

Townhomes at Old Town North HOA

Rules and Regulations

WHEREAS, the Declaration of Covenants, Conditions, and Restrictions of the Townhomes at Old Town North recorded in the office of the Larimer County Clerk and Recorder on September 15, 2015, at Reception No. 20150063783 and the Bylaws of the Townhomes at Old Town North, (the "Association") related thereto have been approved and provide that the Board of Directors (the "Board") may establish such rules and regulations as may be necessary for the operation, use, occupancy and enjoyment of the common areas at the Townhomes at Old Town North; and WHEREAS, the Board desires to establish, adopt and enforce the following rules and regulations of the Association, to be effective as of the date hereinafter stated; and NOW, THEREFORE, the Board hereby revises and adopts the following provisions as and to be the Rules and Regulations of the Association, **effective January 1, 2019**:

ANIMALS

Pets must be maintained in such a way that they do not become obnoxious to other residents. The resident of each unit may keep a reasonable number of dogs, cats or other household pets, so long as the pet(s) is kept inside the unit. All pets will be leashed and attended by the pet owner when on the exterior of the **unit**. No leash will be longer than ten feet. No unattended pet will be staked or chained to any object (tree, shrub, fence, building, garage, stakes, or railings, etc.) in the Townhomes at Old Town North common areas. **The pet must be curbed in designated areas away from the buildings and fecal droppings will be cleaned up and disposed of immediately.** Failure to use designated areas and failure to clean up after the pet will result in a fine of \$50.00 per occurrence. No structure will be constructed on the exterior of a building or attached to a patio railing for the purpose of boarding or sheltering of a pet or pets. The owner of a unit in which a pet (or pets) is boarded will be responsible for any property damage, injury or disturbance caused by their animals. This includes damages done by their pet or pets to other units and personal property, as well as to Townhomes at Old Town North HOA property common areas (grass, trees, shrubs, flowers, fences, buildings, etc.) Any animal found to be malicious, vicious, noisy or obnoxious to other owners or tenants of the Association may be ordered expelled from the Community.

EXTERIOR

Absolutely no exterior structures will be allowed to be erected or maintained along any area of the common area. This includes exterior storage sheds and similar structures. No changes can be made to the exterior of the unit without written approval of the Townhomes at Old Town North Master HOA Board of Directors.

FENCING

Fencing shall not be considered a structure for the purposes of Association provided maintenance outlined in section 9.1.3. All fencing is a Limited Common Element and as such shall be maintained by the owner of the unit. Fencing is required to be stained in 2022 and is required to be stained every 5 years following, unless requested sooner by the Board of Directors. The fence stain to be used is Diamond Vogel Natural Transparent.

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SNOW REMOVAL

The Association will provide snow removal to the common elements (sidewalks and alleys). Snow removal from enclosed fences, balconies, porches, etc. is the responsibility of the unit owner. In no event shall the Association be responsible for removal of, or damage cause to any Person or property by, ice or the build-up of ice in the Community or any portion(s) thereof.

ANTENNAS and SATELLITE DISH

Except as may otherwise be permitted in writing by the Design Review Committee, no exterior radio antenna, television antenna, or other antenna, satellite dish, or audio or visual reception device of any type shall be placed, erected or maintained on any Lot, except inside a residence or otherwise concealed from view; provided, however, that any such devices may be erected or installed by the Declarant during its development, sales or construction; and provided further, however, that the requirements of this subsection shall be subject to the Telecommunications Act of 1996 and applicable regulations, as amended.

VEHICLE - PARKING

Each unit has a garage that is to be used for the parking of motor vehicles as its primary function. Parking of vehicles (which includes vans, light duty pick-up trucks and motorcycles) is permitted in parking spaces and/or garages only. Only one motorcycle will be parked in an individual parking space at any one time.

There is no parking or tandem parking in front of or behind unit garages for any Jerome Street address. These areas are specifically zoned as Fire Lanes.

Parking spaces directly behind Jerome Street homes are intended for the owner/resident of the unit. Each unit is allotted the one parking space immediately at the rear of the unit.

There is no parking in the alleyway/ access road behind Osiander Street, unless the vehicle is parked in front of your garage and does not impede traffic or extend into the alleyway/access road.

There is no parking on any common area.

Any vehicle in violation of the parking rules and regulations will be towed without warning, at the discretion of the Board of Directors or homeowner who is assigned the parking space, at the expense of the vehicle owner.

Street parking is intended for the use of visitors/guests to the community and is intended for storage of additional vehicles by residents.

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VEHICLE - STORAGE/MAINTENANCE

Boats, campers, recreational vehicles, snowmobiles, all-terrain vehicles, trailers, machines, tractors, semi-tractors, tractor trailers, trucks (except standard pickup trucks, and except for emergency service vehicles allowed pursuant to C.R.S. §38-33.3-106.5(1)(d)), and inoperative automobiles shall not be stored, parked or permitted to remain on any street, Lot, or Common Elements, except within fully enclosed garage. For purposes of this provision, any disassembled or partially disassembled car or other vehicle or any car or other vehicle which has not been moved under its own power for more than 72 hours (3 days) shall be considered an inoperative automobile subject to the terms of this section.

SIGNS AND ADVERTISING

No advertising or signs of any character shall be erected, placed, permitted or maintained other than a name plate of the occupant and a street number, and except for a "For Sale," "Open House," "For Rent" or security sign(s) of not more than a total of five (5) square feet posted only for the purpose of selling, renting or evidencing the existence of a security system on such Lot; and political signs and other signs, in conformance with CCIOA and with all other laws and regulations; and such other signs, for such length(s) of time, which have the prior written approval of the Committee or are otherwise expressly permitted by law; provided, however, that any and all such advertising or signs shall be subject to any and all specifications and/or rules and regulations adopted by the Committee or the Board of Directors. Notwithstanding the foregoing, any signs, advertising, or billboards may be used by the Declarant during the period of Declarant Control without regard to any specifications or any rules and regulations of the Board or the Committee, and without the prior written approval of the Committee.

Political signs are allowed in accordance with the terms and conditions of C.R.S. §38-33.3-106.5(1)(c).

NUISANCE

Nothing shall be done or permitted on any Lot which is or may become a nuisance. No obnoxious or offensive activities or commercial businesses or trades shall be conducted on any Lot, except home occupation as defined and permitted by the applicable zoning resolution of the governmental entity having jurisdiction over the Community. Owners and occupants shall exercise reasonable care to avoid making loud, disturbing or objectionable noises. This includes, but is not limited to excessive pounding/banging, playing of musical instruments, radios, television sets, amplifiers and any other instruments, or operating devices such as cars, motorcycles in such manner as may disturb or tend to disturb owners, tenants or occupants of other units. Further, no immoral, improper, offensive or unlawful use shall be permitted or made of the Project or any part thereof. Violations of this section will be subjected to the fines/assessments more fully described in the Compliance Policy.

UNSIGHTLINESS AND TRASH

All unsightly facilities, equipment, objects, and conditions shall be enclosed within a structure, including snow removal equipment and garden or maintenance equipment except when in actual use. Trash collection and removal within the Community shall be accomplished by means of trash and recycling receptacles. No trash and/or recycling receptacles are permitted to be stored on the exterior of any building or garage except for trash collection day. All receptacles must be stored in the garage or behind your personal fence.

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HOLIDAY DECORATIONS

Owners may install temporary holiday decorations on their own unit, only, and on limited common elements associated with their unit. Care shall be taken so as to avoid damage/penetration of exterior surfaces. Specifically, Christmas holiday decorations may not be installed any earlier than five (5) days prior to Thanksgiving Day and must be removed no later than January 15th. Other holiday decorations may not be installed any earlier than thirty (30) days prior to the holiday and must be removed within seven (7) days after the holiday.

PROHIBITION ON ACTIVITIES

Nothing shall be placed on or done to any unit or the common areas which would result in the cancellation of or increase in the cost of insurance for the Association, without the prior written consent of the Board. No hazardous material of any kind shall be allowed in the Common Interest Community. Nothing shall be placed on or kept in any unit or the common areas which is in violation of any statute, ordinance, regulation or other validly imposed rule of any governmental body. This includes all obnoxious, destructive or offensive behavior. No activities are allowed that will be to the annoyance of another person, including sounds and vibrations that are unreasonable, loud, or annoying. All noise complaints should be made to the police at (970) 221-6540. Per City of Fort Collins ordinance, section 12-142(b)(3), "No marijuana plants may be cultivated within any dwelling unit in a two-family, multifamily or single-family attached dwelling."

CHARCOAL GRILLS AND PROPANE TANKS

Charcoal grills of any kind or size are **not** allowed. Gas grills are allowed **only** with propane tanks that do not exceed 2.5 pounds in gas capacity. Standard size, twenty (20) pound propane tanks, are **not** permitted to be used or stored on the property. Electric and infrared grills are approved.

DAMAGE TO UNIT

All damage to the interior or any part of a unit that is the result of maintenance, repair or replacement of any part of the common elements will be paid for by all of the owners as a part of the Association dues. Any other damage that is the result of the carelessness or negligence of any owner will be the responsibility of the owner to repair. If, however, the owner has not repaired the damage after a reasonable amount of time, the Executive Board may pay for the repairs and charge the owner an individual assessment for the cost of the repairs.

THREE UNRELATED ORDINANCE (EFFECTIVE 1/2007)

Occupancy in a residential dwelling unit (single-family, duplex, and multi-family) is restricted to: one family as defined below and not more than one additional person; or two adults and their dependents, if any, and not more than one additional person. Family shall mean an individual living alone or any number of persons who are all related by blood, marriage, adoption, guardianship or other duly authorized custodial relationship, and who live together as a single housekeeping unit and share common living, sleeping, cooking and eating facilities. For more information on the three unrelated topic, please go to www.ci.fort-collins.co.us/neighborhoodservices/3-unrelated.php#2.

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FINES AND PENALTIES

When a violation of the governing documents of the Association is observed, or reported, the Association will send a Courtesy Notice to the Homeowner describing the violation, the date it was observed, the date by which it must be corrected, the amount of the fine if the violation is not corrected and a statement that the Homeowner is entitled to a hearing regarding the perceived violation. Requests for hearing must be submitted in writing within ten (10) days of the date of the letter. Fines and penalties for non-compliance are further described in the Compliance Policy.