

# THE TERRACE AT CANYON HILLS HOMEOWNERS ASSOCIATION SURVEILLANCE CAMERA POLICY

The Board of Directors for The Terrace at Canyon Hills Homeowners Association wishes to establish criteria with which Owners and their residents/tenants must comply to install and use a device capable of photographic and/or video surveillance and/or audio recording outside their respective Unit, including, but not limited to Doorbell Cameras (collectively "Surveillance Camera"). "Doorbell Camera" shall mean and refer to a so-called smart doorbell system capable of photographic and/or video surveillance and/or recording.

In light of these purposes and in compliance with privacy laws governing the collection of personal information, the Association has adopted this Surveillance Camera Policy ("Policy"). Unless otherwise defined in this Surveillance Camera Policy, capitalized terms have the same meaning set forth in the CC&Rs.

1. **Owner Surveillance Areas:** This Policy applies to any Surveillance Camera that can view any areas outside of the Owner's Unit, whether installed on the interior or exterior of the Unit ("Owner Surveillance Areas").
2. **Surveillance Cameras Installed Within a Unit:** An Owner, or his or her resident or tenant, may install a Surveillance Camera within a Unit without prior written Architectural Committee/Board of Directors approval only so long as all Owner Surveillance Cameras comply with each of the mandates set forth in paragraph 5 below.
3. **Doorbell Camera:** A Doorbell Camera may be installed so long as it complies with each of the following mandates:
  - 3.1 Must be installed in the same location as the existing doorbell (i.e., it must replace the existing doorbell to the Unit) and/or adjacent to a deck or patio door (i.e., sliding glass door or French door).
  - 3.2 Must be properly placed and sealed against the structure of the building to prevent water intrusion.
  - 3.3 Must have no wires visible.
  - 3.4 Must be of a size not exceeding 5.5" high by 3" wide by 2" deep.
  - 3.5 There may be no more than one (1) Doorbell Camera at the front entrance area of each Unit.
  - 3.6 Must be a "fixed view" Doorbell Camera that does not have panning or tilting capabilities.
    - 3.6.1 The Architectural Committee/Board of Directors may grant an exception to the requirement that a Doorbell Camera be a "fixed view" type if, by virtue of the architectural design of the Unit's front door entrance area where the original doorbell is located, a "fixed view" Doorbell Camera does not provide an opportunity for

reasonably adequate imagery and view of the front door entrance area and pedestrian sidewalk.

- 3.6.2 In such case, the Owner must request and receive prior written approval from the Architectural Committee/Board of Directors to install a Doorbell Camera with an adjustment angle feature (not to exceed 35 degrees to 145 degrees) that provides reasonably adequate imagery and view of the front door entrance area and pedestrian sidewalk. Such Doorbell Camera must remain stationary after adjustment and comply with the privacy requirements set forth herein and required by law.
  - 3.7 Owners must agree to and comply with installation, maintenance, and weatherproofing obligations applicable to all Surveillance Cameras as set forth in paragraph 6 below.
4. **Surveillance Cameras Installed Outside a Unit:** An Owner, or his or her resident or tenant, may install a Surveillance Camera on Common Area or Exclusive Use Common Area exterior structures, including, but not limited to, front door entrance areas, decks, or patios, only after application for and receipt of prior written Architectural Committee/Board of Directors approval, which shall not be unreasonably withheld so long as the Surveillance Camera complies with the mandates set forth in paragraph 5 below.
5. **Requirements for Acceptable Installation and Use of Surveillance Cameras:**
- 5.1 The number of Surveillance Cameras must be reasonable to the size and scale of the Unit.
  - 5.2 Surveillance Cameras must be a model that cannot be turned or rotated remotely.
  - 5.3 Surveillance Cameras must not detract from the appearance or the residential aesthetics of the neighborhood.
  - 5.4 Surveillance Cameras, and their wiring and components parts, must be a neutral color that matches or coordinates with the existing colors of the exterior structure to which the Surveillance Camera are affixed.
  - 5.5 Surveillance Cameras must be installed in the least conspicuous location possible and only in/on wood trim. Surveillance Cameras may not be installed in/on any stucco portion of a structure.
  - 5.6 Surveillance Cameras must be installed on Exclusive Use Common Area, such as front door entrance areas, decks, or patios, as a preferred location over Common Area, such as exterior structure of the building.
  - 5.7 The Architectural Committee/Board of Directors will consider allowing installation of a Surveillance Camera on Common Area, such as exterior structure of the building, only if viewing outside of a Unit is not possible from within the Unit or from Exclusive Use Common Area and only if installed in/on wood trim and never in/on any stucco portion of a structure. However, installation of Surveillance Cameras on the Unit's exterior white wood siding/shingles is prohibited.

- 5.8 Surveillance Cameras must be fixed and facing the street, Common Area, or portions of the Owner's Unit.
- 5.9 Surveillance Cameras, wherever located, may not be installed in a location or direction that provides a view into another Unit, including, but not limited to, inside its windows and/or other areas where privacy is expected.
- 5.10 Privacy rights must be strictly protected when setting up the angle of view of a Surveillance Camera.
- 5.11 Surveillance Cameras that invade privacy rights may be deemed a nuisance and may be required to be removed; and the area where they had been installed restored to the original condition at the Owner's sole expense.
- 5.12 Owners must agree to and comply with installation, maintenance, and weatherproofing obligations applicable to all Surveillance Cameras as set forth in paragraph 6 below.

6. **Owner Obligations and Responsibilities:**

- 6.1 The Owner is responsible and liable for the installation, ongoing maintenance, and weatherproofing of all Surveillance Cameras affixed to or installed and used by or on behalf of himself or herself, or residents or tenants of his or her Unit.
- 6.2 After application to and prior written approval by the Architectural Committee/Board of Directors to install a Surveillance Camera, the Owner shall be solely responsible for the expenses of installation and use.
- 6.3 The Owner assumes all liability for property damage or personal injury in the community, including, but not limited to, his or her own Unit, Common Area, Exclusive Use Common Area, and other separate interests in the community and to persons, which is contributed to or caused by the installation, maintenance, use, and/or removal of the Surveillance Camera (unless caused by the willful misconduct of the Association's contractor), including, but not limited to, personal injury, personal liability, building repairs, structural repairs, water mediation and dry out, interior repairs, including Association-maintained components, neighboring Units and personal property in neighboring Units. Damage repairs shall be coordinated by the Association's management company using the Association's contractors. If the Owner does not make payment to the Association within thirty (30) days of billing by the Association, the amount incurred shall be levied as a Reimbursement Assessment against the Unit after a noticed hearing.
- 6.4 At the time of sale of the Unit, the Owner must remove any and all Surveillance Cameras, restore the area to its prior condition, and notify the Association for purposes of allowing its inspection.
- 6.5 When a Surveillance Camera is removed, the Owner shall be solely responsible for the expenses of removal and restoration of the areas to which a Surveillance Camera was affixed. When the Owner completes such restoration, he or she must use "like-for-like" materials (i.e., the style, color/finish, and type of wood trim must be the same as was present before installation of the Surveillance Cameras).

7. **Application to the Architectural Committee/Board of Directors:** To apply to the Architectural Committee/Board of Directors for approval, the applicant Owner, on behalf of himself or herself or his or her resident or tenant, must provide the following:
  - 7.1 A completed Surveillance Camera Application attached hereto.
  - 7.2 A site plan of the Unit.
  - 7.3 A photograph indicating the proposed location of each Surveillance Camera.
  - 7.4 The number of proposed Surveillance Cameras.
  - 7.5 A photograph of the manufacturer's illustration of the Surveillance Cameras; and make, model number, dimensions, style, and color/finish of the Surveillance Cameras.
  - 7.6 Screen shots depicting the final view of the Surveillance Camera must be submitted upon installation to allow for a determination that the installation is in compliance with this Policy.
  
8. **Effect of Other Governing Documents:** The CC&Rs control to the extent of any conflict between this Policy and the CC&Rs, but the provisions of this Policy shall supersede any conflicting provisions that may exist in prior policies that may have been adopted by the Association.

# **THE TERRACE AT CANYON HILLS HOMEOWNERS ASSOCIATION SURVEILLANCE CAMERA APPLICATION**

Installation and use of a device capable of photographic and/or video surveillance and/or audio recording outside an Owner's respective Unit, including, but not limited to Doorbell Cameras (collectively "Surveillance Camera") must comply with the Association's CC&Rs and Surveillance Camera Policy. Please read both documents carefully to make sure intended installation complies with all requirements. Non-compliance may result in removal of the Surveillance Camera and restoration of the Unit to its original condition at the Owner's sole expense.

This form must be submitted to the Architectural Committee/Board of Directors prior to the installation of any Surveillance Camera that can view any areas outside of the Owner's Unit, including, but not limited to, Doorbell Cameras to be installed outside the Unit that may comply with the provision of this Policy.

**Owner is aware that he or she may not conduct surveillance on or record neighbors and Surveillance Cameras shall be used solely to monitor his or her own Unit or areas within the community where there is no reasonable expectation of privacy, such as the street, sidewalk, or other such Common Area.**

Name: \_\_\_\_\_ Date of Installation: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Number of proposed Surveillance Cameras: \_\_\_\_\_

Please ensure that you have attached the following to this application or inserted below:

- \_\_\_\_\_ Site plan of the Unit
- \_\_\_\_\_ Photo of proposed location of each Surveillance Camera
- \_\_\_\_\_ Photo/screen shot of areas viewed by each Surveillance Camera
- \_\_\_\_\_ Photo/screen shot of the make, model, dimensions, style, and color/finish of each Surveillance Camera

Please submit application to and for further questions contact:

**The Terrace at Canyon Hills Homeowners Association  
c/o Powerstone Property Management  
9060 Irvine Center Drive  
Irvine, CA 92618  
www.powerstonepm.com  
(949) 716-3998**