

# **PUAMANA HOUSE RULES**

**Adopted 12/4/2017  
Supersedes all previous versions.**

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# General Provisions

The purpose of this document is to establish the rules and guidelines which Puamana owners, tenants, and visitors are expected to follow in order to help each resident, owner or guest enjoy the security, beauty and tranquility of their condominium home. It also establishes the procedures for management enforcement of the house rules. These rules simply call for each resident to show consideration for their neighbors by minimizing noise, following the parking rules, supervising family members and animals and keeping their residence free of unsightly clutter. Failure to adhere to the house rules can result in monetary fines levied against the resident, in the case of long term rentals and/or the owner in the case of vacation rentals and where the tenants fails to pay for house rule violations. These rules are extracted and summarized from Article VIII, Section 2 of the Puamana Restated Bylaws (the "Bylaws"). The House Rules are a general guideline and are not necessarily all inclusive of all issues. The Puamana Governing Documents, as interpreted by the Board of Directors, take precedence when resolving any issue not specifically covered in the House Rules. Federal and State laws and regulations, and Kauai County Ordinances will be adhered to at all times.

1) All owners and tenants are subject to the conditions, rules and regulations contained in the Declaration, Bylaws, HPR and the Princeville Community Association CC&Rs, which are the governing documents of the Association. It is the responsibility of every homeowner to see that their tenants (long term or vacation rentals) receive a current copy of the Puamana House Rules. An abbreviated version of the House Rules is available for vacation renters.

A PDF copy of both the abbreviated and complete version of the House Rules is available for viewing and downloading from the Puamana web-site ([www.puamanakauai.com](http://www.puamanakauai.com)), or a printed copy is available upon request from the resident manager, however, if you need multiple copies of the House Rules or abbreviated House Rules for use in vacation rental packages they must be printed at the owner's expense. A copy of the abbreviated version must be clearly posted in all transient vacation rental units.

2) Puamana apartments are designated and zoned as single family residences. Lockout units are not permitted. Cooking facilities are to be limited to the kitchen area in each apartment. Microwaves, refrigerators, hot plates and toaster ovens are considered to be cooking facilities.

3) No owner or occupant shall carry on any retail business or occupation, post any advertisement, bill, poster or any other sign on or about the premises, nor post or publish advertising of any kind listing Puamana as a place of business. Internet based occupations are permitted provided that no retail, consulting or other activity which involves clients or customers accessing or parking at the Puamana property is involved. We recommend obtaining a post office box if you anticipate large volumes of mail.

4) All owners and tenants must abide by the uniform appearance codes as established by the Association Declaration, Bylaws, HPR and the Princeville Community Association CC&Rs. No modifications may be made to the exterior of a unit to include lanais, railings, windows, doors, riser walls, lights, landscaping, etc. without the express prior written consent of the Board of Directors. In order to provide uniformity to project appearance, the Board of Directors may cause necessary repairs to be performed and bill the individual owner.

- 5) Decorative plants in ceramic or terra-cotta pots and in reasonable numbers are permitted on lanais and decks, as long as they do not obstruct walkways and front entrance doors with anything that may hinder an emergency technician free and clear access to the unit with a gurney nor make it difficult for the gardeners to do the required maintenance. Small tile placards at your front door requesting shoe removal, personalized signs that include no more than the name and unit number are permitted; however, large signs, decorative posters and wall features may not be attached to lanai walls, posts or building walls. Appropriate colors and dimensions of visible signage is at the Board of Directors' sole discretion.
- 6) Unsightly displays are not permitted on lanais or within the common view. For this purpose this includes, but is not limited to laundry, beach or camping gear hung to dry on railings or landscaping. Clotheslines are not permitted to be strung between pillars or placed in greenbelt areas. A temporary drying rack may be used on your rear lanai provided that it is reasonably hidden from view from other units, greenbelt and parking areas and must be of a temporary nature and be removed at dusk. Items meant for use indoors such as sofas, stuffed chairs, recliners, freezers and refrigerators, are not permitted on lanais or balconies. Free weight or exercise equipment is permitted on lanais provided that the lanai has a privacy screen in place and such equipment is generally hidden from the common view.
- 7) The unit owner shall be responsible for the prompt payment of the cost of repairs where any exterior surfaces, sidewalks, landscaped grounds and any other common element areas that are deliberately damaged or are damaged as a result of negligence or misuse of the tenant, occupant or guest of the owner or occupants. In the event the occupant of one unit causes damage to another apartment unit or other areas, the apartment owner shall be held financially responsible for all the necessary repairs.
- 8) **Quiet hours are from 9:00 P.M. to 7:00 A.M.** In consideration of all neighbors, disturbing the peace, profanity, indecency or drunkenness in public (parking lots, sidewalks) or disturbances inside your unit that can be heard outside the unit will not be tolerated. Puamana is quiet. Noise carries and what you might perceive as normal noise can be heard by your neighbors. Please have some tolerance with your neighbors and if there is an issue with noise or parking, your first course of action should be approaching your neighbors in a courteous and non-confrontational way before contacting the resident manager since this is the most friendly first step in resolving any neighbor to neighbor issues. Should you be unable to resolve a neighbor to neighbor issue, or in any way feel uncomfortable speaking with your neighbor, please contact either our resident manager during regular business hours or the Princeville Patrol: 808-826-6181. If at any time you feel threatened or the safety of any resident is at risk, call 911 immediately.
- 9) Please refrain from having large or noisy social gatherings at your unit. Be courteous to your neighbors and afford them the same respect and courtesy you would wish. Cell Phone users should exercise care when using their phones on the lanais, sidewalks, driveways and lawn areas, day or night as sound carries. This is especially true at night and in the early morning.
- 10) Charcoal briquette barbecues, hibachi grills, turkey fryers, tiki touches, decorative propane fire pits or any other device that produces a non contained open flame are not permitted at Puamana. Use of a self-contained propane or electric grill is not prohibited, providing proper safety precautions are observed as regulated and enforced by the Kauai Fire Department.

11) Due to privacy and safety issues, camera drones and other similar devices are not permitted to be operated on or above the Puamana property.

12) Items on lanais should at all times have a clean and tidy appearance and not be an eyesore for your neighbors. Long term storage on lanais is not permitted. Storage of cardboard or clear plastic boxes, excessive gardening equipment, tool boxes, camping gear, large cooking pots, excessive toys, broken bikes, powered motor toys, coolers, etc. should be stored within your unit or lanai storage closet. Mopeds and motorcycles are not permitted to be parked on lanais. Items permitted are tables and chairs, teak furniture, well maintained metal plant holders, grills and other furniture designed exclusively for outdoor use. Bikes, surfboards or paddle boards are permitted in reasonable number provided that they maintain the overall uncluttered appearance of the property as determined by the resident manager and the board of directors. Storage of recyclables in appropriate containers is acceptable, provided it doesn't become excessive.

13) WORKSHOPS ON LANAIS. If you are remodeling your condo, some work tools on the lanai are permitted. Long term storage of tools related to construction jobs such as extension ladders, air compressors, truck tool boxes, roofing material, excessive surfboards (for surf schools or instruction), chop saws, tile saws, left-over lumber from remodels, etc. are not permitted.

14) No owner or occupant shall without the prior written approval of the Board of Directors install any wiring for electrical or telephone installations, machines or *air conditioning units*\*, place or maintain any television, satellite or other antennas or other equipment fixtures, appliances, or appurtenances whatsoever on the exterior of the buildings or protruding through the walls, windows or roof. \*see Use of Common Areas page 10 #6 regarding installation of air conditioners.

15) No owner or occupant shall throw anything out of a window or over a railing. An immediate fine may be imposed for each instance of throwing dangerous objects, including cigarette butts or fireworks, from upper floors and the Association may seek the eviction of the persons responsible if they are tenants.

## SMOKING

Hawaii law prohibits smoking within 20 feet of all buildings including enclosed or partially enclosed areas open to the public. This includes the pool and clubhouse office. While one's condominium unit is one's home, there are restrictions on the reasonable activity which may take place in the unit. No person shall permit a condition to exist or carry on an activity in a unit or in the common elements if the condition or the activity produces any noxious or offensive odors, nor shall anything be done therein which may be or may become an annoyance or nuisance to other owners or residents, damage the property or cause injury to an individual, or unreasonably interfere with the use, enjoyment of other units or the common elements by other unit owners. Since our air is so clean, smoke travels farther and smells stronger to non-smokers. The smell of smoke constitutes a nuisance. Secondhand smoke is more than just an annoyance and a discomfort; it exposes non-smokers, especially children and the elderly, to serious health hazards. Please do not smoke in any area, including your lanais where it might seep into other units. Owners who smoke have an obligation to abate smoke infiltration into other units, which may include a necessity to seal their unit and/or use an air purification system, restrict smoking on the lanai portions of the units and require that any smoking in the

unit be contained within the unit. Smoking rules apply to all smoking devices and materials including, cigarettes, pipes, cigars, e-cigarettes and vaporizing devices. Holders of State of Hawaii medical marijuana permits must abide by all Puamana smoking regulations.

## **TRAFFIC, PARKING AND VEHICLE RULES**

The streets of Puamana are for vehicular and pedestrian traffic only. Driving speed should be no more than 10 MPH. No one is permitted to skate board, roller blade, roller skate, ride bicycles, scooters or battery operated cars, pit bikes or similar recreational equipment on the Association streets, parking areas, sidewalks, or common areas (lawns, landscaped areas). Use of bicycle, roller blades and skates, skateboards etc., as a mode of transportation is permitted only to enter and leave Puamana via the parking lots and drives. Parents or guardians must supervise the activities of children near these areas for their safety.

All parking rules and regulations must be obeyed. Failure to do so could result in fines in accordance with the fining procedure set forth on page 16 of these rules. Improperly parked vehicles are subject to immobilization or being towed, with the cost for towing and storage as set by the tow company to be charged to the vehicle owner.

a) Every unit will be guaranteed only one (1) parking space in the parking area that is closest or next to its building. These spaces will be marked with the word “RESIDENT” and the building number. There will be a corresponding number of parking stalls to the number of units in a building. For example, if building #1 has 4 units, there will be 4 parking spaces marked “RESIDENT 1.” If building #9 has only 3 units, there will be only 3 parking spaces marked “RESIDENT 9.” Parking stickers for permanent residents or long term renters with leases of one year or more are required. Temporary tenants (6 months or less) will be issued a temporary parking permits at the office.

b) Permits must be prominently displayed in the appropriate area. Permanent stickers are to be placed on the right rear bumper or on the lower left hand corner of the rear window or the windshield on the driver’s side. Temporary permits are to be filled out and hung from the mirror or placed color side up on the dash, with the unit number clearly visible.

c) Parking for a second (2nd) vehicle is made on “as available but not guaranteed” basis only. This means that, while it is permissible to have a second vehicle per unit, there may not always be an available parking space or one that is conveniently located. Parking spaces for a second car are not identified as “RESIDENT” spaces, and for the most case are unmarked or marked as “PERMIT OR VISITOR.” Under no circumstance may a single unit have two cars parked in “RESIDENT” parking spaces for its building, even for “just 5 minutes,” it is never just 5 minutes.

d) All contractor vehicles must get an orange colored permit from the office and review the house rules as they pertain to them before being permitted to park on site. Tradesmen (screen repair, Sears, Otsuka’s, etc.) must park in the guest stalls or the owners’ space only. If there are two contractor vehicles, one may park in the owner’s “RESIDENT” space, but the second one must park in a “VISITOR” space.

e) Except as stated below, under no circumstance will more than two (2) cars/vehicles per unit

be permitted to park at Puamana. However, if a permanent resident has a short-term visitor, the resident manager may issue the visitor a temporary permit to park in available “PERMIT OR VISITOR” parking spaces. Vacation rentals, however, must follow the two-car rule.

f) In order to maintain the appearance of the parking lots, provide safety for the other vehicles as well as the buildings and to keep noise levels from vehicles to a minimum:

- (i) Assigned parking will be restricted to owners, tenants or vacation rental tenants who are designated in the lease agreement.
- (ii) Only standard size vehicles will be allowed to park in the Puamana parking spaces. This includes passenger cars, station wagons, SUVs, small or mini vans and normal/full size pick-up trucks. No large commercial vehicles, buses, trailers, boats, campers, oversized vans or extra-long extended cab pickup trucks are permitted to park on the property. In general, any vehicle that is close enough in size to the parking space dimensions (6 feet 6 inches wide by 19 feet 8 inches long) that it impedes or makes it difficult for reasonable access by the adjacent vehicles (e.g., it is a tight fit to park in between two large vehicles) or impedes the view of an adjacent driver (e.g., height exceeds 6 feet 6 inches and truck racks exceed the height of 14 inches over the maximum height permitted) is not considered to be a standard size vehicle. Noisy vehicles, such as diesel engine trucks without proper mufflers, and vehicles with glass packed mufflers are not permitted. Vehicles that do not meet the established criteria will be reviewed on a case-by-case basis by the Board of Directors before any parking permits are issued.
- (iii) Unlicensed vehicles, motorcycles and motorbikes of any kind are not permitted to park at Puamana. Motorcycles driven on Puamana roads must have muffler capability to reduce noise.
- (iv) Storage of vehicles is not permitted unless it is in the unit owner’s “RESIDENT” space. In the case of vacation rentals, arrangements can be made with the resident manager to receive your current vacation rental schedule so the unit owner’s primary car can be temporarily moved from its assigned parking space. The resident manager must have access to all stored vehicles’ keys in order to move the vehicles if work needs to be done to the driveway.
- (v) Parking is prohibited on lawns, sidewalks, any grassy area, fire lanes, sides of the drives, or any non-designated parking area at any time by any vehicle, including motorcycles and dirt bikes, even to unload a few groceries, cleaning supplies, tools, etc. Special exceptions, with advance resident manager authorization, can be made for projects that may require parking normally prohibited in these areas.
- (vi) No vehicle will be permitted to remain parked at Puamana with expired license tags or safety inspection sticker.
- (vii) Extensive repairs or overhauling of any vehicle on Puamana property is prohibited. This includes changing oil, coolant, or other engine fluids, gasket replacement, dropping an engine, muffler changes, replacing brake drums, etc. Exceptions may be made for emergencies if the manager is contacted and a professional mechanic is used. Emergency cases will be handled on case-by-case basis. If a mechanic is used without notifying the resident manager, photos will be taken to document the work and the Board of Directors will decide what action will be taken. Inoperable vehicles will have a grace period of one week to have minor work done to make the vehicle operational. Such minor work includes new battery or spark plugs, fixing a flat tire, etc.
- (viii) Car washing is permitted in the parking spaces only. If you cannot reach your car from your lanai, please ask a resident in a unit adjacent to the parking lot for use of

their unit's water hose. If you wish, after hours, cars can be washed by the office. Power washers are not to be used as the noise disturbs other residents. To conserve water, a nozzle that will stop water flow must be used.

(ix) Parking in handicap spaces that has been designated for a particular unit, is for the resident in that unit only. Any resident requiring a designated handicap space should make the request to the Board of Directors, through the Resident Manager or the Association Managing Agent, and must provide a copy of the State of Hawaii issued Disabled Persons Parking ID card at the time they request a handicap space designation. Upon receipt of the documents, a stall and access aisle (if needed) will be designated for their express use with the international handicap symbol and a handicap sign in a stall that has been reserved for that building or the stall that is closest to the nearest sidewalk to the unit. It is not intended for guests of non-handicap residents. Any violation of this rule will result in a fine of \$100.00 and/or towing of the offending vehicle. Portable temporary handicap signs are available on request for vacation rental units that have a need for one.

g) Electric cars may be charged using an orange, yellow or other easily visible, brightly colored cord connected to your metered electric service from your unit to the electric vehicle, so long as the cord does not cross any walkway, driveway or block or otherwise impair safe egress to another unit or common area. The cord must be clearly marked every fifteen feet by small orange cones or brightly colored landscape flags. The charging cord must not exceed 50 feet. The cord must be removed immediately when not in use. Cords will not be permitted on mowing days so as not to impede landscaping operations. Multiple extension cords may not be combined. The charging cord must be a single cord. Please check with our resident manager regarding landscaping schedules and recommendations how to best run a power cord to charge your vehicle. Please refer to Occupational Safety and Health Standards Part Number: 1910 • Part Title: Subpart: S • Subpart Title: Electrical • Standard Number: 1910.334 for the proper and safe use of extension cords outdoors. The owner assumes liability for any damage to the common element, or any damage resulting from the charging of their vehicle.

**IMPORTANT:** Parking rules apply to all hours of the day or night for everyone, whether an owner, tenant, vacationer, visitor or contractor. Residents have the right to expect that their usual/assigned parking space will be available at any time when they come home. Residents must advise their visitors or guests to park in the appropriate space, and check with them when they arrive to make sure they have parked correctly, even if it is for a 'short time.' Violations should be reported to the resident manager so appropriate action can be taken to prevent future violations. Puamana's enforcement and fine policies are set forth on page 16.

# Use of Common Areas

Common areas are defined as all areas not expressly described as part of the individual residence apartments. This includes the greenbelt areas, other yard areas, all garden areas, swimming pool and clubhouse area, roofs, airspace above the property and all other parts of the property necessary or convenient to its existence, maintenance, safety and use not otherwise classified.

1) Puamana is not designated as a senior community, therefore Federal and State of Hawaii fair housing laws guarantee families the right to let their children play outside in common areas. Play is permitted in common areas provided that such play is not of a nature that is destructive or potentially destructive of property. Children are allowed to laugh, play, make noise, and run when playing outside even if other tenants claim that it interferes with their daytime sleep, or that elderly tenants don't like children running around making noise. However, please be sensitive and courteous to your neighbors, and minimize excessive noise. Quiet hours are from 9:00 PM until 7:00 AM and apply equally to all residents regardless of age. Parking areas and driveways are restricted to vehicular and pedestrian traffic only and may not be used for recreational activities.

2) Lawn parties, garage sales or other organized activities, pitching a tent, water slide, bouncy castle, baseball or other sports activities which may involve a projectile or any other object which may endanger residents, animals, or damage windows, walls, roofs or other common elements are not permitted. Owners will be held responsible for the repair or replacement cost of common elements, including plants, damaged as a result of negligence by their lessees, guests, animals and any other person that is within their control, like contractors, that are present therein with their permission.

3) Individuals walking in and using common areas, (lawns, sidewalks, cutting gardens and driveways) should be considerate of the residents in the immediate area and be conscious of their noise level. Sun bathing in green belt areas, on towels or chaise lounges, is permitted provided that any chair, towel or other lawn furniture is removed immediately after use and does not infringe on the privacy, ambience or tranquility of your neighbors, nor interfere with landscaping operations. No item of any kind may remain unattended at any time or remain on the greenbelt after dusk.

4) With the exception of the solicitation of proxies or distribution of materials relating to association matters, soliciting of any type is in violation of county ordinance and The Princeville CC&Rs, with which Puamana must comply. Any solicitors without advance appointments shall be regarded as trespassers.

5) The plants and flowers of Puamana are for the enjoyment of the residents of Puamana and their guests and are not to be picked for the use of commercial activities. If you cut flowers from the central cutting garden please do not take all the flowers; this area is for all 97 units to enjoy and pick. Do not pick flowers that are right next to the buildings nor pick any orchids that are in trees or in the beds.

Individuals may not remove trees, shrubs or flowers already in existence in the common elements (lawn areas and bed immediately next to the building). Individuals may not plant trees, shrubs or flowers in the common elements (lawn areas and beds immediately next to the building) without first consulting the Resident Manager to ensure the plant(s) are in the proper location, will not become an invasive pest and will not pose a problem to the underground

utilities in the future with their roots or outgrow the intended area. Individuals may not fertilize lawns or beds, nor spray insecticides in common areas as this poses a danger to other residents in the area who may not be aware of the treatment or be chemical sensitive. Owners may use liquid fertilizer, such as "Miracle Grow", if they wish on the plants and shrubs in their immediate surroundings.

6) Air Conditioners are permitted provided that prior to installation, the owner submits, in writing, a request to the Board of Directors which contains type of air conditioner, its decibel rating, a drawn plan for its installation showing the location of the compressor and the condensation discharge line, hire a licensed electrician or licensed contractor to check and update the unit's panel box to ensure the unit's wiring will accommodate the electrical requirements of the air conditioner. The electrical or general contractor's license and insurance information must be supplied at this time. The unit owner is responsible for obtaining and providing copies to the resident manager of any permits required by Kauai County.

7) All windows, doors (including the storage doors and the Clerestory windows on the 100 style units) and their frames, any electrical outlet or fixture connected to the unit's electrical meter are the owners' responsibility for maintenance and repairs.

## Trash and Recycling

Trash receptacles are for household trash generated by Puamana residents only. All trash is to be securely bagged and placed into the dumpster and is not to be left outside overnight.

Corrugated cardboard is to be recycled at the Hanalei Transfer Station on Kuhio HWY.

No cardboard or green waste is permitted in the dumpsters. Household trash only. The association is fined for cardboard placed inside the dumpster.

Chairs, couches, beds, mattress, bed frames, lights, TV, computer equipment or tables, blenders, printers, toasters, exercise equipment etc., are not to be placed inside the dumpster or on the side. Such items must be taken to the Hanalei transfer station or donate them to a charitable organization.

Liquid paint, oil (car or food), batteries and car parts are to go to the proper disposal facilities. Large appliances such as washer, dryer, hot water heater, air conditioner, dishwasher, or stoves, BBQ grills and microwaves cannot be thrown out in the dumpsters.

Remodeling rubbish (carpet, tile, sheet rock, etc.) is the contractor's/owner's responsibility and cannot be thrown into the dumpsters. If owners are remodeling, they must haul their rubbish to the Hanalei transfer station.

We ask all Puamana residents to please take your recyclables to our nearest transfer station which is open 7:15 am to 3:15 pm daily and located approximately two miles south on the Kuhio Highway, Information available at: <http://www.kauai.gov/TransferStations>

# Pool Rules

These rules are designed to promote health, safety and to assist with harmonious living around the pool, and fulfill State of Hawaii safety and legal requirements.

There is no lifeguard on duty, use of pool is at your own risk.

Pool Hours are between 8:00 AM and official sunset, when the street and sidewalk lights come on.

No smoking, alcoholic beverages or glass of any kind are permitted at the pool.

The recovery hook and safety equipment is for life saving emergency use only.

Assistance animals are the only animals permitted in the pool area. Pets are not permitted inside the pool area, nor are they to be tied anywhere outside the pool area. **No animals** are permitted in the pool, itself.

The pool is for the exclusive use of Puamana residents and their guests. All residents, owners, long-term rental occupants or vacation rental guests, are required to accompany their guest to the pool. Children under 12 years of age should be accompanied by someone who can ensure the children's safety when using the pool, unless the child is a competent swimmer. A child's parent or guardian shall be responsible for determining if the child is a competent swimmer. Appropriate swimwear is required at all times. A shower is provided. Please use the shower before entering the pool.

Radios and other audio devices are to be played at a volume that does not disturb others. The use of headphones at the pool is encouraged. Pool furniture is not to be removed from the pool area nor placed in the pool itself.

Oversized pool toys, hard boogie boards and surfboards are not permitted at the pool. Water balloons or any similar small objects that can damage the pump or filtration system are not permitted.

Keys are the responsibility of the resident. If a key is lost, a \$25.00 fee is required for replacement.

Under §11-10-22 of the Hawaii Administrative Rules, public-use swimming pools must post the following notices either in the pool area or the dressing rooms:

- All persons must take a cleansing shower before entering the pool.
- Bathers who leave the pool to use the toilet must take another cleansing shower before returning to the pool.
- Any person with an infectious or communicable disease may not use the pool.
- Persons with open blisters and cuts are advised not to use the pool because these wounds are likely to become infected.
- No spitting, spouting of water, and blowing the nose allowed in the pool.
- Infants and toddlers must use swim diapers.
- No animals are allowed in the pool.
- The pool will be immediately closed for cleaning in the event of a fecal or vomitus discharge. All bathers will be ordered to leave the pool until these substances are removed.

The Resident Manager has the right and responsibility to restrict pool use and ask individuals to leave if they fail or refuse to follow the posted pool rules.

# Animals

Animals are permitted at Puamana. The provisions noted here serve as a guide for appropriate rules and regulations for our animals-welcome policy. Animals often are happier living in pairs. As such, Puamana does not summarily restrict residents to only one pet per household, but seeks to establish reasonable limits based on the size and activity level of the pet, caregiving requirements and exercise provided by the owner. We do, however, require that there be no more than two animals per unit without approval in writing by the Board of Directors. Additional pets will be determined on a case-by-case basis. Notwithstanding any other provision herein, disabled individuals may keep assistance animals in their units. Furthermore, nothing herein shall hinder full access to the apartments and the common areas by individuals with disabilities.

- 1) Permitted animals are: dogs, cats, birds and fish in aquariums. The following animals are not permitted and may be restricted by Hawaii law: snakes, dragon lizards, alligators, ferrets, gerbils, hamsters, monk parakeets, piranhas, snapping turtles, toucans, chickens, mice, rats and rabbits.
- 2) All animals must be registered with the resident manager. In the event of a hurricane or other emergency, we need this information to protect the safety of your animal and the safety of other residents.
- 3) All dogs and cats must have current county license clearly legible on a collar with the owner's contact information and be vaccinated as required by county ordinance.
- 4) Animals shall not be kept, bred, or used for any commercial purpose.
- 5) Animals must be confined to the animal owner's unit and must not be allowed to roam free or be tethered outdoors to fixed objects. Animals must not be left unattended in vehicles, on lanais or balconies. Animals in transit are to be carried, restrained on a short leash, or placed in an animal carrier.
- 6) Persons who walk animals are responsible for immediately cleaning up after their animals and discarding securely bagged animal droppings in the trash receptacles. Cat litter may not be disposed of in toilets nor in the green waste areas or receptacles.
- 7) No animal shall be allowed to become a nuisance or create any unreasonable disturbance. Examples of nuisance behavior for the purposes of this paragraph are:
  - a. Animals that exhibit aggressive or other dangerous or potentially dangerous behavior which causes personal injury, threat of injury or property damage.
  - b. Animals that make noise continuously and/or incessantly for a period of 10 minutes or intermittently for one half hour or more to the disturbance of any person at any time of day or night.
  - c. Animals in common areas that are not under the complete physical control of a responsible human companion and on a short, hand-held leash of no more than six feet in length or in a pet carrier. This applies to cats as well as dogs.
  - d. Animals that are conspicuously unclean or parasite-infested.
- 8) Animal caregivers shall indemnify the association and hold it harmless against loss or liability of any kind arising from their animal(s). Animal caregivers are responsible for any damage caused by their animals. Residents are responsible for the animals of guests who visit their unit; such animals are subject to the same restrictions as resident animals.

## Enforcement of rules regarding animals:

Any resident or managing agent personnel observing an infraction of any of these rules shall discuss the infraction in a neighborly fashion with the animal caregiver in an effort to secure voluntary compliance. If the complaint is not resolved, it must be put in writing, signed, and presented to the resident manager, board of directors or managing agent. If the board is in agreement with such complaint, the animal caregiver will receive written notice of the violation.

If upon the notification of the violation(s) the problem is still unresolved, arrangements will be made for a hearing. At the board's discretion, immediate arrangements for a hearing may be made if the nature of the complaint involves personal injury or the imminent threat thereof. The board of directors may require the permanent removal of any pet, if such animal is determined by the board to be a nuisance or a danger to the housing community and its residents.

If so determined, the animal caregiver will have ten days to remove the animal from the premises. The board of directors also has the authority to assess and collect fines for violations of the house rules pertaining to animals and to assess and collect amounts necessary to repair or replace damaged areas or objects.

## **Renovations and Remodeling**

The Board of Directors of Puamana encourages renovations and improvements to the property and is available to assist the homeowner in accomplishing these renovations with as little red tape and difficulty as possible. Although at times the permit and approval process may seem arduous, these requirements are for the protection of all owners. Your cooperation and patience throughout the process is appreciated and the board of directors will do their utmost to make approval as easy as possible.

Before beginning any remodeling or renovation project, please consult our resident manager who can provide you with information and board approval requirements. A complete guide to renovation requirements is available on the Puamana web-site or a printed copy may be obtained from our resident manager.

Please note that our resident manager is available to provide guidance, advice and help with parking and other issues; however, he is not responsible for supervising your project or managing your contractors. You as owner are solely responsible for adherence to all house rules by your work crew. All directions from the resident manager must be respected by your work crew at all times. Failure to do so could delay your project.

Even if you consult with the resident manager or your contractor says "no permit required", it is still ultimately your responsibility to confirm if a permit is required and that all work is at all times in complete compliance with County of Kauai, State of Hawaii and all other regulations and requirements as established by the Association Declaration, Bylaws, HPR and the Princeville Community Association CC&Rs.

# Vacation Rentals

Puamana is zoned to permit transient vacation rentals. Owners using their unit as Transient Vacation Rental are required to provide the resident manager in writing the following information:

1. Designate a local contact residing on Kauai. The local contact can be any individual residing on the island, or any entity with its principal place of business on the island. The contact need not be a licensed real estate broker, or be accredited in any other manner.
2. Contact information must be updated with the resident manager within 3 days of any change.
3. Include the local contact's name and phone number in any contract or written rental agreement.
4. It is the owner's or operating agent's responsibility to provide a written copy of the abbreviated Puamana House Rules in their rental agreement, as well as a copy being posted prominently within the unit. Vacation renters shall be informed that a full copy of the house rules is available for download or viewing at [www.puamanakauai.com](http://www.puamanakauai.com).
5. Transient vacation visitors with vehicle(s) must obtain a temporary parking permit for each vehicle at the office, or from the operating agent, clearly listing the unit number associated with that permit. Permits must be prominently displayed in the appropriate area. No transient vacation rental unit may have more than two vehicles on property. It is the owner's or operating agent's responsibility to inform the visitor of the parking regulations. Parking regulations will be strictly enforced and violations are subject to fines and or towing the vehicle from the property.

## Holiday Decorations and Rules

All owners and tenants must abide by the uniform appearance codes as established by the Association Declaration, Bylaws, HPR and the Princeville Community Association CC&Rs.

Fireworks are not permitted at any time on the Puamana property. An immediate fine may be imposed on those found in violation of this rule and if the violator is a tenant, the association may seek eviction of the violator.

Seasonal holiday decorations are permitted at Puamana. Decorations must be set up and removed in a timely manner. Decorations may be displayed thirty days prior to the event and must be removed no later than two weeks after.

The restrictions and regulations regarding holiday decorations are to ensure safety, prevent damage to common areas and retain the aesthetic integrity of the property. Though homeowners' personal tastes are not within the association's realm to regulate, it is within the association's control when decorations violate use restrictions found in the association's governing documents. Some residents find that holiday decorations detract from the community's aesthetics. Others do not. Respect your neighbors and afford them the same tolerance and courtesy you would wish. If your holiday decorations include very bright or

blinking lights which may be visible in the common areas or illuminate the interior of a neighboring unit, be courteous and mindful that your decorations do not infringe upon your neighbor's living space and be sure to shut them off at a reasonable hour.

Decorations may not be placed upon any common area, on trees or landscaping features or in any area surrounding your unit which may restrict landscaping crews or impede access by emergency responders.

Lights and seasonal decorations may be displayed on the rear lanai, upper balconies, railings, doors and entryways provided that they are attached in a nonpermanent fashion. It is not permitted to use staples, nails, screws or other attaching devices that may damage or compromise the integrity of the building or paint. Lights and decorations may not be attached to the fascia, soffits or roofs. Spotlights or other devices that project an image on walls are not permitted due to the possibility of intruding on neighboring units as well as concerns regarding the safety of the endangered Shearwater population which is federally protected.

Live trees are permitted within the unit but may not be placed outside on balconies, entryways or lanais. Live trees dry very quickly and are considered to be a potential fire hazard. If you choose to have a live tree, please be sure to keep it well watered and away from any source of ignition such as candles or hot lightbulbs and avoid overloading electrical service. Please turn off your Christmas tree lights when you retire or when your unit is unattended. It is recommended that you check that your fire extinguisher is in working order and easily accessible. Each unit is provided with one fire extinguisher and they are available free of charge from the resident manager. Trees must be disposed of at the transfer station and not placed in the dumpsters or green waste areas.

# House Rules Violations

Each owner shall observe and perform these rules and ensure that such owner's tenants and guests also observe and abide by these rules. The owner shall be responsible if expenses are incurred due to violations of these rules by such owner's tenants, family members or guests of the family member or the guest of such owner's tenants.

All corrective actions with respect to violations of the House Rules and damages to the common elements shall be enforced by the Board of Directors or their Agent. The cost for such corrective actions, including any legal fees of enforcement, may be assessed by the Board against and shall be paid by, the person or persons responsible for the damage or violations, including, but not limited to, any owner costs incurred directly or indirectly related to such owner's tenant, or such owner, or family member or guests.

Damages to the common elements shall be surveyed by the Board or the Resident Manager at the direction of the Board of Directors and the cost of repair or replacement incurred, including any legal fees or enforcement, may be assessed by the Board against the property owner.

The Resident Manager is responsible for the enforcement of the rules and reporting such violations to the Board of Directors as necessary. The Resident Manager, in conjunction with the owner and leasing agent, as necessary, will assure that all new occupants are given an up-to-date copy of the rules and understand their content.

Complaints and/or suggestions regarding rules violations shall be made in writing to the Resident Manager, Board of Directors or the Managing Agent.

Any violations of the rules and regulations should be reported to the resident manager immediately. If the disturbances are after an acceptable hour, contact one of the following;

Princeville security (noise from the Westin or Mauna Kai) (808) 826-8181  
Kauai police department (dispatch) (808) 241-1711  
Child Welfare Services (808) 274-3320  
Kauai Humane Society (808) 632-0610

## IN CASE OF EMERGENCY CALL 911

### MANAGING AGENT

Hawaiiana Management Company, Ltd.  
Lourdes De Armas, Management Executive  
Pacific Park Plaza, Suite 700  
711 Kapiolani Boulevard  
Honolulu, HI 96813  
Telephone: (808) 593-9100  
FAX: (808) 593-6333

### RESIDENT MANAGER

Rick Potter  
Telephone: (808) 651-3830 (cell phone only; no FAX or Land line)  
E-mail: puamanacondos@yahoo.com

## **FINING PROCEDURE (See Article XIII, AOA Puamana Restated Bylaws)**

The Resident Manager and the Managing Agent will enforce the House, Pool and Parking Rules. Violations, unless specified as different in the House Rules, will be treated as follows:

**FIRST VIOLATION:** One (1) courtesy warning for any violation of the House or Parking Rules to the owner/resident with a copy of warning going to the unit's managing agency (in the case of long-term rentals).

**SECOND VIOLATION:** \$25.00 (unless otherwise stated in the House Rules) monetary penalty to be assessed against the apartment owner.

**THIRD VIOLATION:** \$50.00 (unless otherwise stated in the House Rules) monetary penalty to be assessed against the apartment owner.

**FOURTH AND SUBSEQUENT VIOLATION:** \$100.00 (unless otherwise stated in the House Rules) monetary penalty to be assessed against the apartment owner.

These same rules and fines apply to the guests of owners (either vacation rentals or visiting on-site owners) and their long-term rental residents and their guests. The Property owner or their Tenants are responsible for their guests' parking and their conduct while they are at Puamana.

Fines may be contested. An appeal must be submitted in writing to the Board of Directors through the Resident Manager. Citation (fines) will be issued within sixty (60) days of the violation. Upon receipt of the citation, the recipient or apartment owner shall have sixty (60) days to appeal the fine. Apartment owners/tenants shall promptly notify the Managing Agent of the appeal. Fine recipients shall be scheduled for a hearing to present their case to the Board of Directors at the next regularly scheduled meeting. The Board of Directors shall hear the charges and evaluate the evidence of the charges. The Board of Directors shall render a written decision within ten (10) days of the hearing. Payment of fines must be made within thirty (30) days of the date on the written decision.

If any owner (ultimately responsible for fines) fails to pay for the fine within the thirty days of the posted letter, the fine shall be deemed a common expense chargeable against the owner's apartment. The Board of Directors may collect unpaid fines as provided for in the Bylaws by assigning a priority payment to the monthly maintenance fees that any unpaid fines be first taken from the maintenance fees and thus putting the apartment owner into a maintenance fee delinquency with all applicable fees associated with a delinquent account. If a tenant is assessed a fine or a fine is assessed against a guest or agent of a tenant or apartment owner, and the tenant, guest or agent fails to pay the fine, then the Association will assess the fine against the apartment owner in which the tenant resides.

# Non-Discrimination Policy

Pursuant to HRS Chapter 515, Title VIII of the Civil Rights Acts of 1968 as amended by the Fair Housing Amendments of 1988, and our non-discrimination policy, the Association does not discriminate on the basis of race, sex (including gender identity or expression and sexual orientation), color, religion, marital status, familial status, ancestry, disability, age or HIV (human immunodeficiency virus infection) in housing or real estate transactions. It is our policy to extend to all individuals the full and equal enjoyment of the advantages, facilities, privileges and services consistent with HRS Chapter 515 and the Federal Fair Housing Laws. When providing services and facilities or enforcing the rules at the project, the Association will not allow discrimination, except as permitted by law. In particular, the Association will not treat any person unequally:

1. In granting or withholding any approval or consent required under the Association's rules.
2. In enforcing requirements of the Association rules about occupancy restrictions or use of the recreational facilities which might unlawfully restrict families with children.
3. In connection with requests of disabled occupants or visitors of the project to have guide dogs, signal dogs, or other animals required because of the occupant's or visitor's disability; except that if the animals become a nuisance to others they will not be permitted at the project and will have to be removed.
4. In processing requests of disabled occupants to: (i) make reasonable modifications to an apartment or the common areas at their own expense; and (ii) have reasonable exemptions from requirements of the Association rules, to enable those occupants to have full use and enjoyment of the project.

The Board will suspend any requirement of the Association rules which, if enforced, could result in unlawful discrimination. If, however, a resident of the project or a visitor is requesting: an animal; modifications to an apartment or the project; or an exemption from the rules because of a disability, the Association may require written confirmation of the disability from a physician or other qualified person, including a statement from the physician or other qualified person as to the reasonable accommodation which is being requested. Please contact the Managing Agent if you have any questions.