

Shady Hollow Townhomes

Rules and Regulations

Shady Hollow HOA Management
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Welcome to Shady Hollow Townhomes

The Board of Directors of the Shady Hollow Homeowners' Association (residents and owners like you) has adopted these rules and guidelines to make the experience of living at Shady Hollow as pleasant for all as it can be, and to protect our buildings and grounds, as well as our residents and owners.

There are 60 units here, and we benefit in many ways from the community. In turn, the responsibilities we have to our neighbors may be guided by this set of rules and guidelines, which we do intend to enforce – so please read them carefully. We welcome your comments and invite you to participate with the Board at our monthly meetings.

Parking & Vehicles

- 1) Each unit is assigned one reserved space, which is either a numbered carport or an open space marked by a yellow curb. Please inform visitors to only use your reserved space, the non-reserved spaces, or if they are full to park in a nearby location outside of Shady Hollow.
- 2) Commercial vehicles, campers, motor homes, boats, trailers and trucks in excess of $\frac{3}{4}$ ton may be parked within the complex for a period not to exceed 24 hours unless approved by Shady Hollow Management or Board of Directors. A vehicle with any of the following characteristics is considered a commercial vehicle: business signage or logos, any vehicle over 7000 gvwt, no passenger seats (i.e. delivery vans), vans with extended side panels, racks or panels designed to carry equipment, material or equipment protruding beyond the front, rear, top or sides (including any vertical extension above the limits of truck sides or van/automobile top, but not including a standard truck box or passenger vehicle roof cargo carrier), any vehicle in excess of 6'8" in height, and/or any vehicle with commercial license plates.
- 3) Emergency vehicles (displaying an emergency symbol) less than 10,000 GVW may be parked in designated parking spaces if a resident is required by his or her employer to have the vehicle at their residence.
- 4) Vehicles parked in fire lanes, no parking areas or parked in such a way as to obstruct normal traffic or emergency equipment, may be towed at the owner's expense. Contact

Shady Hollow Management if your vehicle has been towed or to request a vehicle be towed.

- 5) No vehicle considered inoperable can be parked or stored in non-reserved parking spots (those without numbers and/or not labeled 'reserved') on the association property. Inoperable vehicles will include, but are not limited to, improperly licensed vehicles, flat tire or tires, broken glass, major disrepair, or any other conditions indicating inoperability as determined by the Shady Hollow Management or Board of Directors. No vehicles may occupy the same non-reserved parking spot for longer than 72 consecutive hours without leaving Shady Hollow property. Any vehicle found in violation of these rules will be tagged with a violation notice and will be towed at the owner's expense 48 hours after given a violation notice. Limited exceptions to this rule can be made at the discretion of the Shady Hollow Management or the Board of Directors, such as for travel, illness, etc. If a vehicle is repeat offender and has been tagged with a violation notice on two previous occasions, upon the third and subsequent violations, the vehicle will be immediately towed at the owner's expense without notification.
- 6) No vehicle considered inoperable can be parked or stored in reserved parking spots (those assigned to specific units and with numbers and/or labeled 'reserved') on the association property. Inoperable vehicles will include, but are not limited to, improperly licensed vehicles, flat tire or tires, broken glass, major disrepair, any vehicle which does not move for 30 days under its own propulsion, or any other conditions indicating inoperability as determined by the Shady Hollow Management or Board of Directors. Any vehicle found in violation of these rules will be given a violation notice, and Shady Hollow Management will try to notify both the homeowner and resident(s) to the violation. If the offending vehicle is not moved and/or repaired within 7 days of notice, it will be towed at the owner's expense. Limited exceptions to this rule can be made at the discretion of the Shady Hollow Management or the Board of Directors.
- 7) A written notice describing any improperly parked or inoperable vehicle and requesting its removal may be personally served upon the owner or posted on the improperly parked vehicle by Shady Hollow Management or Board of Directors. If the vehicle has not been removed within 72 hours of the notice, the association shall have the right to remove it without liability, and the expense will be charged to the vehicle owner or the unit of the owner.
- 8) Vehicles obstructing drive access and/or access of any unit are subject to immediate removal at the owner's expense.
- 9) If an unauthorized vehicle is parked in your reserved space, you may have that vehicle towed without authorization from property management. This applies only to vehicles parked in your reserved space – all other towing must be authorized by property management. Please try to contact the owner of the unauthorized car – they may be your neighbor's guests, or perhaps your neighbor has just put their car in the wrong spot.
- 10) No recreational activity is allowed in parking areas or driveways.
- 11) Vehicles are not allowed on sidewalks or grounds for any reason, including delivery of large items or moving.

Pets

- 1) The rules regarding pets are not intended to replace any laws or regulations governing pets published by the city of Boulder and /or the State of Colorado, and such laws and regulations shall be observed and adhered to by the Owners and residents in this Association.
- 2) Only household pets are permitted to be kept within the community. "Household pets" shall be defined as dogs, cats, birds, fish and small rodents such as hamsters, gerbils, mice and guinea pigs. Dogs are restricted to a maximum of two per household and each must be approved by the Shady Hollow Board of Directors, with the exception of service dogs. No other

animal, including but not limited to snakes and other reptiles, ducks and other poultry, goats and pigs, are considered “household pets” for purposes of these rules.

- 3) Our common areas are not to be used as a bathroom for pets. Pets should not be allowed to defecate or urinate while using common areas (any of the grounds) except for the area to the east of the east-side parking lot. All feces must be picked up and disposed of immediately. Failure to do so is unlawful by City ordinance. Violation of these rules shall also subject the pet owner to fines as outlined in this document in the Fines section below.
- 4) No pet shall be left outdoors unattended, whether restrained or otherwise.
- 5) Owners of pets shall restrain them from making loud, obnoxious or disturbing noises at any time or place.
- 6) Pets of guests shall be the responsibility of the resident/owner whose unit they are visiting. Fines will be levied against the homeowner for violations of all rules and regulations, as outlined in the Fines section of this document.
- 7) The resident/owner is responsible for all damage caused by a pet to any property. Any damage to the Common Area will be repaired by the Association and the expense will be billed to the owner of the unit.
- 8) Unleashed and stray dogs and cats should be reported to Boulder Animal Control and Shady Hollow Management.
- 9) Residents/owners may have their dog(s) off-leash in the courtyard area provided: a) the dog(s) is under voice and sight control, b) displays a valid Voice and Sight tag from the City of Boulder on its collar, and c) proof of the dog’s registration with the Voice and Sight program is on file with Shady Hollow Management. On-leash control is required in all other common areas and at all other times.

Unit exteriors and structures

- 1) Additions or changes to the exterior of units must be approved by the Shady Hollow Board of Directors. This includes installation of replacement windows, exterior doors, painting, etc.
 - a. Exterior doors must be white and similar to the style of the original door. New screen or storm doors must be white.
 - b. Replacement windows must be the same style as the original (sliding side to side, no grille pattern, with screens, almond or brown color).
 - c. Items added to the exterior of a unit must be painted to match the surrounding building color. Examples are radon mitigation system, cable and satellite television cables, air conditioning electrical lines and curb covers for the coolant lines, and furnace air supply ducting.
- 2) Structural damage or maintenance issues should be referred to Shady Hollow Management.
- 3) Decks are to be used for normal patio living and not for storage. Personal property for outdoor living such as BBQ grills, children’s toys, bicycles, flower boxes, patio furniture, small human-powered recreational equipment, etc., are allowed on decks only. They may not be kept on common areas (i.e. off decks). Any appliances such as humidifiers, freezers, generators, refrigerators, etc., furniture, recycling, permanent fixtures, boxes, or containers may not be stored or used on decks. Items must be kept or used on decks in such a way as to protect decks and buildings from damage. Any damage caused to decks or buildings by improperly placed or used items will be repaired by the Association. Related expenses will be billed to the unit owner.

- 4) Firewood in quantities not to exceed 2'x2'x2' may be kept on a deck. Off-deck storage of firewood must be approved by the Board of Directors. Please be sure that firewood does not contain rot or insects that could contaminate or damage the building.
- 5) Window screens and broken or severely damaged windows must be replaced by unit owners.
- 6) Clotheslines or racks are allowed on upper decks only and only if they do not rise above deck. Items may not be draped over balconies for drying.
- 7) Chimney cleaning is the responsibility of unit owners. Property management contracts with professional inspectors to check chimneys periodically.
- 8) No window mounted evaporative coolers/air conditioners are permitted anywhere on the property.
- 9) Central air conditioning units are permitted only with approval of the Shady Hollow Board of Directors. A/C compressors must be installed on the roof of the unit. Cooling lines must be enclosed in brown or paintable curb covering. Conduit must be painted to match the wall. Installation must be coordinated with the approved Shady Hollow roofer to attach the A/C compressor to the roof (required by city code) and do a roof inspection. Unapproved installations are subject to removal at the owner's expense.
- 10) No items, such as satellite dishes or people are allowed on the roof or chimneys without approval from Shady Hollow Management or Board of Directors.
- 11) For Sale and For Rent signs which do not exceed four square feet (2' x 2') may be posted windows of a unit. Free standing For Sale and For Rent signs, such as those placed in the ground with two metal posts on each side of the sign, are only allowed in the common areas if approved by Shady Hollow Management or Board of Directors. Once approved, signs are only allowed for the following three months, cannot be placed where they interfere with sprinklers and mowing, and cannot require digging a hole for their placement.
- 12) Election signs and holiday decorations may be erected 15 days prior to the election or appropriate holiday. Election signs must be removed within 5 days of the election. Holiday displays and decorations must be removed within 15 days of the date of the holiday.
- 13) Patriotic and political expression signs or displays may be displayed (such as American flags on balconies) and political signs on individual's property or in windows (but not on limited common elements balconies). These displays may not exceed 24" by 24" for signs and 24" x 36" for flags. Flag poles may not be put on limited common elements.

Swimming Pool

- 1) The swimming pool is for the exclusive use of the Shady Hollow Townhome Association residents, their families, and their accompanied guests.
- 2) No resident shall have more than five (5) guests at the pool at a time. At no time may the pool be reserved for a private party.
- 3) No group of residents shall play such organized games as to inhibit the right of use of other residents.
- 4) There shall be no running or horseplay in the pool or the pool area at any time.
- 5) Children twelve (12) and under shall, at all times, have supervision by an adult. Such supervision shall exist only if the person supervising is inside the pool enclosure or fence. Supervision cannot occur from outside of the enclosed pool area.
- 6) No glass of any sort is allowed in the pool area at any time.
- 7) No wheeled objects (bicycles, skateboards, roller skates, etc.) are permitted in the pool or pool area.
- 8) Obnoxious and/or drunk persons may be removed from the pool and pool area.
- 9) Sand and rocks are not to be brought into the pool or pool area.

- 10) No pet shall be permitted or allowed into the community swimming pool enclosure.
- 11) The resident/owner is responsible for any damage to common property such as pool chairs, tables, flower planters, etc. Any damage not corrected by the owner will be repaired/replaced by the association and any related cost will be billed to the owner of the offending unit.

Trash

- 1) Only household trash may be placed in the dumpster containers provided by the Association. Call property management for assistance in removal of large items such as appliances, furniture, and constructions debris. Any related cost for the disposal of large items or hazardous waste by the Association will be billed to the owner of the offending unit.
- 2) Trash or recyclables may not be stored on decks.

Other considerations

- 1) Excessive noise (such as loud voices, music, machinery, and continuously barking dogs) after 10 p.m. is prohibited by Boulder City ordinance. Boulder Police may be called at (303) 441-4444 to enforce noise regulations.
- 2) Individual Garage Sales or Yard Sales require Board of Directors consent. Occasional Association sales are held.
- 3) Use of wheeled recreational vehicles on sidewalks and grass is not permitted.
- 4) Emergency contact numbers: all residents/owners should register an emergency contact number with the Shady Hollow Townhome Association manager, MR Accounting. This will help prevent delays in notifying owners in the event of an emergency on the property, such as a fire, flood, broken pipes in a unit or building, smoke alarms that won't shut off, power failures, etc.

Rental Rules

To maintain a suitable level of maintenance and upkeep of the property and common areas of Shady Hollow, to promote peaceful and harmonious living conditions within the community, and to protect and enhance property values, the Board of Directors of the Shady Hollow Homeowners' Association have adopted the following rules regarding the rental of units at Shady Hollow.

- 1) Within ten (10) days of the date a Unit is rented or leased, the Owner must submit executed copies of the written lease and Lease Addendum to Shady Hollow Management. Any time a unit is to be rented to new tenants, including such times as when a new tenant is added to an existing lease, or when a lease is renewed, a new lease and Lease Addendum must be submitted to Shady Hollow Management. No subletting by tenants is permitted.
- 2) If the city of Boulder requests a landlord to obtain a City Rental License before renting their unit, a copy of the license must be submitted to the Shady Hollow Management along with the copy of the Lease Addendum.
- 3) The number of occupants of a Unit, whether occupied by Owners or tenants or a combination thereof, shall not exceed that allowed by the local or state laws.
- 4) The Owner is responsible for ensuring the tenant's compliance with the Declaration and rules and regulations of the Association. The Owner shall provide the tenant with a copy of the Declaration and the Rules and Regulations.
- 5) The Landlord will be liable for fines and/or expenses levied by the Association for, remedying the tenant's infraction of the rules, if the tenant does not clear all such fines, and/or expenses incurred in connection with the infraction.

ENFORCEMENT OF THE RULES

Notice of Alleged Violations. Notice of alleged Violation of any provisions of the Declaration, Bylaws, or Rules and Regulations shall be provided to the applicable Owner as soon as reasonably practicable following discovery by the Board of such violation. The Board may also, at its option, provide a copy of such notice to any non-owner violator. The notice shall describe the nature of the alleged violation and shall further state that the Board may seek to protect its rights as they are specified in the governing legal documents.

Service of Notices. Service of all notices required or permitted to be given hereunder shall be made as follows:

If to an Owner and/or Lessee: By personal delivery to the Owner and/or Lessee; or by U.S. Mail, postage prepaid, addressed to the last registered address of the Owner and/or Lessee as contained in the Association's records.

If to the Association: By personal delivery or U.S. Mail, postage prepaid, addressed to the Association in care of its registered agent and office (MR Accounting & Property Mgmt. PO Box 2293, Longmont, CO 80502), as maintained with the Colorado Secretary of State or such other address as the parties may be advised of in writing.

Any notice personally delivered shall be deemed received on the date of delivery, and any notice mailed shall be deemed received on the fifth day following the date of mailing.

Request for Hearing. If an owner desires a hearing to challenge or contest any alleged violation and possible fine, the Owner must request such hearing, in writing, within thirty (30) days from receipt of the Notice of Alleged Violation. The request for hearing shall describe the grounds and basis for challenging the alleged violation. In the event a proper and timely request for a hearing is not made as provided wherein, the right to a hearing shall be deemed forever waived. If a hearing is not requested within the 30 days period, the Board shall determine if there was a violation, and if so, assess a reasonable fine within the guidelines contained in these Rules and Regulations, within sixty (60) days of the expiration of the 30-day period. The fine assessment is due and payable immediately upon receipt of notice of the fine assessment. The Association's managing agent shall give notice of said assessment to the applicable Owner as provided in these Policies and Procedures.

Board to Conduct Hearing. The Board shall hear and decide cases set for hearing pursuant to these Policies and Procedures. The Board may appoint an officer or other Owner to act as the Presiding Officer at any of the hearings.

Conflicts. Any Board member who is incapable of objective and disinterested consideration on any hearing before the Association shall disclose such to the President of the Board prior to the hearing on the case, if possible, or, if advance notice is not possible, then such disclosure shall be made at the hearing, and the Board Member shall be disqualified from all proceedings with regard to the hearing. If disqualification of any Board member(s) results in an even number of remaining Board members eligible to hear a case, the Presiding Officer may appoint an Association member, in good standing, to serve as a voting member of the hearing board.

Hearing. The Board shall inform the Owner of the scheduled time, place and date of the hearing, provided that the Presiding Officer may grant continuances for good cause. At the beginning of each hearing, the Presiding Officer shall explain the rules, procedures and guidelines by which the hearing shall be conducted and shall introduce the case before the Board by reading the Notice of Alleged Violation. Each party may make opening statements,

may present evidence and testimony, may present witnesses, and may make closing statements. Either the complaining parties or the Owner must attend the hearing. However, the decision of the Board at each hearing shall be based on the matters set forth in the Notice of Alleged violation, Request for Hearing, and such evidence as may be presented at the hearing. Unless otherwise determined by the Board, all hearings shall be open to attendance by all members of the Association.

Decision. After all testimony and other evidence have been presented to the Board at a hearing, the Board shall render its written findings and decision, and impose a reasonable fine, if applicable, within ten (10) days after the hearing. A decision, either a finding for or against the Owner, shall be by a majority of the hearing board present at the hearing. The Board may also issue and present for recording with the Boulder County Clerk and Recorder, a Notice of Finding of Violation. Upon satisfactory compliance with the Association's governing documents, the Notice of Finding of Violations may be released by the Association issuing and recording a Release of Notice of Finding of Violations. If the homeowner wishes to use an alternative means of arbitration the association will use the City of Boulder mediation service system for the following issues: water leaks, slip and fall accidents and sewer incidents.

Fines and Penalties

Penalties and fines may be modified or adjusted by the Board of Directors at the time of its decision in each case, based on individual circumstances.

- 1) The first offense: A written warning to the owner/resident in violation describing the offense.
- 2) Second offense: A \$50.00 fine.
- 3) Third offense: A \$100.00 fine.
- 4) Fourth and any additional offenses: A \$500.00 fine and, in the case of pets, mandatory removal from residence at Shady Hollow.

If any expense is incurred by the Association in correcting damage caused by a violation of these rules and/or collecting fines for violations, the Board of Directors will bill the owner for all costs, including materials, labor, legal fees and collection fees. The Board of Directors reserves the right to take any action it deems necessary to correct violation of the above rules or of the Declaration.

SB 100 Rules Amendment

- 1) All Association records may be viewed at the property manager's place of business during normal business hours and with proper notification.
- 2) Documents can be found on the Shady Hollow website at www.mraccountingboulder.com