

Rules and Regulations

Wintergardens Co-operative

A 55+ Community

2700 W 8th Street, Yuma, AZ 85364
Phone 928-783-0830 Fax 928-783-4380
wintergardens-yuma@outlook.com

***These Rules and Regulations supersede all previous Rules and Regulations
and are binding upon all Residents.***

Approved by the Board of Directors November 2025

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Rules, Regulations and General Information

Wintergardens Co-operative

Wintergardens Co-operative is a non-profit corporation organized to construct, acquire, manage, maintain and operate a co-operative mobile home and RV Park and other structures for the housing and accommodation of its Shareholders for persons aged fifty-five (55) or older. Shareholders have the right of space or lot occupancy of the Co-operative's property through a Proprietary Lease administered by the elected Board of Directors. At least eighty (80) percent of all units must be occupied by a person 55 years or older, up to twenty (20) percent of the second Shareholders or co-residents may be under 55 years of age if they meet the qualifying requirements as stated by applicable Arizona Department of Housing laws, Housing for Older Persons Act and subject within the Co-operative's Bylaws, Proprietary Lease or Rules and Regulations. Verification of age is required for occupancy. No person under eighteen (18) years of age shall become a resident of any space.

New Residents are required to attend an Orientation and Hospitality Meeting.

Definitions

Wintergardens Co-operative: As used in these Rules and Regulations, a “Co-operative,” or “Park” located at 2700 W. 8th Street, Yuma AZ, 85364

Shareholder: A duly authorized owner of share(s) in Corporation.

Resident: Shareholder, Subtenant, Renter

Subtenant: a person(s) subletting a space/unit

Renter: a person(s) renting a park owned RV space

In-House Guest: A guest remaining overnight. Guests may not stay more than 30 days in a Season. A Resident must be present.

Day Visitor: A visitor of a Resident who is only within the Park for up to a day. A Resident must be present.

Board Of Directors: The Board of Directors (Board) of Wintergardens Co-operative elected by the Shareholders as authorized under its Bylaws.

Season: There are two seasons: the Summer or Off-Season which is May 1st through September 30th and the Winter Season which is from October 1st through April 30th

Recreational Vehicle (RV): An RV, commonly known as a Travel Trailer, 5th Wheel or Motor Home, equipped with living space and amenities found in a home. The Travel Trailer or 5th Wheel is towed behind a motor vehicle. The Motor Home is self-powered. Each will have holding tanks for fresh water, used or gray water, and sewage or black water.

Park Model: Primarily designed for long-term or permanent placement at a destination. When set up, Park Models are connected to the utilities necessary to operate home-style fixtures and appliances. They are built upon a chassis, but wheels and axles are removed when set in place. Skirting is required.

Manufactured/Mobile Home: A prefabricated home built upon a chassis and transported to a home site. Although transportable they are placed in a permanent status. They are fitted at installation to hide the frame, axles, and hitches. They can be single or double-wide. Skirting is required.

Unit: Mobile Home, Park Model, or Recreational Vehicle.

Space: A lot in Wintergardens Co-operative Park.

A Good Neighbor

The Co-operative Community has close living spaces. This requires every Resident to be a Good Neighbor. A Good Neighbor is defined as (a) Being courteous and respectful in their interactions with one another; and (b) Volunteering their time and skills to activities and projects. The following provisions guide the Good Neighbor policy:

Be respectful of privacy, space, sound and noise levels. This also includes private party gatherings or the use of electronics. Obtain the Resident's permission before walking through their lots or side yards. The Co-operative's quiet times are between 10:00 pm. and 8:00 am.

Be courteous and respectful of vehicle parking. Obtain the Resident's permission if parking in front of or on another unit's driveways.

Keep the roads accessible to emergency vehicles.

Be aware of how your smoke/vape can negatively affect those around you. Smoldering butts are a safety hazard. All butts are considered trash and need to be properly disposed of and never put into plantings or on lawns.

Keep your space and all visible areas clean and maintained from trash and clutter.

Understand and comply with these Co-operative Rules & Regulations, Wintergardens' Bylaws, Proprietary Lease and applicable laws.

Activities

An Activities Committee is responsible for scheduling all activities at the clubhouse, pool and Park. A schedule of activities is posted in the clubhouse, in the mailroom and on the Wintergardens Facebook website. Scheduled activities take precedence over other activities unless permission is received from the Activities Committee.

Advertising Signs

No advertising signs of any kind can be displayed in the yards or on the unit. For Sale or For Rent signs for units can be displayed in the window only during the Winter Season. Residents must remove all advertising signs between the dates of May 1st, through September 30th,

Appearance of the Park

Residents are responsible for the appearance of their unit and space and of the Park in general. Any problem areas should be reported in writing with signature to the office for referral to the Board. The Board and the Compliance Variance Committee (CVC) have the authority to investigate, assess and document issues. Notification to the Shareholder will be required if the

appearance of their unit or space requires improvement. Notification will provide the Shareholder a timeline to resolve the issue.

Bicycles, Golf Carts, Scooters

All bicycles, golf carts and scooters ridden after dark are required to have a front light and rear deflector or light.

Billings and Payments

Shareholders' assessments are due and payable on the first day of each quarter of the year. Notices will be sent when assessments are delinquent. An interest penalty will be charged from when payment was due.

Permanent Resident fees are due and payable on the first day of April. An interest penalty will be charged from when payment was due.

Cable Television and Internet

Basic Cable television and basic Internet are available in each space. For any additional services, Shareholders may contact the current local service provider to Wintergardens. WIFI is the responsibility of the Shareholder through the local service provider or the purchase of your own router. No other 3rd party services will be permitted without consent of the Board. Satellite dishes are allowed if they do not average more than 24 inches in diameter and are attached to the unit. Satellites do not have to be attached to RV's

Caregiver(s)

There are two types of Caregivers that the Co-operative acknowledges: Temporary and Qualified. The definitions are as follows:

- **Temporary:** These are caregivers that a Resident may need during a short-term health recovery period determined by a medical professional. The caregiver can be one family member, friend, or an outside health provider. The caregiver may have overnight stay privileges up to 14 stays but can be a day visitor with no timeline restrictions unless otherwise approved by the Board. This caregiver must sign-in at the office as Guest or as a Contractor.
- **Qualified:** In accordance with the State of Arizona Department of Housing, and under the State of Arizona Fair Housing Act, there are specific requirements to determine if a medical professional is considered "Qualified" and thus is allowed to be a live-in caretaker even if the property has a restriction on the number and age of adults that may live in a unit. All requests for a Qualified Caretaker must meet Arizona State and Federal requirements and be reviewed by approving personnel prior to occupancy.

Change of Address or Contact Information

Office personnel and the United States Postal Service should be notified in writing of any change of address. All mail address changes are to be made by Residents prior to departure from Yuma. Address labels must be furnished if mail is to be forwarded. Office generated address labels for a Residents are available for a fee.

Changes to Units and Sites

Shareholders must abide by the "Rules for Shareholder Compliance-Variance Requests." Compliance/Variance includes, but is not limited to exterior construction/alterations, concrete work, changes to flower beds and lawns. Refer to Compliance-Variance Information, under *Forms* on the website or request a copy from the office

Note: Wintergardens Co-operative is not responsible for any injuries or damages that may occur when a shareholder or contractor is doing the work, and the contractor is not hired by Wintergardens Co-operative.

Clubhouse Equipment and Furniture

Clubhouse equipment, furniture, kitchen, and reverse osmosis water are not for personal use.

- No commercial use of the clubhouse is permitted without Appropriate personnel. Selling or soliciting in the Park is not allowed without prior Appropriate personnel. No smoking is allowed in the clubhouse. Cleanup and replacement of tables, chairs, or other equipment is the responsibility of the last user. Those leaving the Clubhouse at night after any activity or gathering are responsible for turning off lights, fans, and locking all entry and exit doors.
- Private Events or Parties, such as Birthday, Anniversary, or Memorial gatherings that are requested by a Resident, may be held in the clubhouse with permission of the appropriate personnel. A reservation is required, and a Rental Fee or Deposit may be applied.

Committees

Committees assist in the operation of the park and are sanctioned by the Board. The Board may approve additional committees as the need arises. Volunteers are encouraged and are needed to participate.

Communications and Information

Effective communication through-out all areas within the Co-operative is essential for Shareholders' trust and knowledge, and for the overall well-being of the community.

Respectful communication among Shareholders, Board members, and Co-operative Employees is integral in reaching agreements, conducting constructive meetings and improving engagement. It is the responsibility of all to maintain and improve the exchange of information, concerns and ideas.

General information regarding the community's activities or functions is dispersed in multiple formats: postings in mailroom, clubhouse, Thursday Morning Announcements, White Boards, Wintergardens' website, Wintergardens' Facebook page, and News from The Board.

Information regarding Co-operative Business, as stated in the Bylaws, such as Board Meetings, Shareholder Meetings, and Elections, is emailed to Shareholders or, if requested, mailed. Board Candidates are posted prior to Elections on November 15th and will be stated in The News from the Board.

Information and Directory of current Board Directors, Board Liaisons and Committee Contacts are posted in the Clubhouse.

Complaints or Suggestions

Refer to Suggestions and Complaint form under *Forms* on the website or request a copy from the office

Compliance Variance

Refer to Compliance-Variance Information, under *Forms* on the website or request a copy from the office

Elections And Shareholder Voting

Elections for the Board are held during the Annual General Meeting on the Second Wednesday of January.

All other Shareholder Voting is done on separate ballots. Any additional need for a Shareholder vote may be determined under the Co-operative's Bylaws and by the Board.

Electricity

Electricity is made available through the Corporation only for those units that do not have access to Arizona Power Service. In addition to the cost of each kilowatt used, a service fee is charged for each period of use. In case of an electrical problem, notify the Board. Do not tamper with the electrical equipment outside of your unit. Shareholders are responsible for repair or replacement costs for pedestals and all wires and equipment from the unit through the pedestal and to the closest Transfer Distribution box. (See Proprietary Lease, Section XIV, (a). (11-7-05)

Shareholders are ultimately responsible for the payment of electricity for the unit.

Emergencies

All Residents must sign in at the office when arriving for their initial stay; and sign out if they leave for an extended period. This is required by Arizona State Law and is important in case of emergencies. Emergency messages received at the park office during business hours will be delivered as soon as possible. Information on next of kin should be given to the office in case of emergencies. A duplicate unit key should be left in the office for emergencies.

Garage Sales

Publicly advertised garage sales are not allowed in the park, but small individual patio sales may be held. Board approved functions such as an Auction/Bake Sale, Christmas Rummage/ Bazaar Sale, and a Park-wide Garage Sale are exempt from this rule.

Garbage and Recycling

Household garbage in tied plastic bags should be placed in dumpsters. Garbage dumpsters are for the sole use of Residents. Refer to Compliance & Variance form on website or in the office for direction when dealing with construction or remodeling waste, regardless of the necessity for CVC application.

Recycling is encouraged, with a dumpster located beside the garage bins. Break down cardboard boxes.

Gate Keys and Remote Gate Transmitters

Residents have the option of paying a deposit for a gate remote and or a gate key. The deposit is refundable when the transmitter or key is returned.

Gates

There are three (3) Gates in the park: The Main Entrance, Avenue B, and Wall Street.

- The Main Entrance is off 8th Street and is gated, but open at different hours depending on the Season. If closed, it can be accessed by gate remote or key.
- Avenue B is always closed, but on a sensor for exiting vehicles. RVs are never to use this gate.
- Wall Street opens onto 8th Street and is kept closed and locked. To reduce the deterioration of the Main Gate's track, the Wall Street Gate should always be used for exiting RVs and large delivery vehicles whenever possible. The same key that can be used on the Main Gate can be used for this gate as well. Contact the front office if assistance is needed. Please plan and expect a time delay until a liaison or Resident is available to unlock, open and close the gate.

Guests and Day Visitors

All in-house guests must be registered at the office and state their arrival and departure dates. This is required by Arizona State Law and is important in case of emergencies. In-house guests may not stay for more than 30 days during a Season.

When in the recreation areas of the Park, in-house guests and day visitors with children less than twelve (12) years of age must be accompanied by an adult or by a resident of the Park. Adult in-house guests are exempt from this rule. Host Residents are responsible for any damage caused by guests and visitors

Laundry, Showers, And Restrooms

Residents using the laundry must follow the rules posted in the laundry room. Restrooms and showers are located on the north end of the building. Keep them as clean as you would like to find them. Hair dyeing is not allowed in the laundry room or restrooms. Laundry facilities are for residents and in-house guests only.

Maintain And Use Your Space

Shareholders have the ultimate responsibility for the maintenance and appearance of their space, whether self-occupied or occupied by Subtenant or unoccupied. It is up to the Shareholder to inform their Subtenant of expected maintenance and appearance of the space or lot as required by these Rules and Regulations.

- City ordinance prohibits storage of bottles, cans, boxes, and equipment under units.
- Only patio or outdoor type furniture can be used for all outdoor areas.
- Permanently installed RVs, Park Models or Mobile Homes must be skirted with commercial skirting within sixty days from the time of installation on space.
- No maintenance or changing of fluids on vehicles allowed at any time.
 - Vehicles that are not driveable for reasons such as flat tire(s), leaking fluids, expired license plates or expired tags shall be given a written notice and the vehicle may be towed from the premises at the owners' expense 48 hours after the notice has been received.
- Prior to the end of Winter Season, Seasonal Residents must remove annual plants and flowers, unless arrangements have been made for a permanent resident to maintain.

Maintaining Park Site and Perimeter Lawn

Residents are responsible for the seeding, fertilizing and watering of the lawn areas surrounding their lots. Canal water is to be used for all landscaping. Instructions and details for the care and responsibilities of perimeter lawns can be found in. Compliance-Variance Information, under *Forms* on the website or request a copy from the office

The Park provides mowing service year-round. Any special maintenance or mowing requirements are to be cleared by the appropriate personnel.

Residents submitting a maintenance request must be present to assist (if capable), gain knowledge on preventative measures and review resolution with Utilities and Maintenance Committee representatives.

Mail Service

USPS Mail is delivered to and picked up from the Park office and is distributed to Space mailboxes by office personnel, Monday through Friday. A Shareholder may give permission for their Subtenant to utilize their mailbox as long as the office personnel are notified. Mailbox keys are the responsibility of the Resident. If lost or broken, it is up to the Resident to pay for a locksmith's service.

Meetings

Committees' meetings may be called as needed and invite should include the board liaison. Please refer to the Committee Chairperson for specific meeting information. Board meetings are open to all residents. Shareholder meeting provisions (agendas, minutes, etc.) are posted at the Wintergardens' Clubhouse.

Occupancy of a Unit or Space

A Resident shall not, without written consent of the Board, occupy or use the space for any purpose other than as a private dwelling for the Residents. (See Caregivers Section for further information.)

In no event shall more than two people occupy the space without the consent of the Board. (See Proprietary Lease Section X, as may be amended from time to time in which case the last amendment shall control.)

For maintaining our park as a 55-year age restricted community the following will be adhered to;

- Wintergardens require no less than 80% of units be occupied by at least one person 55 years of age or older. Wintergardens policy is to maintain the percentage of age qualified occupancy as close to 100% as possible without mandating a greater percentage than the minimum 80% required by HOPA (Housing for Older Persons Act)

- There will only be two exceptions to this rule
 - o Non-age qualified spouse/partner of an age qualified occupant, that for whatever reason no longer occupies the unit.
 - o Heirs that inherit the property upon the deaths of the age-qualified shareholders if all occupants at eighteen years of age or older and the minimum 80% age qualified requirement under HOPA is maintained.

Office Files

All Office, Shareholder and Employee files are considered confidential. Files may be accessible through the discretion of the Board President or Board Treasurer. All files will be held in the Office. No files will be held in personal residences. Office Volunteers will be required to sign a Confidentiality Agreement.

Office Equipment/Notary Service

The business office telephone may not be used for private calls by Park residents. Charges will be made for copying papers and sending faxes. Only office personnel will operate the equipment.

Wintergardens has a notary service available. Inquire at the office to schedule a time and place for this service. A fee set by the State of Arizona will apply.

Park Tools and Equipment

Due to safety concerns and insurance regulations, some of the Park's tools and equipment may be restricted to use after formal safety training.

Common garden and hand tools can be checked out by Residents, but with the expectation that the tool will be returned in a timely manner and in the same, if not better, condition. Broken or in need of repair tools should be reported immediately to appropriate personnel

Parking

Vehicle Parking: Parking on streets is only acceptable for limited-time situations, such as unloading and loading.

- Vehicles parked in spaces must not extend into the street.
- Residents with two or more vehicles must make their own arrangements for adequate off-street parking.
- Overnight vehicle parking on streets is not allowed. RV Parking: The one exception for overnight parking is for RVs. They may park in front of a resident's space, as long as they do not impact the

access to neighbors' driveways (adjacent and across) while loading and unloading but are limited to a 48-hour maximum period. RV slides must be shut during night hours.

Visitor Parking Spaces: These designated parking spaces are designed for temporary use only. However, perceived abuse of these parking spaces should be communicated to the Board or to the CVC. Visitor parking spaces are not to be used by residents.

Pets, Fostered Animals, or Feral Animals

Pets or foster animals are not allowed in the park. Feeding of all animals is prohibited. Refer to the section on Service Animals and Support Animals for additional information.

Pool and Hot Tubs

Pool and hot tubs are limited to Residents, in-house guests and day use visitors. Rules relating to the swimming pool use are posted in the pool area and must be adhered to. Use of unbreakable containers only is mandatory.

Swimming hours for children less than 16 years of age are from 12 noon until 2 pm. and 5 pm. until closing time. Children must be always supervised by a Park Resident. Children under 12 years of age are never allowed in the hot tubs. Following morning cleaning, pool and hot tubs will be opened. All will be closed at 9 pm. Individuals may volunteer to close the pool later. The Co-operative is not responsible for accidents or loss resulting from the use of the pools.

There are no exceptions to these rules.

Pool Tables

Pool players are advised that scheduled activities take precedence over unscheduled activities unless permission is received by the Activities Committee. All guests under sixteen must be accompanied by a Resident.

Propane Tanks

Propane tanks may not be filled in the Park. Residents are responsible for making their own arrangements to have propane tanks filled and upgraded.

Road Use and Park Speed Limit

Any vehicle or means of transport, including bicycles, electric bikes, scooters or golf carts, must always adhere to a 10 MPH maximum speed limit!

Anytime anyone is using a Park road, they are to follow standard Rules of the Road. Examples are, but not limited to:

- Keep to the right side of the street.
- Enter intersections with caution and yield to pedestrians.
- Do not 'cut' corners.
- Use a horn, bell, or voice to let someone know when passing.
- Use lights and reflectors on front and rear during darkened hours.

Roller Blades, Roller Skates or Skateboards

Roller blades, roller skates and skateboards may be used only on asphalt streets in the Park and must also follow the rules under Road Use and Speed Limits section. The Co-operative is not responsible for any accidents or injuries.

RV Space Rentals and Unit Subleases

See Wintergardens' RV Space Rental on website or obtain a copy from the office

See Shareholder Unit Sublease on website or obtain a copy from the office

Service Animals or Emotional Support Animals

In accordance with the State of Arizona Fair Housing Act, along with the American Disability Act, Service Animals and Emotional Support Animals (ESA) are not Pets and are allowed to be on the Wintergardens' property and in the common areas, such as the clubhouse. However, the Resident must annually provide to the Board the necessary documentation and meet the State and Federal guidelines as to what constitutes a "Qualified" Service Animal or an ESA. At all times, the owner of the Service Animal or ESA must have the animal harnessed, tethered, leashed or confined in a carrying container, and in control whenever outside of the Resident's unit. The animal may not be left unattended outside of the Resident's unit. The animal owner is responsible to immediately clean up any animal waste. Not doing so will be considered damaging Park property. The Park also has a legal right to deny or request removal of a Service Animal or an ESA if that animal may cause physical endangerment, damage to Park property, health hazards or violates noise ordinance.

Sewer

Sewer service is provided to Wintergardens Co-operative Park by the City of Yuma, Arizona.

Sewer leaks and odors are unacceptable, and are in violation of these Rules and Regulations. If the sewer problem is deemed to be the Resident's responsibility and not of the Park's, then the

Resident must take immediate action to resolve the issue. Otherwise, the Park will intervene, and any financial costs will be billed to the Shareholder.

Mobile Homes and Park Models are by design hooked directly to the sewer system. Shareholders will inform a Subtenant of these requirements and monitor compliance. Shareholders are responsible for the sewer line repairs from the unit to the Main line. The Park's responsibility is for all underground Main lines.

All Recreational Vehicles brought into Wintergardens Co-operative must have tanks, hoses, and connectors in good operating condition.

Share Ownership

No Shareholder or Joint Shareholders may own more than two shares at one time.

Share Transfers and Proprietary Lease

Share Transfers may only be finalized between November 1st and April 30th, exception stated in Bylaws, **ARTICLE VI – Shares**

The Buying, Selling or Transfers of Units or RV Spaces and of their respective Share Transfers must go through the established process and the Share Transfer Committee. Otherwise, the Proprietary Leases will not be established, and Proposed Buyer(s) will not have rights for occupancy. This includes inherited or given Units or Spaces from a current Shareholder or Shareholder's Estate.

Shareholder's Rights and Privileges

If Shareholder's space is sublet and Shareholder is not residing in the Park, all Shareholder's rights and privileges, except Voting privileges, are transferred to the Subtenant.

Shuffleboard

Soft-soled shoes must be worn when playing shuffleboard. Rules for the use of the shuffleboard courts are posted on the door of the shuffleboard shed.

Telephones

Red emergency phones are in the clubhouse and on the outside wall near the kitchen and pool area. Emergency phone use is limited to emergency calls (911) and urgent Park business. Phones are not to be used for social calls.

Trees

Every space is required to have one Park-planted Palm tree. The Co-operative is responsible for securing services for annual trimming.

Shareholders with Ficus trees on their spaces are responsible for the annual painting of the trunks. This can be done at any time during the year, and the paint is provided by the Park.

Any Palm or Ficus tree health concerns should be directed to the Tree Committee.

Fruit trees are the sole ownership and responsibility of the Shareholder and may only be planted per approval of the CVC.

Violations of Co-Operative Rules and Regulations

Once a possible violation has been brought to the Board's attention, review and assessment if reported violation will be discussed. If it's been determined that a violation has indeed occurred, the following steps may be taken:

1) The Resident(s) will be notified by two Board members or Board appointed representatives. The notification will be both oral and in written format. It will define the nature of the violation, the action to be taken and the time limit for termination and/or correction. The written document may also be sent via Read Receipt Email.

If the Resident(s) is not in residence in the space at the time, notice may be given by:

- A recorded conference phone or video call, and
- Registered United States mail, and
- Return receipt email

2) A follow-up meeting with the Resident(s) to review compliance will occur before or on the date determined by the original notification.

3) Should the violation not be terminated and/or corrected within the time limits prescribed above, the Board may impose fines or determine this to be a violation of the Proprietary Lease and proceed to terminate such lease under its terms. See Section XXI of the Proprietary Lease for reference.

4) A detailed document stating the situation and all interactions will be given to the Secretary of the Board for placement in Board Records and Space Records.

If the Resident(s) disagrees with the determination of the Board, they may, within ten (10) days of delivery of the written notice provided, request a hearing before the Board.

Water

Wintergardens Co-operative receives water from both the canal system and the municipal (City) supply. City water is not to be used for irrigation under any circumstances.

Residents found using City water for irrigation purposes will be subject to the following enforcement actions:

1. First Offense: A written warning notice will be issued to Shareholder (and Subtenant), requiring the Resident to immediately cease the use of City water for irrigation.
2. Subsequent Offenses: A fine of \$25.00 per occurrence will be levied against the Shareholder of record. Each day that the violation continues shall constitute a separate occurrence.

Failure to comply with this policy may result in additional enforcement measures as permitted under the Wintergardens Co-operative bylaws and rules of occupancy.

Shareholders are responsible for the city water line repairs from the unit to the Main shutoff valve. The Park's responsibility is for all underground Main lines, for the water line that leads up to the outside shutoff valve and the shutoff valve part itself.

All sprinklers are to be connected to canal water. The Park faucets for irrigation are tagged as canal water.

When watering your lawn, do not spray your neighbor's vehicles or unit. Nor should any water from sprinkler or hose spray the roadways or the perimeter walls.

No washing of RV's or motor vehicles is allowed on asphalt surfaces.