

VISTOSO COMMUNITY ASSOCIATION
PARK RULES AND REGULATIONS
ADOPTED 01/25/24

I. Purpose

The Board of Directors of Vistoso Community Association ("VCA") adopts these Rules and Regulations ("Rules") to ensure the safe enjoyment of the Common Areas by all of its residents.

II. Authority

Pursuant to Article 6, Section 6.3 of the Restated Declaration of Covenants, Conditions, Restrictions and Easements for Rancho Vistoso ("Declaration"), the Board of Directors has the authority to adopt, amend, and repeal the Association Rules, and the Rules may restrict and govern the use of the Common Areas.

III. Definitions

"Alcohol" includes beer, distilled spirits, spirituous liquor and wine. Beer, distilled spirits, spirituous liquor and wine are further defined in A.R.S. § 4-101.

"Common Areas" shall have the same meaning as defined in Article 1.18 of the Declaration.

"Dangerous Drugs" are defined in Title 13 of the Arizona Revised Statutes as "any material, compound, mixture or preparation that contains any quantity of the [listed] hallucinogenic substances and their salts, isomers, whether optical, positional or geometric, and salts of isomers, unless specifically excepted, whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation."

"Marijuana" is defined in Title 13 of the Arizona Revised Statutes as "all parts of any plant of the genus cannabis, from which the resin has not been extracted, whether growing or not, and the seeds of such plant."

"Park" shall mean a park, lot, WAPA line trail, recreational area, or any other area in the Vistoso Community Association devoted to active or passive recreational use.

"Tobacco" includes cigars, cigarettes, smoking tobacco, chewing tobacco or vaping.

"VCA" refers to the Vistoso Community Association.

IV. Park Operations

1. Hours: No person shall trespass upon or be on the grounds of any Vistoso Community Park ("Park") between the hours of 10:00 p.m. and sunrise, unless such person has received permission from VCA.
2. Permitted Users: Only VCA members and their authorized guests are permitted to use the Park facilities within VCA.

3. Closing of Park: Any park or portion of the Park may be declared closed by VCA at any time, either temporarily or at regular and stated intervals, and either entirely or merely to certain uses, as VCA finds reasonably necessary. No person shall enter the Park or utilize any portion of the park if entry or utilization is prohibited.

V. Rules Regarding Common Area Use

The Board hereby adopts the following Rules with respect to its Common Areas:

1. No furniture or equipment shall be moved into a different recreational facility unless approved by VCA.
2. No person shall bring into a Park or operate any motor vehicle of any type, including but not limited to any vehicles, motorcycles, motorbikes, or golf carts, except on roads and parking areas designated for such purposes. No person shall bring into the Park or operate any non-motorized vehicles, including but not limited to bicycles, rollerblades, or scooters, unless the use is in an area specifically designated for these types of uses.
3. No person shall undertake mechanical repair or maintenance of any vehicle, except in case of an emergency.
4. No person shall litter, deposit, or abandon any garbage, sewage, refuse, trash, waste, or other materials except in containers specifically provided for such purpose.
5. No person shall bring any glass beverage to any Park.
6. No person shall expose or offer for sale or hire any service or article, including food, beverage and confectionery articles; announce, advertise or call the public attention to any service or article for sale or hire; paste, glue, or otherwise post any sign or advertisement in any Park without prior approval from VCA.
7. No person shall damage or wastefully or improperly use the toilet, water, or sewer facilities in any Park, or cause the lighting facilities or electric appliances to be turned on or used without the written permission of VCA. No person shall destroy, damage, deface or remove any regulatory sign in any park area. No person shall place graffiti on any private buildings on any VCA Park.
8. No person shall start any fires at a Park unless in designated barbecue pits.
9. No person shall intentionally or knowingly disturb the peace or quiet of any person in a Park by making any loud or unusual noises, playing loud or offensive music, engaging in any offensive conduct, or engaging in any threatening, violent, or abusive act
10. No person shall conduct, organize, or engage in the following activities in any Park without VCA approval: sales promotions, garage sales, craft shows, receptions, block parties, company picnics, band rehearsals, music festivals, or any similar events.

11. No person shall enter the Park or designated parking lot with a vehicle prohibited by the Declaration at Article 5.4.13.
12. No person shall collect, remove, destroy, mutilate or otherwise disrupt any natural resource, including but not limited to all vegetation, wildlife, soil, rocks, and water.
13. The use of Marijuana, Alcohol, Tobacco, and Dangerous Drugs in any form, as those terms are defined herein, are strictly prohibited on or in any part of the Common Areas.
14. No Owner shall use or permit the use of Marijuana, Alcohol, Tobacco, or Dangerous Drugs by any occupant, agent, tenant, guest, or family member upon the Common Areas.
15. Fireworks are not permitted.

VI. Recreational Activities

1. No person shall use any portion of a Park for golfing related activities.
2. Dogs are to be on a leash except in dog park enclosed area. Pet waste shall be promptly disposed of in an assigned waste facility. The owner is responsible for ensuring their pet does not damage any property.
3. Horse riding is permitted only in designated areas of the WAPA trail, north of Big Wash. The horses shall be ridden with due care and shall not be permitted to graze or go unattended, nor shall they be hitched to any rock, tree, shrub or fence.
4. Overnight camping is prohibited at any Park.
5. No person shall engage in any dangerous activity within any Park.
6. No person or team shall engage in any organized team activities without the prior consent of the VCA. The VCA may condition its approval upon the individuals/team submitting any necessary documentation to VCA, including signed releases/waivers, proof of insurance with VCA as an insured party, and indemnification of the VCA.
7. No person shall operate any aircraft, parachute, or hang glider in any Park.
8. No person shall operate, takeoff, or land any type of drone in any Park.

VII. Reserved Uses

- I. The reservations for softball, basketball, volleyball, and Ramada use shall be determined by the Board, in its sole discretion.

VIII. Enforcement

1. The Board shall have the authority and power to enact regulations/policies which it deems necessary to enforce these Rules, including a schedule of fines which may be imposed after notice and an opportunity to be heard.
2. The VCA, in conjunction with the Parks and Recreation Advisory Board and the Town of Oro Valley Police Department shall have authority to enforce the rules and regulations of the Parks within VCA.
3. VCA shall have the authority to eject from the Park any person violating any provision of these Rules.
4. VCA shall have authority to require any person to immediately remove any property, thing, or device in the Park that is found in violation of these Rules.
5. All VCA Park amenities and facilities shall be used as designed.

These Rules are dated and hereby made effective as of this 25th day of January 2024.

VISTOSO COMMUNITY ASSOCIATION