

# WATERGATE COMMUNITY ASSOCIATION RULE BOOK

## INTRODUCTION

The Board of Directors (“Board”) of the Watergate Community Association (“WCA” or “Association”) Board of Directors hereby amends and restated this Rule Book to serve the best interests of all residents.

For many residents, community living is a new way of life. Each Owner’s use of his/her own Unit as well as outside facilities must not conflict with the rights of other Owners. Therefore, certain standards for individual behavior are necessary to insure pleasant and harmonious community living.

It is the duty of Owners to inform their guests and/or tenants of these rules. All rules will be strictly enforced by WCA personnel. Continued violation and disregard of the rules by an individual will be referred to the Board of Directors for proceeding against the individual, as specified in Section 10.5.5 of the Second Amended and Restated Declaration of Covenants, Conditions and Restrictions Regarding a Plan of Condominium Ownership for WCA (“CC&Rs”). This Rule Book replaces and supersedes the prior version adopted in 1997. To the extent there are any conflict between these Rules and the CC&Rs, the CC&Rs shall prevail.

Persons of all ages are welcome and permitted to use all of the Common Areas and recreational facilities at Watergate in accordance with the published rules governing their usage. Watergate has adopted certain restrictions on the use of recreational facilities by persons under 14 years of age for health and safety reasons. These health and safety restrictions are minimum standards and are not intended to operate as a substitute for safe and proper usage or parental supervision regarding the use of Common Areas or recreational facilities. WCA expressly disclaims liability for any injury or damage caused by negligence, misuse of, or lack of appropriate supervision regarding the use of the Common Areas or recreational facilities.

In Compliance with the Emeryville City Smoking Ordinance and in order to enforce the nuisance provision of the CC&Rs, the Board of Directors has designated all WCA Common Areas as a non-smoking environment.

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Complete directions for a dispute involving enforcement of an Association’s governing documents are located in the California Civil Code section 5925 – Alternative Dispute Resolution (ADR). Copies of this section are available at the WCA office. Parties to a dispute are encouraged, or in some cases required, to attempt ADR (Arbitration or Mediation) before filing suit. Copies of the Request for Resolution, which must be served on the other party to initiate the process, are also available at the WCA office.

WCA recognizes its duty to comply with legal requirements of the Federal Fair Housing Act, and to follow requirements of the Americans with Disabilities Act (ADA) as they

pertain to commercial uses at the complex. WCA intends to enforce the rules in this Rule Book in such a way as to comply with all statutory requirements, and, where necessary, to modify enforcement to allow appropriate accommodations for those with disabilities. If a resident believes that enforcement of a rule must be modified to accommodate his/her disability, the resident should put the request in writing; should explain the requested accommodation and why it is needed; and should submit the request for discussion by the Board of Directors.

The Watergate buildings were constructed prior to the enactment of the ADA and complied with legal requirements at the time they were constructed. The law does not require extensive renovations to make the buildings accessible to those with disabilities. However, WCA has made various modifications that are “readily achievable,” as defined in the statute and in the regulations, which are intended to accommodate the needs of disabled persons.

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The WCA office is open Monday through Friday from 8:30 a.m. to 5:30 p.m. When new residents register at the WCA office, they will receive a packet of information as well as a form which is necessary to obtain a Watergate I.D. card from the WCA office.

To call:

WCA Office, 8 Captain Drive	(510) 428-0118
Common Interest Management	(408) 370-9902 x:2
Property Patrol, 4 Commodore Drive	(510) 772-5005
Clipper Club, 5 Captain Drive	(510) 654-4040
Tennis Pro Shop, 2 Captain Drive	(510) 547-7577
<b>Emergency</b>	<b>911</b>
Emeryville Police and Fire	(510) 596-3700

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## DEFINITIONS

**Adult**—Any person 18 years of age or older.

**Architectural Control Committee**—A standing committee of WCA members appointed annually by the Board. The committee reviews proposals for Unit modification and makes its recommendations to the Board of Directors.

**Association**—The Watergate Community Association (“WCA”), a non-profit, mutual benefit California corporation charged with the power, duties, and obligations of regulating the use and enjoyment of the condominium community.

**Board of Directors**—A representative body of seven (7) Association members responsible for administration of the Association.

**Common Area**—The corridors, lobbies, elevators, entrances, stairways, sidewalks, streets, landscaped areas, recreational facilities, Boardwalk, garages, and all other areas that are held in “common” by Owners. Common Area includes Building Common Area and Community Common Area, but excludes the Units.

**Exclusive Use Common Area**—Exterior portions of the Building Common Area designated for the exclusive use of an Owner. Included are balcony, patio, or deck areas adjoining a Unit and bound by railings, the exterior surfaces of the perimeter walls, windows, and sliding glass doors and the abutting ceilings and floors (exclusive of paint wax, enamel, or other finishes).

**Guest**—Any person, regardless of age, who visits a Unit Owner or tenant for periods of less than 15 consecutive days. Guests not accompanied by a resident must have a guest I.D. card to use the recreational facilities.

**I.D. Card**—A valid Watergate identification card issued by the WCA office. This includes cards issued to homeowners and tenants as well as temporary cards issued to guests and temporary residents.

**Management**—The General Manager and Supervisors employed by the Association to implement physical, financial, and administrative policies and procedures as defined by the Board of Directors.

**Non-Resident Owner**—A Unit Owner who does not reside at Watergate.

**Owner/Member**—The Owner(s) of record.

**Quiet Hours**—10:00 p.m. to 8:00 a.m.

**Recreational Facilities**—The entire Common Area designated for recreation (Clipper Club, Anchor Club, B and D Pools, and Tennis Courts).

**Resident**—An Owner or tenant who resides at Watergate.

**Revised Declaration**—The Second Amended and Restated Declaration of Covenants, Conditions and Restrictions Regarding a Plan of Condominium Ownership for the Watergate Community Association and subsequently recorded amendments thereto. These are commonly known as CC&Rs. A majority vote of at least 625 votes is required to amend the Revised Declaration.

**Staff**—Employees and volunteers directed by Management to perform duties assigned.

**Temporary Resident**—A person, regardless of age, who visits a Unit Owner or tenant exceeding 14 consecutive days but not more than 90 consecutive days. (Anyone visiting in excess of 90 consecutive days will be considered a tenant and subject to all provisions of processing tenants.) Temporary residents must have a temporary resident card to use the recreational facilities.

**Tenant**—Person or persons leasing or renting a Unit. Anyone visiting in excess of 90 consecutive days will be considered a tenant and subject to all provisions of processing tenants.

**Unit**—Residential space.

## COMMUNITY RULES

1. All residents must register at the WCA office. There is an Association processing fee applicable to both renters and new and returning Owners to cover the cost of processing as well as move-in/move-out costs. This also applies to any resident who relocates from one Unit to another. The fee is paid at the WCA office.
2. The move-in and move-out procedures are to be observed by residents and their movers. (See page 9.)
3. Owners are responsible for any damage to or defacing of property which they, their guests or tenants, or tenants' guests may have caused. Owners are also responsible for informing guests and tenants of all rules.
4. Residents shall not cause any loud noise or play or permit to be played any sound-emitting source (e.g., radio, TV, stereo, wind chimes, etc.) in Units, Common Area, or Exclusive Use Common Area in a manner that is unreasonable or that violates Quiet Hours. Noise violations may include alarm systems, faulty mufflers, door slamming, vibrations from exercise machines, running/playing in hallways, revving engines, etc.
5. Owners relinquish all recreational privileges when their Unit is rented or leased. Upon leasing or renting a Unit, an Owner must surrender that Unit's Watergate I.D. card to the WCA office. Use of the recreational facilities by such non-resident Owners is permitted only if a resident of Watergate obtains a guest pass for the non-resident Owner as a guest.
6. A non-resident Owner who rents or leases a Unit to another party and uses a Watergate I.D. card to use the facilities will have that Watergate I.D. card deactivated.
7. WCA prohibits all forms of commercial solicitation on the premises, including all peddling and door-to-door sales of products and services. The purpose of the rule is to protect members' privacy and to avoid overburdening the custodial staff with the need to clean up flyers and other written materials. However, WCA recognizes the right to political speech under the First Amendment of the U.S. Constitution. Therefore, candidates for the Board of Directors, candidates for political office, canvassers for candidates for political office, and candidates for ballot propositions and referendums may have access to the premises for campaigning purposes between the hours of 9:00 a.m. and 9:00 p.m., as long as they conduct themselves in a manner that does not unreasonably annoy or harass the residents. Delivery of paid newspaper subscriptions, community materials, and Association materials is permitted, if the agent and delivery person are registered with the Property Patrol office.

8. The Association will not be responsible for any articles delivered to or left with any employee. Furthermore, the Association will not be responsible for any articles intended for delivery to a resident which are delivered or left in any corridor or public place. No bailment is expressed or implied in such instances.
9. Notices shall be posted only in those areas approved by the Association. The Health Club and the laundry rooms have bulletin boards for personal ads. See "LAUNDRY" on page 11 for specifications.
10. Hallway lighting is part of the Common Area. Replacement of bulbs is the responsibility of the Association. Residents are not permitted to remove bulbs except when a burned-out bulb creates a lack of lighting that constitutes a safety hazard.
11. Animals, livestock, poultry, dogs, and other household pets shall not be raised, bred, or kept in any Unit or in the Common Area. Exceptions are service animals and two (2) cats, which shall be maintained within the Units, so long as they shall not constitute a nuisance, are registered, and have I.D. when on the property.
12. Service animals and cats are not allowed on the grass areas and are not allowed to urinate or defecate in any common areas. They must not show aggression toward people or other animals.
13. Feeding wild or stray animals (such as birds, geese, squirrels, feral cats, and raccoons) is prohibited. Bird feeders are not permitted.
14. Units shall not be used for commercial purposes. Any Unit operating a business which requires deliveries and/or persons coming to the Unit will be considered used for commercial purposes.
15. No Unit shall be used for hotel, vacation rental, or transient purposes.
17. The use of roller skates, roller blades (in-line skates) and bikes are permitted only on streets and only for ingress and egress. The use of skateboards is not permitted.
18. Landscape-damaging activities or any activity creating a nuisance or disturbance to others on the Common Area are not permitted.
19. There shall be no activity that poses a fire danger or other risk of loss to structures, landscaping or personal property, or that creates a dangerous condition or an increased risk that WCA will be held liable for injury or damages.
20. Barbecues are allowed only when not causing an unreasonable nuisance to neighbors. Barbecues must be supervised and not cause a fire hazard. Lighter fluid, self-starting briquettes, fire starters, and charcoal impregnated with liquid

- fire starters are not allowed. Use of charcoal of any kind when grilling is not permissible. Propane grills using a liquid propane (LP) gas container with a water capacity greater than 2.5 pounds or 1 pound liquid propane (LP) gas capacity are also not permitted. A fire extinguisher must be available in case of emergency.
21. Pruning trees, shrubs, or vines by residents or their agents is strictly prohibited and subject to fines per occurrence. The Association staff is responsible for the landscaping. Suggestions and requests must be submitted in writing to the General Manager for review.
  21. Recreational activity, such as fishing, swimming, etc., is not allowed in the lagoon. Pedestrian traffic is not allowed in the sand area, due to the existence of a membrane beneath the sand.
  22. No persons are allowed in the water fountains.
  23. Lawns, patios, and common walkways are not to be used as Exclusive Use Common Areas. Container plants may be kept on Common Areas adjoining an Owner's Unit, if the Owner maintains the plants and WCA Management does not consider them to be a hazard to passers-by or in case of an emergency, per approval of WCA only.
  24. The use of electrical outlets in the Common Areas by residents, guests, or their contractors is forbidden unless prior approval has been granted by WCA.
  25. The elevator telephone emergency button is to be pushed in an EMERGENCY ONLY. All lobby intercom phones can be used to contact the Emeryville Police.
  26. All Unit Owners with fireplaces must have their chimneys cleaned by a licensed chimney sweep at least every two years and provide verification to the WCA office of this in a timely manner. Spark arresters are required by the Fire Department.
  27. No unauthorized persons allowed on the roofs of any WCA building.
  28. No items such as signs, name plates or decorations shall be hung or attached to the front door of Units. One (1) small non-offensive item no longer or wider than 3" x 3" is permitted on the front doors. Lighted candles, mats, boots, shoes, carts or objects of any sort are prohibited outside Unit entrance doors.
  29. Commercial shopping carts are not permitted on Watergate property.
  30. Personal property is not permitted in the hallways, lobbies, stairwells or other common area. Any personal property placed in these areas may be removed by the Association and the responsible unit owner will be charged for all costs incurred by the Association. Residents are responsible for the removal of used



appliances, furniture, etc. from Watergate property. Please contact the management office for disposal information.

31. No drones may be operated on the property.

## **MOVE-IN/MOVE-OUT PROCEDURES**

1. Responsibility for the move and any damage to the building or Common Area rests with the Owner and tenant. Arrangements for move-in or move-out must be scheduled at least 24 hours in advance with the Watergate Community Association (WCA) office at 8 Captain Drive. If the WCA office is closed, WCA Property Patrol at 4 Commodore Drive must be notified.
2. All new residents are charged a non-refundable processing fee which covers certain administrative costs as well as the cost of moving in and moving out. Tenants are charged an additional fee for their I.D. cards. This processing fee also applies to residents who relocate within WCA.
3. A refundable security deposit must be left to cover loss of the pads or damage to the Common Area.
4. Move-ins/move-outs are permitted every day from 9:00 a.m. - 9:00 p.m.
5. Care should be exercised not to damage the elevators or Common Area during moves. This includes the following:
  - a. Elevator pads are required. They are available through WCA Property Patrol.
  - b. Caution should be used when loading elevators so that they do not exceed 1,500 pounds. Overloading will cause the elevator to malfunction. The cost of any subsequent service calls will be the responsibility of the homeowner and the tenant.
  - c. Lobby front door is to be protected by the movers.
  - d. Unit door exterior is to be protected by the movers.
6. Boxes, bicycles, strollers, etc. are not to be placed in the lobbies or hallways in such a way that they block mailboxes or doorways or create a nuisance during the move. All hallways and doorways must remain wheelchair accessible.
7. At the end of each day and at the end of the move, all areas, including hallways, lobbies, and elevators, must be cleared of all debris. Packing materials and containers must not be disposed of in the garbage chutes. All cartons must be flattened and placed in the recycling containers in the garage.
8. Owners are to obtain all keys directly from the seller or agent. Tenants are to obtain all keys directly from the Owner. WCA is not responsible for such items. Replacement or additional lobby door keys are available from the WCA office for a refundable deposit for each key.

9. All incidents of problems or damage to the Common Area should be immediately reported directly to WCA Property Patrol. A 24-hour answering service is available.
10. The lobby door is required to be kept closed when unattended.
11. If the Unit is rented, a copy of the lease must be provided to the WCA office prior to move-in.
12. No commercial moving vehicles (moving vans, vehicles, storage pods, or trailers) may be left on WCA property without permission from Property Patrol.
13. Vehicles belonging to residents must be registered with WCA. Refer to the “Street and Parking” section of this booklet on page 14.

## **TRASH, COMPOST, AND RECYLING**

1. Trash, compost, and recycling shall be deposited in proper receptacles.
2. All trash should be wrapped in paper or placed in a bag or sack before dropping it down trash chutes. Do not pour liquids down the trash chutes.
3. Cat litter and other such materials that cause dust must be placed in a closed bag or sack before dropping it down trash chutes to prevent accidental activation of fire alarms.
3. Do not discard items that will plug or block the trash chutes. Do not leave items in hallways, lobbies, or the trash room. Custodians do not remove them.
4. No cartons larger than 10" x 12" can be disposed of in trash chutes. If larger than 10" x 12", they should be brought down to the recycling or trash bins within the garage.
5. Residents are urged to recycle cardboard, paper, plastic, glass, and aluminum items at the white recycle bins located outside at the garage lobby entrances. Aluminum cans, batteries, and lightbulbs may also be placed in designated receptacles at the Clipper Club poolside. All cardboard boxes must be flattened prior to recycling. Compostable material can be placed in the small green waste bins outside of the lobbies.

## **LAUNDRY**

1. Hours of operation are from 8:00 a.m. to 10:00 p.m. Machines may not be operated at other times.
2. The use of liquid bleach is not allowed in the laundry or Common Areas. Powdered bleach is acceptable.
3. Bulletin boards in laundry areas may be used for ads or notices. All ads are limited in size to 3" x 5". Notices can be 8-1/2" x 11" and should be hung on the bottom. Items must be dated or they will be removed. After a period of 30 days, material will be cleared from the boards.
4. Laundry machines must be used in accordance with all posted instructions.
5. Laundry shall be removed promptly from washers and dryers upon completion to allow others to use the machines.
6. Washers and dryers are not allowed inside Units.

## ARCHITECTURAL CONTROL

1. Patios, balconies, and roof gardens shall not be decorated, landscaped, furnished, or embellished except in accordance with Architectural Control Committee Guidelines.
2. The following are considered to be approved patio, balcony, and roof garden items: patio furniture and approved barbecue equipment. Examples of unacceptable furniture are beds, desks, and storage units, such as bookcases and file cabinets. Boxes may not be stored on balconies pursuant to the Emeryville Fire Code. Bicycles, towels, laundry, cleaning and construction equipment, as well as recycling containers, are not to be kept on balcony or patio areas. Recycling locations are noted on page 11.
3. The storage of bicycles on balcony and patio areas is forbidden. Each building has a bike storage room. WCA will issue a separate means of access to authorized residents.
4. Nothing may be hung from or nailed to open balconies or patio areas which will penetrate the water-proof seal of the building. Hooks may be safely attached to beams to support hanging plants. However, trellises, hammocks, etc. must be “free standing.” Trellises and balcony screening shall not be attached to the balcony railing and exceed the horizontal plane of the balcony railing.
5. Balcony railings are Association property. Planter boxes and potted plants are not to be placed on balcony railings. Hanging pots must be located at least two feet behind balcony railings. Balcony screening is not to be removed, except for installation of WCA-approved materials.
6. Sheets, tinfoil, and other types of temporary window coverings are not permitted. Window coverings visible from the exterior of the Unit must be solid white or neutral in color. Shiny or reflective coverings or linings are not allowed. Air conditioners and fans may not be installed in windows without WCA approval.
7. “For Sale” signs placed in windows must not exceed two square feet in area. The background must be white. No fluorescent or neon colors are allowed. “Open House” signs cannot be displayed on Common Areas (such as streets, lobby fronts, etc.).
8. Antenna rules (relating to size, type, maintenance, camouflaging, location, etc.) should be obtained from the WCA office before purchasing any antenna. A Notice of Intent to Install an Antenna (available at the WCA office) must be completed and filed with the Association before any installation. If the size or location anticipated does not conform to WCA antenna rules, Management will schedule a meeting at a mutually convenient time to determine if there is an acceptable location.

9. Nothing shall be placed or left in the stairwells, the hallways, the garden, or recreation areas which might be considered a hazard or unsightly. Floor mats and items attached to doors are not permitted. Linen, clothing, rugs, mops, or other items may not be shaken or hung from windows, doors, railings, or balconies.
10. Lighting on balcony areas must not shine into neighboring Units or cause an annoyance to other residents.
11. Repairs within the Unit are the responsibility of the Owner(s). Certain electrical, plumbing, or water penetration may be WCA's responsibility. In case of emergency, please contact the WCA office or Property Patrol immediately. If WCA is responsible, then WCA will effect the necessary repairs or will authorize the Owners or tenants to effect the repairs, in which case WCA will reimburse the person who paid for the repairs for the reasonable costs.
12. Structural alterations, including mechanical, electrical, and plumbing, to Units require review and approval from the Architectural Control Committee and the Board of Directors. Unit modifications may require similar approval. Application forms and instructions are available at the WCA office. The Board may condition approval upon the Owners recording a hold harmless agreement to indemnify and hold harmless WCA from future damage to the Common Area or another Unit arising out of the alteration.
13. All contractors working on WCA Units must register with Property Patrol at 4 Commodore Drive. WCA's trash bins are not to be used for discarded items, such as appliances, carpeting, etc. Proper disposal of discarded items and clean up are the responsibility of the Owner. Vendors are to be advised not to smoke while on the property, including streets and walkways.
14. Hours permitted for construction work are from 8:00 a.m. to 5:00 p.m. on Monday through Friday. Work is prohibited on holidays. Weekend work is allowed with prior approval and permit from WCA office. If emergency work needs to be done, notify Property Patrol.
15. WCA has the authority to issue Stop Work Orders and levy fines for noncompliance with these rules.
16. Balcony water drainage access may not be covered or blocked on all sides.
17. Excessive weight is not allowed on balconies.

## **STREET AND PARKING**

1. Parking regulations must be observed at all times by residents and their guests. All garage spaces are assigned. Numbered street parking is not assigned except for those on Anchor Drive and is available for both residents and their guests, except under special circumstances during construction.
2. Vehicles belonging to residents and parked on WCA property must have a valid Watergate parking permit displayed on the left rear bumper. Residents may register up to 2 vehicles for a studio or 1 bedroom unit, and up to 3 vehicles for larger units. Exceptions can be made at the discretion of Management. Vehicles may not be parked in any garage at Watergate unless duly authorized by Property Patrol or the person to whom that space is assigned, and then only in the designated space.
3. Each Owner/Resident must ensure that their assigned parking space is free of oils and fluids. No items may be placed (including bicycles, cleaners, boxes, crates, trash, etc.) other than one vehicle, one vehicle and one motorcycle, or multiple motorcycles in the assigned parking space. All vehicles and motorcycles must fit within the parking space.
4. All vehicles parked on Watergate Community Association property must be kept clean and have a valid state registration. Vehicles parked in garage parking spaces and vehicles with out-of-state license plates are not exempt from this rule. Vehicles must be free of debris and not used for storage. Motor homes, house trailers, campers, oversized vehicles, boats or boat trailers, or inoperable vehicles (including vehicles with flat tires, wrecked vehicles, etc.) may not be parked or stored within Watergate. Commercial vehicles may only be parked if the vehicle fits within the parking space. A commercial vehicle is a motor vehicle of a type required to be registered under California Vehicle Code used or maintained for the transportation of persons for hire, compensation, or profit or designed, used, or maintained primarily for the transportation of property. An inoperable vehicle is a vehicle which is disabled or which cannot legally be driven on a public street. An oversized vehicle is any car, truck, recreational vehicle, or other vehicle that measures more than twenty-two (22) feet in length or is more than sixty (60) inches in width, or more than eighty-four (84) inches in height. Exceptions to allow the storage of vehicles registered with the state as 'non-operating' can be made at Management's discretion.
5. The Association will not be responsible for any vehicles parked in the Common Areas of the complex.
6. When parked on the street, vehicles must not block access to the sidewalks in any way.

7. Vehicles may not be left unattended or in such a manner as to block thoroughfare or the ingress or egress of other vehicles.
8. Vehicles may not be parked in ANY Red Zone (by order of the Emeryville Fire Department). The Association is required to remove vehicles parked in unauthorized areas within one hour of the observed violation.
9. Vehicles, boats, and other items shall not be rinsed off or worked upon on WCA property. The exception is a designated area for rinsing vehicles, which is located near 4 Captain Drive. (Note: No soaps or detergents may be used.) See CAR RINSE on page 15.
10. The speed limit is 10 miles per hour throughout the complex, unless otherwise posted.
11. The streets shall not be used to store any vehicles. After a period of five (5) days in the same parking stall, vehicles in violation of this rule will be towed at the owner's expense. Residents who use street parking for additional vehicles and who will be away for more than five days should complete a "Vacation Request" form at WCA Property Patrol.
12. Any abandoned vehicle on WCA property as well as inoperable vehicles left on WCA -property will be removed.
13. Violating vehicles are subject to tow-away at owner's expense.
14. WCA will determine the number and location of garage spaces available for rental of additional cars. Rental of parking spaces, by either WCA or unit owners, is restricted to residents only.

## **BICYCLE REGISTRATION**

1. Registration is on a first-come, first-served basis up to each room's capacity after which a waitlist is in place.
2. Bike registrations are limited to one (1) bike per registered resident.
3. Registration sticker is to be placed facing forward at the base of the seat tube above the pedal crankshaft.
4. \$10 registration fee recurs as per Watergate I.D. card expiration date and non-refundable for any unused portion.



5. Bikes with expired registrations will be considered unregistered and may be removed without notice. It is not the responsibility of the Association to notify residents in advance of expired registrations.
6. Each room's bike hooks are limited (as per room's capacity) and unreserved, spaces are first-come, first-served basis.
7. The bike room as an amenity is a privilege. The association reserves the right to regulate the use of the bike rooms in favor of the community at large, and retains the ability to exclude persons found to be abusing the spirit of this facility by means of revocation of a bike's registration.

### **CAR RINSE**

1. There is a designated car rinse area located at 4 Captain Drive next to the chain link fence for resident use only. Cars should be rinsed and vacuumed only in this location.
2. Hoses may be borrowed at the Clipper Club desk with a proper Watergate I.D. card.
3. No soaps or detergents may be used. State and federal laws prohibit runoff from draining into the Bay if it contains soaps or detergents.
4. Noise or music of any kind is not to be played loudly in this area.

## **BOARDWALK**

1. All persons using the Boardwalk do so at their own risk.
2. The Boardwalk is open to the general public between sunrise and sunset. Access is limited to pedestrian traffic except for emergency and maintenance vehicles. Access and egress is not to be blocked.
3. Litter and trash shall not be deposited on or thrown from the Boardwalk.
4. Access from the Boardwalk for fishing, diving, windsurfing, or swimming is not permitted.
5. Loud, boisterous and offensive activity shall not be permitted. Climbing the rails or walking/sitting on the railing is prohibited.
6. Food and beverages are not permitted to be consumed except in the flag pole area. No alcoholic beverages may be consumed on the Boardwalk.
7. Any fire or insurance liability activities are prohibited. Any act or omission that poses a fire danger or other risk of loss to structures, landscaping or personal property, or that creates a dangerous condition or an increased risk that WCA will be held liable for injury or damages, is prohibited.
8. Fires, fireworks, or firearms shall not be used on the Boardwalk, nor shall any hazardous or controlled substances be permitted.
9. Animals are not allowed on the Boardwalk at any time with the exception of service animals.
10. No private autos, motorcycles, bicycles, skate boards, roller skates, or similar vehicles or rolling objects shall be permitted.
11. Smoking is not permitted on the Boardwalk.

## **CLIPPER CLUB RECREATION FACILITIES**

1. Valid Watergate I.D. cards are required for use of the Clipper Club recreation facilities and for checking out equipment. Proof of I.D. may be requested by staff.
2. New residents are issued non-transferable Watergate I.D. cards after move-in processing by the WCA office.
3. Residents are allowed to bring guests to the Clipper Club. Residents are responsible for seeing that their guests comply with WCA rules.
4. Guests must be accompanied by a resident with a valid Watergate I.D. card. Otherwise, the resident must obtain guest passes for the guests. Guests cannot have guests.
5. Children of all ages are permitted to use the Clipper Club, but they must be accompanied and supervised by an adult. (For use of the Health Club, please refer to page 19, Rule #3.) At social functions in the public areas at which alcohol is served, children may not be excluded.
6. Packages may be left at the Clipper Club by letter carriers and delivery personnel to be claimed by residents with proper Watergate I.D. cards. For health, safety, and insurance reasons, Watergate staff is unable to deliver packages to a Unit or assist in transporting packages to vehicles. A list of packages that cannot be accepted is as follows:
  - a. Packages larger than 36" x 36" x 36" or weighing more than 50lbs. will not be accepted. This includes furniture, tires, and large screen television sets.
  - b. Registered or certified mail will not be accepted.
  - c. Articles left by one individual for another will not be accepted.
  - d. Market or grocery deliveries will not be accepted. Residents who shop for their groceries online need to schedule direct delivery and arrange to be home to accept their order.
7. Alcoholic beverages are not allowed in the Clipper Club building unless served at a scheduled event.
8. Food and beverages should not be consumed in any way that would damage furniture, create a nuisance, or create a hazard.
9. Swimwear is not to be worn in the club building. Shirts and shoes must be worn at all times.

10. Any misuse of or damage to facilities, furniture, or equipment by residents or their guests will jeopardize further privileges, and any damages will be charged to those responsible.
11. There is a Lost and Found at Property Patrol for articles left at the Clipper Club or Anchor Club facilities. Items of small value are generally held no longer than 30 days.
12. The Clipper Club may be used for civic public information sessions sponsored by residents, at no cost, for the benefit of Watergate residents. The "Hatchcover" and the Association website may be used to publicize such sessions. Users cannot charge a fee or solicit donations. Tenants must acquire Owner approval.
13. Smoking is not allowed inside or around the Clipper Club.

### **USE BY PRIVATE GROUPS**

Certain facilities within the Clipper Club as well as the F Building classroom are available for rental. The use of the facilities will be for recreational and assembly purposes. Policy issues are determined by the Board of Directors or Management.

1. The Activity Room, Kitchen, and Lounge (not including the TV room) are available for rental for a fee for private groups. Rental is available to residents only. Residents wishing to make reservations must schedule a meeting with a Clipper Club staff person responsible for making reservations. The resident who reserves the facility is required to be at the activity and attend the entire activity and will be the person to act as liaison with the Clipper Club staff member on duty.
2. The available hours of rental are between 9:00 a.m. and 10:00 p.m., Saturday and Sunday. Weekday availability is subject to the Recreation Manager's approval.
3. The F Building classroom is available for rental by residents for meetings for a fee. The room is available from 10:00 a.m. to 10:00 p.m., seven days a week. A key must be obtained from the Clipper Club office to gain access to the room.
4. The general clean-up of the rented area is the responsibility of the individual or group using the facility. Any maintenance in addition to that normally required will be charged to the Owner.
5. Scheduled activities have priority at all times over private functions.
6. Persons attending a private activity are limited to the area reserved.

7. The pools, tennis courts, billiard room, club balcony, TV area, and TV cannot be reserved for or used by private parties.
8. Smoking is not allowed in or around the Clipper Club.
9. Excessive noise is not allowed in or around the Clipper Club.

### **BILLIARD ROOM**

1. A Watergate I.D. card must be exchanged for the use of billiard balls.
2. Instruction regarding proper use and care of the equipment is available from the club attendant.
3. Table surfaces and other furnishings must not be damaged. Sitting on the tables is prohibited.
4. Food and beverages are prohibited in the Billiard Room.
5. Wagering is not permitted.
6. In the event people are waiting to play, a time limit of 30 minutes will be observed.
7. Smoking is not allowed in the Billiard Room.
8. No excessive noise is allowed in the Billiard Room.

### **HEALTH CLUB**

1. A valid Watergate I.D. is required to access the Health Club.
2. All guests must be accompanied by a resident. There is a limit of two guests per visit.
3. Children under 14 years of age are permitted to enter the weight-training area provided they are accompanied and supervised by an adult. Children under 14 years of age are prohibited from using free weights, Nautilus, or Nautilus-type machines or other weight-training equipment in the gym. Children 10 years and under are prohibited from using the sauna and steam room.
4. Strict adherence to all posted safety regulations is mandatory.

5. Residents and guests who use the Health Club for the first time are required to make an appointment with a Clipper Club attendant for orientation before using the facilities.
6. Smoking is prohibited throughout the Health Club.
7. Appropriate clothing is required at all times. Wet clothing and swimwear are not permitted in the exercise room.
8. All equipment must be returned to its proper place.
9. Oils, eucalyptus leaves, etc., are not permitted in the sauna or steam room.
10. Shoes or other types of foot cover must be worn at all times.
11. Use of the Health Club is at your own risk. No supervision is provided.
12. All posted rules must be observed.
13. Food and beverages are not allowed in the Health Club. Water in plastic or metal containers is acceptable.
14. Excessive noise is not allowed in the Health Club.
15. All machines and equipment must be wiped down after use, including chalk, by the user.

## SWIMMING POOL AND SPA

All rules in this section apply to the Clipper Club pool and spa, the Anchor Club pool and spa, the B Building pool and the D Building pool with the exception of hours of operation. Refer also to the Anchor Club on page 23.

The hours for the Clipper Club pool and spa are from 6:00 a.m. to 10:00 p.m. Sunday through Thursday, and from 6:00 a.m. to 11:00 p.m. on Friday and Saturday. Any day that the Clipper Club pool or spa is out of order, the Anchor Club will be opened by Property Patrol at 6:00 a.m. The hours for the B and D Building pools are from 8:00 a.m. to 10:00 p.m. daily.

1. All residents and their guests must have their Watergate I.D. cards in their possession while in the pool area and show their I.D. cards upon request. Otherwise, residents and their guests can be requested by WCA staff to leave the pool area. Guests who are accompanied by a resident do not need a guest card.
2. There is a limit of four (4) guests per Unit in the pool area at a given time. Exceptions may be made at the discretion of Management.
3. There is no lifeguard on duty. SWIM AT YOUR OWN RISK.
4. Bathing suits must be worn in the pool and spa. Cut-offs, levis, jeans, and other inappropriate apparel will not be permitted. Children in diapers or training pants must wear protective pants.
5. Children under the age of 14 years who wish to use a pool or spa must be accompanied by an adult and supervised. Use of spas by children under age 6 is prohibited.
6. Swimming caps are recommended.
7. Chewing gum and tobacco are not permitted in pools and spas.
8. Glass and breakable objects are not permitted in the pools or pool areas.
9. Balls, frisbees, airborne-type toys, water guns, soakers, etc., innertubes, rafts, and other large inflatable objects are not permitted at any time in the pool area, with the exception of toddler flotation devices or during organized swim activities. Small swimming aids, such as kickboards and styrofoam noodles, are permitted. Scuba gear or tanks may not be used in the pool without the prior written consent of Management and appropriate insurance and liability waivers.

11. Courtesy, politeness, and good manners should be observed at all times. There shall be no shouting, boisterous conduct, loud or profane language, or other practices such as playing loud radios, or sound equipment which may be annoying to others or injurious to their enjoyment of the facilities.
12. There shall be no running, diving, rough-housing, wrestling, pushing, dunking, or piggyback riding in the pools or pool areas.
13. Poolside furniture is not to be taken off the concrete area within the fenced pool areas.
14. Lap swimmers have the right of way during the times posted at the pools. Persons may swim laps at unscheduled hours if they are not interfering with recreational swimmers.
15. All posted rules must be observed.
16. Management has the right to admonish residents, their families, or guests for noncompliance with the rules, or any other posted regulations of the Association. In the event of violation, the Board of Directors has the right to discipline the residents, families, or their guests by suspension of privileges, or use procedures as indicated in the Revised Declaration.
17. Persons failing to comply with these and posted rules will be asked to leave the pool area.
18. Smoking is not allowed in or around the pool areas.
19. Food and beverages are not allowed while in spas or pools. Water in plastic or metal containers is acceptable.



## **ANCHOR CLUB**

The Anchor Club is open from 9:00 a.m. to 9:45 p.m. daily, unless otherwise posted. Any day that the Clipper Club pool or spa is out of order, the Anchor Club will be opened by Property Patrol at 6:00 a.m.

1. General pool and spa rules that apply to the other pools are also applicable to the Anchor pool and spa. (See pages 21-22.)
2. Residents or guests must have their Watergate I.D. cards in their possession while in the Anchor Club and must show their I.D. cards upon request-
3. Children under the age of 14 years who wish to use a pool or spa must be accompanied by an adult and supervised. Use of spas by children under age 6 is prohibited. Children under the age of 10 are prohibited from using the sauna.
4. Smoking is prohibited in the Anchor Club.
5. Food and beverages are not allowed in the Anchor Club. Water in plastic or metal containers is acceptable.
6. Glass and breakable objects are not permitted in the Anchor Club or pool area.
7. Soaps, oils, fragrances, or lotions may not be used in or added to the spa.
8. Persons failing to comply with these rules will be asked to leave the premises.
9. **Racquetball Courts:** Proper shoes must be worn, even while playing table tennis. Black-soled shoes are not allowed. If there are players waiting, the one-game rule will apply. Racquets and balls are available for loan to residents and guests with Watergate I.D. cards. These may be checked out at the Clipper Club office.

## TENNIS COURT PROCEDURES AND ETIQUETTE

The Watergate tennis courts are to be used only for playing tennis and only by residents and their guests. Tennis procedures and tennis etiquette must be followed at all times. If there are any questions, please read the posted procedures and etiquette. If needed, check with the Watergate Tennis Pro, who will interpret and may make exceptions as deemed appropriate.

### PROCEDURES

1. *Attire and Shoes:* Residents and their guests must wear appropriate tennis attire and tennis shoes. This means that shirts must be worn at all times. Running shoes or shoes that may damage or discolor the court are prohibited. If you are unsure whether you have a running shoe or tennis shoe, check with the Tennis Pro. Playing in slippers, sandals, socks or bare feet is not allowed.

2. *Tennis Only:* The tennis courts are to be used for tennis only. Activities other than tennis are not allowed, including baseball, football, cricket, kickball, soccer, Frisbee, and other non-tennis games. Bikes, skates, skateboards, strollers, and other non-tennis equipment are prohibited.

3. *Hours:* Courts are available for play from 8:00 a.m. to 10:00 p.m. daily.

4. *Reservations:* Courts 1, 2, and 4 are available for reservation seven days a week from 9:00 a.m. to 10:00 p.m. Courts may be reserved by signing up on the Sign-up Sheets posted outside the Tennis Club House. New sheets are posted on Thursdays, and there are no call-in reservations. Court #3 is the teaching court and is available on a drop-in basis whenever the Tennis Pro is not using the court. As a courtesy to other players, reservations not utilized should be cancelled ASAP by name deletion on the sign-up sheet.

5. *Sign-up Procedures:* Residents are allowed to sign up in advance for 1 court hour at a time. If two residents are playing singles, they are allowed to reserve only 1 court hour. If two or more residents are playing doubles, they are allowed to reserve a court for 2 hours. If one resident is playing doubles with three guests, he/she is allowed to reserve only one court for 1 hour. If no one is waiting, play may continue.

6. *Forfeiture of Reservation:* All rights to reserved courts are forfeited 10 minutes after the designated playing time was to begin.

7. *Residents and Their Guests:* A resident player must have a valid Watergate I.D. card for use of the courts. A resident may have up to 3 guests at a time on the courts. Guests not accompanied by a resident must have a guest card to use the tennis courts.

### ETIQUETTE

1. *Noise on the Courts:* Tennis is a relatively ‘quiet’ game. To that end, conversations should be quiet, should be done at the net or on the sidelines, and should be kept to a minimum. Shouting out instructions or carrying on loud conversations is distracting to the people playing tennis on the next court, to the people on the courts behind you, and to the residents living in the units close to the courts.

2. *Wait Outside Court:* Players should wait outside the court until it is time to claim their court reservation.

3. *Permission to Continue:* If players are rallying when the court time is ended, they should relinquish the court immediately. If players are in the middle of a game and wish to finish the game, they should ask the waiting player(s) for permission to do so.

4. *Crossing Courts:* When crossing courts, do so quickly and quietly. If a game is in progress, wait until the point has ended. If more than one person is crossing, do so as a group to reduce distraction to the players.

5. *Non-Player Etiquette:* All persons on the court who are not playing tennis should be seated on the benches.

6. *Use of Containers of Multiple Balls:* In order to avoid disrupting play on adjoining courts, players should use no more than one can of 3-4 balls for play, practice or lessons when the adjoining court is in use. The only exception is for a tennis lesson that is being taught by the Tennis Pro contracted by Watergate.

7. *Residents Responsibility for Guests:* Residents are responsible for their guests’ knowledge of the tennis procedures and etiquette.

## **TENNIS LESSONS**

Our tennis courts are primarily for playing. We are not a tennis teaching facility, nor do we want it to become one. We do, however, allow lessons under the following guidelines:

1. *Tennis Pro’s Exclusive Rights:* The Tennis Pro has the exclusive right to give lessons during his scheduled hours, which are posted on the tennis bulletin board and tennis office door. Lessons shall be exclusively for Watergate residents or their guests. Any guest must be accompanied by a resident or have a guest card. The Pro will normally teach on Court #3.

2. *Lessons by Other Instructors:* Tennis lessons by anyone other than our contracted Tennis Pro may only be taught during the Tennis Pro’s unscheduled hours and will normally be taught on Court #3. Lessons are only available for residents. There can only be one lesson at a time in order to have the other three courts available to players. The “Noise” item #1 under ETIQUETTE) should be followed during lessons--no shouting instructions or loud talking from a distance.

## **CONFLICT RESOLUTION PROCEDURE:**

1. *Players Resolve Own Conflicts:* Players attempt to resolve conflicts amicably among themselves, referring to posted procedures and etiquette as needed.
2. *Seek Help from Staff:* If help is needed to resolve an issue, contact the Watergate Tennis Pro, or in his absence, the on-duty Property Patrol employee, to help interpret the posted procedures.

## **ENFORCEMENT AND PROCEDURE**

All rules will be enforced. In order to insure effective rule enforcement, all Owners and tenants must possess a complete set of rules. All Owners are responsible for any violations made by themselves, guests, and tenants. Any complaint reporting a rules violation that cannot be observed by staff (i.e., noise, construction, etc.) must be made in writing and signed.

**If the violation is a health or safety violation or poses a threat of damage to person or property, the Association may immediately abate the violation and may charge the responsible Owner for the cost of correction or impose a fine after the Board provides notice and a hearing.**

### **RULES ENFORCEMENT AND PROCEDURE (Revised Declaration 10.5.5)**

1. Management will notify the Owner/agent and the violator in writing of the rule violation.
2. If violation persists after seven (7) calendar days, a hearing letter will be sent by Management to the Owner/agent and violator providing at least fifteen (15) days prior notice of the hearing before the Board. The Owner shall have the right to present evidence and testimony on his own behalf and the right to examine all evidence and testimony presented at the hearing. The Board must mail a notice of determination within fifteen (15) days of the hearing in order to suspend rights to use the recreation facilities, to impose a fine and/or to impose a Special Individual Assessment for management and legal fees incurred to obtain compliance with the CC&Rs.
3. In the event of continued violation, the Board may send a Request for Resolution by mediation pursuant to the CC&Rs.
4. If penalties remain unpaid, the Board may undertake appropriate measures available by law.



## HEARING PROCEDURE

1. The following hearing procedures will be used whenever the Board meets to consider an alleged violation of the governing documents which could result in disciplinary action against a Member.
  - a. *Notice of Hearing.* Notice of the hearing will be sent at least fifteen (15) days prior to the hearing and will be given either personally or by prepaid first-class mail to the most recent address shown in the Association's records. The notice shall contain, at a minimum, the date, time, and place of the meeting, the nature of the alleged violation for which a Member may be disciplined, and a statement that the Member has a right to attend and may address the Board at the meeting.
  - b. *Opportunity to be Heard.* Members have the right to send a letter, send a representative, or appear in person to present evidence as to why they should not be disciplined. Members also have the right to bring an attorney with them to advise them or to speak on their behalf. The hearing will be held in executive session.
  - c. *Failure to Appear.* In the event the Member fails to appear for a hearing, the Board will review the evidence and make its decision accordingly.
  - d. *Notice of Decision.* Within fifteen (15) days of the Board's decision, the Member will be given written notice of the decision.
  - e. *Conflicts of Interest.* If any member of the Board has an actual conflict of interest in the matter which is the subject of the hearing (e.g., they filed the complaint, or the complaint was filed against them) such persons must fully recuse themselves from the hearing proceedings and may not take part in or vote on the matter.
2. If the Board determines that there has been a violation of the governing documents (including but not limited to the failure to timely pay assessments, fees, and/or charges), the Board may impose any orders, remedies, penalties/fines, discipline, suspensions, and assessments which it determines in its discretion are appropriate, including but not limited to one or more of the following:
  - a. Warnings;
  - b. Monetary penalties and fines, including continuing fines;
  - c. Suspension of membership rights and privileges (including, for example, the right to vote and to use common area facilities and amenities);
  - d. Special Assessments;

- e. Orders;
- f. Payment for any damages sustained by the Association in connection with the violation; and
- g. Reimbursement of costs and expenses (including attorney's fees) incurred by the Association in connection with the violation.

**FINE SCHEDULE**

1 <sup>st</sup> Violation	\$100
2 <sup>nd</sup> Violation (same offense)	\$200
3 <sup>rd</sup> Violation (same offense)	\$400

Penalties for Unit modifications made without compliance with WCA rules and guidelines or without City permits and inspections are as follows:

1. The City will be notified and their penalties applied.
2. WCA will charge the homeowner for an inspection of the Unit. Homeowners will open appropriate walls to make the work accessible for inspections. Fees will be estimated on a time basis for this aspect of the work, and the cost implication borne by the homeowner. Fines will range from \$100 to \$1,000, as determined by the Board of Directors based on the extent of the violation.

## MAP OF WATERGATE