



Ka'anapali Royal

Updated: 02142020

HOUSE RULES

OBJECTIVES

- To establish an atmosphere in which the owners, their guests and tenants can enjoy a pleasant, relaxing and safe residency in beautiful surroundings.
- To manage the property in an efficient and effective manner to maintain and embrace the value of the owner's investment in Ka'anapali Royal.
- To help the owners obtain the maximum benefit and enjoyment from the use of their apartments.

KA'ANAPALI ROYAL HOUSE RULES / GENERAL:

1. All owners are advised that because of the proximity of Ka'anapali Royal to the Ka'anapali North golf course, golf balls are sometimes hit into the common areas around the swimming pool, grassy areas and occasionally onto lanais. This could result in injury to persons, often severe, and/or property damage. It is the owner's responsibility to warn family and any guests of this danger. If an owner rents an apartment to any third party, it is also the owner's responsibility to diligently warn the tenants of the danger to them, their family and guests.
2. Effective June 1, 2008, all owners of apartments within Ka'anapali Royal must have on file in the office of the AOA, a Certificate of Insurance from an insurance carrier licensed in Hawaii attesting to the presence of an H-06 Condo Owner's Insurance Policy on that unit. This policy shall be in addition to any policies required of owners who rent their units to third parties, short or long term.
3. The Front Office/Reception area is open from **8:00 AM to 4:00 PM Monday through Friday**. Please direct any inquiries concerning property services, personal or property emergencies, information, etc. to the receptionist during these hours. Owners should inform tenants that all inquiries concerning rental matters [contents and condition of unit, rental duration and rates, unit cleaning and supplies, etc.] should be directed to the contact person at his rental management agency. If the immediate services of the Police Department, the Fire Department, or an ambulance are required, the person should call 911 and then the front desk. Any emergency which could affect the operation of the Project such as flooding, fire or theft, should be brought to the attention of the Manager as soon as possible.
4. All persons entering a unit are required to register at the front desk or notify the Manager.



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5. Before commencing any improvements (other than to repaint the walls or replace the floor coverings or refinish cabinets) to their units, all owners must obtain approval in writing from the Ka'anapali Royal Architectural Review Committee (ARC). Denial of the application may be appealed to the Board in writing. In the event any such project is begun without proper authorization, the contractor and owner/s will receive a *cease and desist* order which will remain in effect until the project receives approval.
6. All noise from whatever source, including renovation of apartments, without limitation, shall always be controlled to avoid disturbances. All occupants shall maintain quiet time between the hours of 10:00 PM and 8:00 AM daily.
7. Construction activities shall not be allowed before 8:30 AM and after 4:30 PM. The Manager shall be notified in advance of any such activities resulting in significant or prolonged noise so that neighboring homeowners may be advised. Contractors are to be notified of this rule and advised that all such activities must be concluded in the least amount of time practical. In addition, no construction activities resulting in excessive noise (long periods of hammering, use of jackhammers, power saws, grinders, etc.) may occur on weekends. Exceptions to this rule may be made only by the Manager.
8. The Manager has the authority to require reasonable conduct by all Owners and Guests.
9. No commercial soliciting allowed. Solicitation of proxies or distribution of materials relating to Association matters is permitted on the common elements provided such solicitation occurs at a reasonable time, place and manner.
10. No livestock, poultry, rabbits, dogs, cats, fish, birds or household pets or animals of any kind shall be kept on any part of the Project; provided, however, that notwithstanding any other provision herein, visually impaired persons may keep guide dogs as defined in chapter 515, Hawaii Revised Statutes, hearing impaired persons may keep signal dogs as defined in Chapter 515, Hawaii Revised Statutes, and physically impaired persons may keep service animals as defined in Chapter 515, Hawaii revised statutes, in their apartments and may use such animals as reasonably necessary to enjoyment of the Project.
11. No bird feeders are permitted on property and feeding the birds from lanais is not permitted.



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12. No surfboards, windsurf equipment, boxes, clothing, towels, bathing suits, laundry, freezers (other than lanai furniture or decorations) shall be placed or hung on lanais in any manner that is visible from the common areas. Potted plants are allowed with proper drain plate, if care is taken to ensure that they do not fall or leak. Small refrigerators limited to 36" by 20" by 20" in size shall be permitted in colors restricted to neutral colors. Lanais should not be used for excess storage and care *should* be exercised that what is visible from the common areas is not unsightly.
13. Christmas lights and other exterior decorations, in moderation, may be displayed on the exterior of your apartment during the period starting no earlier than the weekend after Thanksgiving and ending no later than the second weekend after New Year's Day at which time all decorations must be removed. Other holiday decorations may be displayed in moderation on the exterior of your apartment but must be removed within one week after the holiday.
14. Furniture or furnishings are not to be removed from the recreational areas.
15. In the interest of safety, bicycles, tricycles, skateboards and skates are not to be used or left on the common elements including sidewalks, driveways or parking areas. Baby strollers may be used on these common areas but not to be left there. This rule is not intended to prohibit the storage of these items in a unit's storage cabin.
16. The washing of lanais by use of a hose which allows water to free-fall on units below is not permitted. Drain extenders are available from the office and may be used if wind direction is such that it will not blow the water back onto the lanais below. The use of a "damp mop" is recommended.
17. A failed hot water heater can cause considerable damage to the apartment and apartments located on lower floors. Hot water heaters must be replaced within one (1) year following expiration of the manufacturer's warranty on the heater. Should a water heater not be replaced within one-year fail, the owner of the water heater will be deemed negligent and held responsible for any and all resulting water damage.
18. The use of charcoal barbecues on the property (including lanais) is prohibited. Electric or propane barbecues are permitted on lanais. Gas grills located by the pool have been provided for the use of all residents or guests over the age of fourteen (14) years.



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19. Smoking is prohibited on property except within each unit at the owner's discretion and in the smoking, areas designated by the Manager.
20. It is the responsibility of every Owner of an apartment in Ka'anapali Royal to pay their assessment in a timely fashion. Assessments are due on the first day of the month and delinquent on the twentieth of the month. The collection procedure is as follows:
 - a. If payment is not received by the 20th you will be assessed a \$50 late fee and charged one percent (1%) interest on the remaining balance owed.
 - b. If thirty more days pass, you will receive a letter advising of a date for cable-TV disconnect, and additional late fees and interest due.
 - c. If an additional thirty days pass your account will be forwarded to the AOA attorney for collection. Additional late fees and interest will be included. The Association Attorney will use every collection method allowed by law, including rent intercept, lien and foreclosure.
21. Signs, other than those posted by the BOD, are not permitted anywhere on property except that "open house" and open house directional signs are permitted during the event with the following conditions:
 - a. A single "realtor Open House" sign may be attached to the gate keypad pole. The only approved sign is available for purchase at the office for a \$15 fee. The gate code is not to be displayed on this sign.
 - b. A maximum of three (3) directional signs may be placed in common area planters. The permitted directional signs are limited in size to 8 inches by 24 inches and are the standard generic directional signs. Promotional and vanity signs are not permitted.
 - c. Signs must be maintained in good condition. All signs must be removed by 4 pm daily.
 - d. Signs are not permitted along the roadways within the resort.
22. None of the provisions of the project documents are intended to be in contravention of the State of Federal Fair Housing Act. The Board will at all times comply with the provisions of the Fair Housing Acts when acting upon requests by handicapped persons to make reasonable modifications, at their cost, to apartments and/or to the common elements of the Project if the proposed modifications are necessary for their full enjoyment of the Project. The Board will also comply with the provisions of the Fair Housing Act when acting. None of the provisions of the project documents are intended to be in upon requests by handicapped persons for exemptions from any of the provisions of the project documents which would interfere with said handicapped person's equal opportunity



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to use and/or enjoyment of their apartments and/or the common elements of the Project.

23. In compliance with the new Hawaii State statute, smoking is not allowed in all common areas of Ka'anapali Royal. These areas include, but are not limited to, the office, maintenance building, walkways, grassy areas, pool, barbeque area, and kitchen and pool bathrooms. Owners and their guests may continue to smoke in their own apartments, including lanais unless the apartment is considered a public accommodation under the statute.

PARKING RULES:

1. All persons wishing to park a vehicle on the property overnight must register their vehicle with the office and **pay \$20 per day per vehicle parking fee, not to exceed \$140**. Failure to pay this fee will lead to a violation of the parking rules.

Addendum:

Parking fee for all guests increases from \$80 per vehicle to \$20 p/d effective July 1, 2019.

Parking fee for all guests increases from \$75 to \$80 effective April 1, 2017.

This fee is to be collected for each registered vehicle. Once this fee is collected, any apartment owner or long-term tenant may substitute another vehicle for the registered vehicle without incurring an additional fee under the following circumstances: (1) the registered vehicle is traded in/sold for a new vehicle; (2) a temporary replacement vehicle is utilized while the registered vehicle is being repaired off-site. However, if the name(s) on the title of the vehicle, or the approved driver of a rental car changes; a new \$20 per day per vehicle not to exceed \$140, fee will apply.

The \$20 p/d not to exceed \$140 fee applies only once to vehicles permanently "garaged" at Ka'anapali Royal or to the rental cars of a returning owner. In addition, if a resident must replace a rental car during a temporary but uninterrupted stay, that resident will not be assessed a fee. Non-owner, short-term residents returning to Ka'anapali Royal for additional visits either later in the current year or a following year will have to pay an additional \$20 p/d fee not to exceed \$140, when they return with a new vehicle. This charge also applies to long-term tenants returning after an absence of a year or more.

Addendum:

Owners who store their vehicle and rent their unit will pay a storage fee of \$150 per year effective December 1, 2016.

As of May 2009, visiting members of the owner's immediate family, defined by the IRS regulations and civil Service Rules as father, mother, brother, sister, son or daughter, shall be allowed to park on site in the owner's designated parking stall without paying the \$20 p/d parking fee, subject to the owner providing a list of family members to the Front Office and only if the particular owner is not also parking a registered vehicle in Ka'anapali Royal at the same time. If the owner already has one vehicle registered on-site at the time of the immediate family visit, the family member must pay his or her own \$20 p/d not to exceed \$140 parking fee for each vehicle.

2. Parking is allowed only in the designated parking area. **Areas not designated for parking includes handicapped spaces unless a valid handicapped plate or hang tag is present, fire lanes, driving lanes, especially directly north of the office turn-around, parking stalls reserved for official golf carts or motorcycles, and car washing areas.** All vehicles parked on property overnight must be registered with the office. Only one unassigned parking space is allotted to each unit. **It is the owner or resident's responsibility to inform venders and regular visitors of this rule.**
3. **Blocking parking stalls, parking to make and adjacent stall unusable or blocking driving lanes will not be tolerated. The only exception to this rule loading or unloading heavy items or picking up of people. Standing times are limited to 15 min.**
4. Second vehicles are allowed on a space available basis as determined by the Manager. **Parking three vehicles is prohibited.**
5. All stored vehicles must be in an area as directed by Management, and at no time parked in those spaces close to building and walkway entrances. **Vehicles left unused and/or unmoved for periods of one week or more (owner on vacation), should not be parked in the "desirable" stalls (those closest to the buildings.)** If stored vehicles are covered, covers must strapped to prevent them from coming free in the wind. Car covers must be clearly marked with their parking code. Owners storing vehicles on property **are required to leave a key at the Front Desk** so that the Manager can move the car if needed.



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6. No vehicles used for commercial purposes or with commercial signage of logos shall be parked within the boundaries of the Project except for vehicles that have entered the property temporarily for delivery or service purposes. Only standard unmodified, unloaded cars and passenger vans (8 passenger or smaller) or pick-up trucks used for personal transportation may be parked on property. No trailers, boats or golf carts are allowed on property. Vehicles may not be used to store items either on their exterior or interior for more than eight hours or overnight. Such items shall include, but not limited to, surfboards, motorcycles, bicycles, pipes, equipment and large tools.
Motorcycles, motorbikes, and motor scooters are prohibited on the property except in the designated area near the entrance.
7. Authorized vehicles may be washed at designated areas only. The washing of vehicles and disposal of excess water shall be done in such a manner as to not violate laws relating to the disposal of hazardous waste. No oil, radiator, or transmission fluid changes or major vehicle repairs may be conducted on property.
8. All vehicles parked on property must be operational, with proper registration, license, safety stickers and insurance. Vehicles parked on property are all owners risk. The Association will not be liable for any loss.

POOL RULES:

Hours are from **8:00 AM to 10 PM**

1. The swimming pool, spa and the surrounding area are for the exclusive use of residents and their guests during the hours that the pool is open. These hours are from **8:00 AM to 10:00 PM**. The Manager may, at his discretion, restrict the use of the pool area during specific times.
2. Residents and their guests shall use the swimming pool and the spa at their own risk. Owners and tenants shall always be responsible for the conduct of their family and guests.
3. Children under the age of twelve (12) years will not be allowed in the pool area unless accompanied by an adult responsible for such a child.
4. Persons using the pool may use swim and play aids such a floatation belt but



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those items must be removed from the pool when the user leaves the water and safely stowed away so as not to be a hazard to persons walking on the deck or entering the pool.

5. No scuba equipment is allowed in the pool, (except that face masks, goggles and snorkels or breathing tubes are acceptable) or other objects are not allowed in the pool.
6. There will be no diving, running, pushing, roller skating, skateboarding or other boisterous conduct including "Marco polo" or other similar games, in the pool area. No **water guns** are allowed.
7. No food is permitted in the swimming area around the pool itself. All beverages must be in non-breakable containers. Glass containers are not permitted.
8. The number of guests per apartment (in addition to residents) allowed to use the pool area is limited to ten (10). The resident will always accompany the guests. **Private functions are not permitted in the pool area.**
9. All personal belongings such as towels, sunglasses, books, etc. shall be removed upon leaving the pool area.
10. Proper swimming apparel is required. Infants and other persons who may be incontinent must wear clean waterproof diapers or another leak proof protective clothing to be allowed in the pool.
11. Persons wearing bandages are prohibited from using the swimming pool and spa. Persons experiencing diarrhea or control problems should not use the pool.
12. Intoxicated persons are not permitted to use the pool area.
13. Radios, TV's, "boom-boxes", CD or DVD players, may be used only with headsets so as not to disturb other pool users. Loud and lengthy cell phone use can be disturbing to others.
14. Please exercise courtesy and use your cell phone outside the immediate pool area.

TENNIS COURT RULES:

Hours are from **8:30 AM to 9:00 PM**

1. Proper tennis shoes and clothing must be worn. All players must wear shirts.
2. The tennis courts are for the exclusive use of residents and their accompanied guests.
3. Absolutely no food is allowed on the court area. Only beverages in plastic containers are allowed on the courts.

BASKETBALL HOOP:

Hours are from **8:30 AM to 9:00 PM**

1. Basketball hoop are for the exclusive use of Ka'anapali Royal residents and their accompanied guests.
2. Caution must be exercised in order to prevent damage to the court or nets.
3. When the tennis courts are in use, tennis players have priority. Basketball players must wait until those playing tennis finishes their game.
4. If players are only using the court in which the hoops are installed, basketball players may politely ask tennis players, after the current point has been scored, to move to the other court so that the hoops may be used.
5. Abusive language or excessive physical contact shall not be tolerated in the court area.
6. No food is allowed on the court area. Only beverages in plastic containers are allowed on the courts.

RULES FOR PARTIES IN THE POOL AREA:

1. Only residents and their guests may use the pool area and kitchen facilities for private parties must be made with the Manager. Parties of more than ten (10) guests are not permitted.
2. Reservations for use of the pool kitchen facilities for private parties must be made with the Manager. A one-hundred-dollar fee (\$100.) is for the use of pool kitchen facilities.
3. The resident must always be present during the party and is responsible for the conduct of his/her guests and for ensuring that all rules pertaining to the pool and the rest of the Project are followed.
4. Upon completion of use, the resident shall make certain that the area is left as clean as they found it. The owner will be charged for any cleaning that is necessary due to trash, etc. being left in the area.
5. **All parties must cease at 9:00 PM.**

REQUIREMENTS FOR OWNERS WHO RENT:

1. Any owner who wishes to rent his unit to third parties must comply with the following rules. Be advised that the State of Hawaii requires a 24-hr. available agent resident on Maui for all units used for Rentals.
2. Owners must present to the AOA a Good Standing Certificate from the State of Hawaii. This is to verify a registered business within the State. Owners that handle only their own rental unit must provide a copy of their GET License and Transient Occupancy Tax License.
3. Owners must present to the AOA a copy of the Condominium Hotel Operators Registration or Broker's License. This will verify compliance with the requirements of the State for operation. This is not required for an owner that handles the rental of only his or her own unit.
4. Annual Certificate of Insurance showing Ka'anapali Royal AOA as additional insured on the General Liability Policy must be submitted to the AOA. This is to cover workers or guests who may transverse the Project and have an accident.

5. Annual Certificate of Insurance showing that the Rental Agent has Worker Compensation and Temporary Disability Insurance. This is to cover workers hired for the benefit of that rental business. This applies to their subcontractors. This requirement applies to owners also.
6. Two (2) twenty four-hour (24) telephone numbers for all emergencies that may arise. These numbers are to be attached on the entrance door of the rental unit. Check with the Manager for location and sign specifications

Enforcement of HOUSE RULES:

The following procedure for enforcement of the House Rules and other governing documents has been adopted by the Board of the Ka'anapali Royal Association of Apartment Owners and applies to all rules except Pool, Tennis Court, Parking and Violations of the HPR or Bylaws:

- 1st offense: Verbal warning from Manager or his assistant, or authorized representative and notice to owner.
- 2nd offense or failure to stop cited violation within a certain period, is at the discretion of the Manager: Written warning, notification to owner.
- 3rd offense or continued failure to comply: Citation with fine (\$100) per day resident remains in violation.

For 4th offense: \$200 Failure to pay a fine when due; will result in the Association pursuing its remedies. The owner of record will be notified of the violation and the fine assessed.

Enforcement of POOL OR TENNIS COURT Rules:

- 1st offense: Verbal warning.
- 2nd offense within two weeks or failure to comply with verbal warning: \$50 fine per violation. Fine must be paid within 24 hours.
- 3rd offense or fine within a 2-week period or 8 offenses resulting in fines in 6 months, or failure to pay fine within 24 hours: Use of amenity will be prohibited for remainder of stay if vacation tenant or for one (1) year if owner, owner's guest or long term-tenant or guest of long-term tenant.



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Enforcement of PARKING Rules:

1st offense: Warning citation: Verbal reminder if possible, otherwise a written notice on windshield.

2nd offense within one-week, repeated violations over time or refusal to move vehicle as requested: Citation and fine (\$50/day) will be assessed every day resident remains in violation.

3rd offense within one week (severe repeat offender): In addition to the fine, **vehicle may be towed.** Towed vehicles will be subject to fees levied by the towing company. The AOA will not be responsible for damage by the towing company. Non-resident vehicles in violation of these rules and whose owners cannot be located may be lifted and moved at the Manager's discretion.

Owner to be notified in each case of violation

Binder1

Aloha Ka'anapali Royal Owners!

Recently there has been much discussion about controlling the feral cat population on property. The property has been inundated with unwelcomed felines at an increasing rate over the past few years. At first, a small number of cats were tolerated to help reduce the infestation of rats and mice. However, the population of cats grew as feral toms helped reproduce the cat population owners and guests fed the cats. Cats are now destroying lanai furniture, urinating and defecating on lanais, fighting with each other, and creating a nuisance for our community. The possibility of health issues to our guests and their children is something else to consider.

Many owners have expressed their dissatisfaction with the feral cat population to the Board and the House Rules Committee has been assigned to implement a policy and procedure to enforce a ban on feeding or domesticating the cats and reduce the cat population. We understand many owners and their guests love the animals, but unregulated feeding of the cats only creates a disincentive for them to hunt and survive off rodents. Therefore, the following House Rule is hereby adopted:

FINES FOR FEEDING OR DOMESTICATING CATS:

- 1. Any act of feeding, sheltering or attempting to domesticate any cat is prohibited at Ka'anapali Royal.**
- 2. Any owner or guest of owner that has violated this rule will be provided one (1) written warning by Ka'anapali Royal Management.**
- 3. Owners are required to notify all guests and their on-island agent of this rule.**
- 4. Second time violators will be subject to a fine of \$25 imposed by the AOA; Third and subsequent violations shall be fined \$50 per incident. Violations will be imposed on the unit in which the owner or guest is staying. It will be the responsibility of the owner(s) to be reimbursed by their guests if fines are levied arising from the conduct of guests or visitors.**



Binder1, Part2

These rules and procedures are not intended to be coldhearted as we understand many people want to be compassionate to the cuter animals. Nonetheless, the feral cats on property cannot be treated as pets. Coming up with a solution to reduce the feral cat population has been researched and the following information is provided to you, the owners, to inform you of the plan to reduce the cat population:

- Since management cannot just trap 2 and eradicate the cats, the advised procedure is to (1) spay the female cats to ward off toms and establish territory, and (2) regulate feeding at a minimum to restore hunting for food rather than uncontrolled domestic feeding.
- A non-profit business, the Neighborhood Cats Foundation, has been contacted and has agreed to trap, neuter/spay and return feral cats at the Royal for a small fee and donation per animal.
- All feeding will be performed by the maintenance crew according to a schedule with regimented amounts. All other food dishes, table scraps and/or cat food cans will be confiscated by security or maintenance. Fellow owners are encouraged to report violators and will be provided anonymity with regard to the report. Prohibited feeding only draws in more cats and reproduction, discourages hunting and territorial living and results in owner complaints and a thriving rodent population.

From the information we have been provided, results can be expected fairly quickly if this procedure is followed. If the cats are fed by visitors or guests, a reverse effect will occur.

Finally, we want to reiterate that all forms of suggestions have been communicated to the Board, from trying to trap and dump the cats off at the humane society, poisoning and, conversely, just doing nothing. We feel the above procedure is best and, if it fails, we will have to come up with an alternative plan.

Thank you for your understanding. Nobody wants to implement unfriendly policies, but we are counting on you, the owners, to carry this plan out by communicating the policy to your guests, on-island agents and renters.

Matt Kinney
President, Ka'anapali Royal AOA