractors and employees of all rules and regulations
 - GC to provide names & contact numbers for all Sub-Contractors to TMCA Property Management Company
 - GC is responsible for conduct of all employees and workers on job site (their own and Subs)
 - GC is responsible for all construction related damage to adjacent property, roadways, and easement areas.
 - "Job site" or "site" as referenced herein shall mean the Owner's Lot; all references in these guidelines to areas off the job site may include the Common Areas or other Lots, as applicable
3. **PLANS AND VARIANCES:**

One copy of plans must be submitted to TVA Architectural Review Committee (ARC), which oversees architectural submittals and approvals for construction, alterations and modifications of Lots and homes within TMCA

 - TVA ARC must inform TMCA of any variances of the TVA architectural rules obtained from TVA
4. **CONSTRUCTION HOURS:**

Winter Hours: October 1 through April 30, Monday through Friday, 7:00am to 5:00pm
Summer hours: May 1 through September 30, Monday through Friday, 6:30am to 5:00pm
Year Round: Saturday 8:00am to 5:00pm

 - Saturday: quiet, minor, interior, light construction related activities permitted; such work must not generate noise off job site. No concrete trucks, excavating vehicles, large material deliveries or construction activities requiring multiple vehicles permitted
 - No construction activities permitted on Sundays or holidays, including New Years Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, and Christmas Day.
5. **ENTRANCE, EXIT & SPEED LIMITS:**

Construction traffic must enter through the closest staffed entry to the construction site; travel is restricted to the most direct route between the gate and job site and speed limits must be obeyed.
6. **PARKING:** Cars, trucks, trailers, construction equipment, and machinery, must be removed nightly.
 - If job site parking not feasible, street parking is permitted on side of street where job site is located
 - If construction occurs on opposite sides of same street, two GC's must coordinate, restricting parking of both jobs to same side of the street
 - Overnight or weekend parking on the job site or on the street strictly prohibited with exception ...
 - ✓ **Exception:** With prior written Board approval, certain excavating or other equipment may be permitted on the job site for a specific pre-arranged time period to be agreed upon between the TMCA Board and GC. Board

decision shall be final. Even with variance, equipment must be removed on weekends unless otherwise approved by the Board

7. DUMPSTERS AND CONSTRUCTION DEBRIS:

Dumpsters must be provided and placed on each site (including remodel and repair sites) and closed at the end of each work day

- GC's responsible for maintaining a neat and orderly job site; including daily, end-of-day site clean-ups to pick up all trash, debris and material, including any that blow off site

8. PORTABLE TOILETS:

Must be placed on site and maintained so as not to allow noticeable odor by adjoining property owners or from off site

- Unit placement must take into consideration surrounding homes; not located near property line or next to driveway of a completed home
- Color must be "muted" (beige or earth tones, no bright colors) and placed inside construction fence if possible.

9. CONSTRUCTION SITE, MATERIALS AND DRAINAGE:

All materials and equipment must be placed and securely stored on job site, never on the road; no construction sheds, trailers or similar facilities permitted.

- Equipment (trailers, mixers, etc.), construction debris or materials (including lumber, dirt, sand, or gravel) restricted to job site.

10. EQUIPMENT CLEAN UP AND WASHOUTS:

All equipment clean up and washouts must be done and contained to job site or to appropriate cleaning area outside TMCA gates

- Water, debris, or construction materials leaving site must be cleaned up immediately so no staining or discoloration of road, curb, riprap or any offsite area occurs.
- Washouts include concrete trucks, drywall and painting equipment or any other applicable phase of construction
- GC's responsibility to sweep streets where dirt tracked or washed off site by workers or rain

11. RADIOS, TAPE PLAYERS, CDs & OTHER AUDIO SOUNDS:

Noise levels must be kept to a minimum and limited to job site

12. BLASTING, FIRES, BURNING:

Blasting (of any type) is prohibited.

13. FINES AND ACTIONS FOR COMPLIANCE:

- 1st violation = warning issued
- 2nd violation for same job site or same CG or SC on different site = \$500
- 3+ violations = \$500/night
- The Board reserves the right to deny gate access for all Owner's agents on a project after any of the following: (1) 3 or more violations on the same job site; (2) any continuing violation not remedied within the frame set forth in a violation letter from the TMCA; or (3) any violation of such severity, as determined in the sole discretion of the Board, that immediate denial of access is needed to prevent additional harm to the Association's interests.

14. APPEALS PROCESS:

Disagreements with violation fee determination may be appealed to TMCA Board of Directors within 14 days after notice of the intended fine has been sent to the Owner.

- Any denial of access shall continue during the time an appeal is pending.
- Board shall review and advise of its decision within 14 days after reviewing the appeal.

- Board decision shall be final; collection of fines will be enforced in accordance with Arizona law and the governing documents

15. SITE PATROLS:

Patrols conducted nightly to record and report violations; and, to direct workers off job site after work hours.

16. CONSTRUCTION TIMEFRAME:

New builds must be completed within 24 months and remodel projects must be completed within 12 months.

- Exception: Builds requiring a longer time frame (such as lots with difficult site preps) must be submitted for Board approval
- New builds and major remodel projects not completed within the timeframe set forth herein shall be considered a nuisance

ONCE PAST SITE PREP STAGE, RULES TO BE POSTED ON JOB SITE

By signing below the General Contractor and homeowner ...

- Acknowledges receipt of the construction rules and regulations
 - Agrees to abide by these rules
 - Acknowledges that they are responsible for and willing to supervise all Sub-Contractors and workers.
- To avoid delays in construction access, both the Owner and General Contractor must review, sign and return the original signed copy of this document within 5 days from receipt to the TMCA management company:

Cornerstone Properties, Inc.

ATTN: Mike Roberson

P.O. Box 62073

Phoenix, AZ 85082-2073

Office: (602) 433-0331 Fax: (602)-244-9214

**Approved By Troon Mountain Community Association
Board of Directors on May 19, 2023**

By: Theresa I. Gacek Date: _____
Theresa I. Gacek, TMCA President

CONSTRUCTION RULES & REGULATIONS ACKNOWLEDGMENT

(Please file with the management company)

I have read and understand the Construction Rules and Regulations for the Troon Mountain Community Association. I agree to adhere to these conditions and will be responsible for all violations of the constructions rules and regulations that may be applicable. I am aware that I am responsible for all fines that may be assessed for failure to comply and that workers may be denied access to the Community if violations have not been corrected.

Lot # Starting Date Lot Owner Signature Date

General Contractor's Signature Date

General Contractor Contact Information:

Company: _____
Contact Name: _____
Mailing Address: _____
Phone Number: _____ Mobile / Cell Number: _____
Fax Number: _____ Email: _____

Sub-Contractor Gate Access List:

Company or Name:	Phone Number:	Mobile / Cell Phone Number:
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

(Attach List of Additional Sub-Contractors)

Once signed, keep a copy for your files and return signed original to:
Cornerstone Properties, Inc.
ATTN: Mike Roberson
P.O. Box 62073
Phoenix, AZ 85082-2073
Office: (602) 433-0331 Fax: (602)-244-9214