

MUTUAL OPERATIONS**PHYSICAL PROPERTY****Patio and Porch Area Regulations – Mutual Nine**

The purpose of this policy is to provide guidelines for the building and maintenance of patios and porches that are user friendly, increase the value to the Mutual, and improve the aesthetics of the shareholders' units in Mutual Nine (9). Also it addresses the need to meet applicable Fire Codes and the safety of each family.

Definition of Terms

1. A patio is any surface other than garden material that is attached or adjacent to the outside wall structure of the unit's structure.
2. A porch is the space under the roof of the structure open to the outside or enclosed from the weather.
3. A porch and patio can be built as a continuous structure, will be considered and maintained as a patio and or porch with this policy.
4. Transfer of title shall have the same meaning as used for determination of when a California transfer tax on real property is assessed by the State of California.

Stipulations for Existing Patios

1. All currently installed patios and porches will be considered as allowed. However, the following patio and porch use: "rules and maintenance requirements must be adhered to".
2. At the time of transfer of title or sale of a unit with a patio or porch, the buyer must agree to manage, maintain, and insure the cost of the patio or it shall be removed at the seller's cost. The new buyer/transferee must sign the License and Indemnity Agreement provided by the Mutual Nine Board. Remodels of existing patios must comply with this patio and porch policy in its entirety.

Patio Approval Process

1. All requests for patios must be submitted to the Golden Rain Foundation (GRF) Physical Property Department at least three (3) weeks prior to a regularly scheduled Mutual Nine (9) Board Meeting. The GRF Physical Property Inspector must submit the plan for approval to the Board of Directors at least two (2) weeks prior to a regularly scheduled Board Meeting.
2. Patio plans must be drawn to be easily understood with dimensions and must include the walls, wall caps, fences, and no lockable gates.

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3. All patio requests will be considered by the Board of Directors on a site-specific basis, taking into consideration, but not limited to the following:
 - a) Aesthetic/financial value to the Mutual
 - b) Functionality for the shareholder
 - c) Utility boxes
 - d) Electrical enclosures/panels
 - e) Sprinkler systems
 - f) Sprinkler valves/plumbing
 - g) Telephone pull boxes/equipment
 - h) Sidewalks
 - i) Laundry room
 - j) Landscaping
 - k) Other units access
4. A majority vote of a quorum of the Board of Directors is necessary for approval and the plans must be approved before the start of construction.
5. Shareholder must complete and submit the **Agreement to Patio Regulations Form (See Attachment – 7415.9A)** as part of the approval process and prior to the start of any work.

Patio Building Requirements

1. Patios must slope away from the building with adequate weep holes in walls for draining.
2. Patio top surface material must be no-skid when wet. Outdoor carpeting is NOT permitted.
3. All patios may be enclosed by a wall or a decorative wrought iron or similar material fence suitable for outdoor application. Patio wall including cap and fence may be up to 36 inches in total height. Patio fence may be up to 36 inches in total height. Gate colors will complement the patio walls. Walls may be constructed of brick, flagstone, slump stone, stack stone, or similar decorative masonry building materials. Walls may also be constructed of concrete block and surfaced with stucco the same color as the building. All block walls shall have a compatible stone cap.
4. When an adjacent neighbor's wall already exists, the newly constructed wall will complement the existing wall.
5. Patios may extend out 60 inches from the unit structure wall.

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6. A 36 inch access must be maintained from the entrance of the patio to the entry door of the unit. Walkway must have no obstructions included potted plants. Nothing must impede emergency personnel and equipment the Fire Department, Golden Rain Security personnel, and Service Maintenance personnel. All patio window spaces must be kept clear at all times to facilitate emergency exit and entrance to and from the unit.
7. No patio addition or porch may have an access door/gate that locks. A door outside in the patio or porch without direct access into your unit is not considered an entry door and many not lock.
8. A 5-inch cement mowing strip is required where the patio is adjacent to a grass area.
9. Any changes or deviations from the approved plans must be submitted to the Board of Directors and approved prior to implementation.
10. Mutual Nine will provide a disclosure to all new shareholders stating that their patios might have been built over sewer, water, electrical, or other types of utilities that the potential to require access or relocation and that this could require removal of all or a portion of the patio at the owner's expense. This disclosure must be signed by the selling shareholder and it will be provided to the purchasing shareholder with the Licensing and Indemnity Agreement.
11. Shareholders shall bear any and all costs of the patio including the maintenance of the patio, sprinkler relocation, grass replacement, tree replacement, and flower bed repairs. As a condition of patio approval, the shareholder must obtain and maintain liability covering any and all lawsuits involving the patio. The shareholder must agree and sign the Licensing and Indemnity Agreement provided by the Mutual.

Patio and Porch Use: Rules and Maintenance Requirements

1. Patio and Porch items appropriate for patio and porch outdoor usage such as chairs and lounges with cushions are allowed. Storage boxes designed for patio and porch use may not exceed 4 feet in width by 6 feet in length and

SHALL not exceed the height of the wall/fence. Patio sheds must be made of plastic, resin or polyurethane (not wood or metal).

2. Patios and Porch areas must be kept free of clutter. If there is a question whether clutter exists, the question will be decided by a vote of the Board.

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3. Barbeques may be kept on patios and porches and must be used according to the barbeque Policy 7427G – Barbeque – Usage and General Safety Precautions. Charcoal burning barbeques are NOT permitted.
4. Pets must not be left unattended on patios and porches.
5. Pet doors giving pet's free access to and from patios and porches are NOT allowed.
6. Potted plants may be kept on patio/porch walls. Plants may not be in nursery pots. Pots must have a water retention base and not allow water to drain on the patio/porch wall. Potted plants from the base of the pot to the top of the plant may not exceed 48 inches in height. A maximum number of potted plants on the patio/porch wall may not exceed 1 in every 4 feet of the patio/porch wall.
7. No more than 2 small/medium self-propelled vehicles scooters/wheelchairs.
8. Patio and Porch Décor:
 - a. Screens, panels or drapes to block the sun must be of outdoor fire retardant fabric and must be maintained.
 - b. Obscene objects hanging or stationary are prohibited.
9. Prohibited activities consist of any workshop causing noise, odor, unsightliness, and/or unhealthy conditions. Be guided by the "occasional hobby-oriented" activity rather than an ongoing business or any activity considered to be a nuisance to neighbors. Contact the Board by sending a letter to the Secretary for information and guidance.
10. Patios and Porches may NOT be converting into a storeroom. Items permitted for storage must be enclosed.
11. Any item in, on, or built into or onto a patio or porch in conflict with this policy must be removed by the shareholder after 10 days of written notification. If the item is not removed after the 10-day period, the Mutual will have the right to remove the item at the shareholder's expense.
12. An enclosed patio or porch may not function as a bedroom, kitchen or storage closet.

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- 13.A refrigerator or freezer in working condition plugged directly into wall socket is permitted only on the PORCH area of a NON expanded unit and located so as it does not impede passage nor detracts from the ambiance of the building.
- 14.A washer or a dryer or a stacking washer and dryer may be installed inside the PORCH ONLY of an NON expanded unit and must be in an enclosed storage cabinet. A permit must be obtained for the installation of these appliances and all codes relating to electrical and, if, applicable, plumbing and ventilation must be adhered to.
- 15.Items NOT permitted on patios and porches overnight and or stored are: Newspapers, magazines, paper, plastic bags, cardboard, any type of open food containers, including pet food, flammable chemicals, laundry hung airing or drying, non-working refrigeration or freezers, nursery for growing plants, saws, vacuum cleaners/rug shampoo machines, permanent pet kennels, dog runs, electric or gas golf carts, gas operated tools or equipment, spas or hot tubs, Extension cords strung across patio, or extended use of extension cords is not permitted. Shelving may not be supported/anchored off the building walls.
16. Hot tubs, fire pits or heaters, Jacuzzis, saunas dry or wet, spas, pools, barbeque islands, green houses, game tables, exercise equipment, hobby centers or work benches and any and all items that are free standing and better suited for a backyard or enclosed room are not permitted.

Attachment:

- **7415.9A – Agreement to Patio and Porch Area Regulations**

MUTUAL ADOPTION AMENDMENTS

NINE: 10-10-16 11-13-17