

Franklin Park West (FPW)

Homeowners' Association Rules and Regulations

The following Rules and Regulations have been adopted by the FPW Board of Directors in accordance with the By-laws to protect the integrity and harmony of the community and to promote the safety and welfare of all residents. These Rules and Regulations do not replace the By-laws, which remain the Board of Directors' primary governing document. Both documents are in effect. In the event of a conflict between these documents, the By-laws shall prevail.

The Rules and Regulations apply to all property owners, residents, family members, tenants, occupants, agents, visitors, employees, and guests and shall be enforced by HOA Services and the Board of Directors in accordance with applicable Covenants and By-laws. Owners are responsible for the conduct of their tenants and guests while on the property.

In establishing and maintaining these Rules and Regulations, the Board of Directors endeavors to preserve unit owners' rights to the reasonable use and enjoyment of their property and the privileges of ownership.

The Rules and Regulations may be modified, repealed, or amended at any time by resolution of the Board of Directors when deemed necessary and in the best interest of unit owners, residents, and the community. Owners will be notified of any changes at least 30 days before those changes become effective.

Definitions

- **"Common Area"**: The area consisting of the "General Common Elements" as described in the Condominium Declaration for Franklin Street Apartments recorded with the Mesa County Clerk and Recorder. This area includes the common use, in and to the five buildings constituting the Franklin Park West Condominium premises, as well as the grounds associated with the real property owned by FPW Homeowners Association, Inc., a Colorado nonprofit corporation.
- **"Individual Unit" or "Unit"**: The individual air space contained within the unfinished perimeter walls, floors, and ceilings of a Unit in the buildings.
- **"FPW On-Grounds Maintenance Manager"**: The contractual employee residing at FPW Unit #701 who oversees daily operations, safety, maintenance, and the appearance of the FPW community on behalf of the FPW HOA. In coordination with HOA Services, the Maintenance Manager assists with enforcement of the Rules and Regulations, fines, and

enforcement procedures. Please refer to the Covenant Enforcement Policy and Procedures, pursuant to C.R.S. 38-33.3-209.5(1)(b)(IV) and HB 22-113, for additional information. These are posted on the management website: www.hoaservicesco.com/Franklin-Park-West-Governing-Documents.

Rules and Regulations

Nuisance and Noise Regulations

- Residents and owners shall not, and shall not permit their guests, tenants, pets, or family members to, interfere with other residents' peaceful use and enjoyment of the property.
- Residents and owners shall not, and shall not permit their guests, tenants, pets, or family members to, create unreasonable noise that disturbs, threatens, annoys, or interferes with the right, comfort, and convenience of other residents.
- Noise levels must be reduced between the hours of 10:00 PM and 7:00 AM.
- The use of bicycles, scooters, skateboards, and skates is not permitted on FPW walkways.
- Loud, obscene, abusive, threatening, or otherwise inappropriate language is not permitted in common areas.
- No noxious or offensive trade or activity shall be conducted within common areas or condominium units, and no activity shall be permitted that may become an annoyance or nuisance to the community.

Littering and Trash

- Littering, including the disposal of trash, cigarette butts, or similar items, is prohibited in common areas.
- Trash dumpsters are provided for residents' convenience and are located at the Franklin Street entrance. Large items, including mattresses, tires, or furniture, shall not be placed in or next to the dumpster or anywhere else in FPW common areas. Residents are responsible for disposing of large items at their own expense.
- All household trash must be bagged and securely tied before being placed in the dumpster. Residents are responsible for promptly cleaning drips or spills on walkways and stairs to prevent stains, odors, and pests. Dumpster lids must be kept closed after use.
- Trash shall not be stored on patios, balconies, or in hallways. Household trash shall not be disposed of in common-area waste baskets.

Vehicles and Parking

- Resident vehicles must display a valid parking permit when parked in the garage. Residents may obtain a parking permit from Kyle, the FPW Maintenance Manager (970-261-5748).
- Each unit is limited to two parking permits.
- Each unit is assigned one parking space in the garage.

- There are spare unmarked parking spaces in the underground parking garage. They are available on a first-come, first-served basis. These spaces are intended for 24-hour parking only.
- Parking is limited to automobiles, motorcycles, and pickup trucks not to exceed $\frac{3}{4}$ ton. Vehicle height is limited by parking garage ceiling height and clearance (8'9").
- On-site vehicle maintenance is limited to repairs that can be completed within 12 hours and must be confined to a single parking space. Parking spaces must be left clean and free of tools, debris, and stains.
- Vehicles with studded snow tires are not permitted in the underground parking garage.
- Camping in vehicles parked in FPW parking areas is prohibited.
- All vehicles must have a valid license plate.
- Vehicles in parking areas must be moved for repairs or routine maintenance at the request of the Maintenance Manager.

Unit Remodeling or Repairs

- Any change affecting the exterior appearance of a unit, including but not limited to painting, signage, windows and window coverings, or balcony floor coverings, requires prior approval from the Architectural Review Committee and must comply with applicable codes. Application forms are available from HOA Services.
- Owners planning repairs, remodeling, or other changes to their unit must first contact HOA Services or the Maintenance Manager to confirm that the project complies with municipal codes and FPW regulations.
- Owners must notify the Maintenance Manager at least 24 hours in advance if a project requires a water shutoff. This requirement does not apply in emergencies.

Use of Units and Common Areas

- All units are to be used exclusively for residential purposes.
- Residents shall respect and protect common areas. Grounds, parking areas, pool and sauna areas, stairways, laundry rooms, walkways, and hallways must be kept clean and free of litter and trash.
- Residents shall notify HOA Services of any common-area condition requiring repair or maintenance. Forms can be found on the management website at www.hoaservicesco.com/Franklin-Park-West.
- Common-area water and electricity shall not be used for personal purposes, including washing vehicles, charging devices, or using extension cords.
- Common-area doors, including laundry room, pool and sauna doors, and parking garage doors, should not be propped open.
- Smoking is prohibited in the A and B Building entranceways, the swimming pool area, and the elevator.
- For security reasons, residents shall not duplicate gate controllers or common-area keys. For key replacement, contact the Maintenance Manager or the unit owner/landlord.

- Unit owners are responsible for damage caused to common areas by themselves, tenants, guests, family members, or pets.
- Children in the common areas must be supervised by a responsible adult.
- Balconies, patios, and hallways must be kept tidy. Spills and leaks in walkways and stairways must be cleaned promptly by the responsible party. Items may not be hung on or from balconies without approval from HOA Services and the Maintenance Manager.
- To prevent moisture damage to balconies, all coverings on wood balcony floors must be approved by the HOA before installation.
- Balcony drains must be left uncovered to ensure proper drainage from rain or snow.
- Patio areas must remain free of animal waste, trash, and weeds and shall not be used for storage.

Pets

- Pet owners are responsible for their pets at all times. Pet ownership is a privilege, and failure to comply with these rules may result in the loss of that privilege.
- No more than two pets are permitted per unit.
- Pets must be registered with the FPW Maintenance Manager.
- Only small dogs, cats, and domestic pets are permitted.
- Pets must remain confined to the owner's unit unless restrained by a leash or cage.
- Pet owners are required to clean up and properly dispose of animal waste in a timely manner.
- The noise ordinance applies to all pets.
- Sherwood Park is available nearby for dog walking.
- Pet owners must indemnify the HOA and the Board of Directors and hold them harmless against loss or liability of any kind arising from their pet.
- Pet owners are responsible for complying with all applicable City and County requirements for their pet.
- Animals that engage in nuisance barking or have attacked, bitten, or displayed aggressive tendencies toward people in the common areas may be subject to permanent removal after a three-day notice by HOA Services or the Board of Directors.
- Pet food should not be placed outside unit doors or in common areas.
- Unit owners and/or pet owners are strongly encouraged to carry insurance that covers pet-related incidents.

Laundry Facilities

- Coin-operated laundry facilities are located in the A and B Buildings and are for resident use only. Unauthorized use should be reported to HOA Services or the Maintenance Manager.
- Management/HOA is not responsible for lost or stolen property.
- Clothing must be removed promptly. Clothing left overnight may be discarded.
- Do not overload the machines.

- Residents are responsible for cleaning up after themselves and maintaining the cleanliness of the laundry room.
- Residents shall clean the lint filter after each load.
- Tinting or dyeing is not permitted.
- Washers and dryers shall not be used for laundry that is excessively oily or heavily soiled in a manner that may leave residue in the machines.
- Residents shall notify HOA Services or the Maintenance Manager if laundry equipment is not functioning properly.

Pool and Sauna

- The pool and sauna are for owners, residents, and their guests only. Hours of use are 8:00 AM to 8:00 PM.
- Pool keys are issued to unit owners. Renters must obtain pool keys from their landlords.
- No lifeguard is on duty. Use of the pool is at each individual's own risk. The pool door must always remain closed for safety and liability reasons.
- In the event of an emergency, call 911.
- Minors under the age of 18 must be accompanied by an adult.
- Glass containers, food and drinks, and alcoholic beverages are not permitted in the pool area, except for plastic water bottles.
- The pool may be reserved for short periods to accommodate birthday parties or special events. Reservations must be made with the Maintenance Manager.
- Users should be aware that the south end of the pool is deeper than the north end.
- Running is not permitted in the pool room.
- Only pool toys may be used in the pool. Flotation devices are encouraged for children.
- Swimming in street clothing is not permitted. Appropriate swimwear is required.
- To prevent damage to the pool, users shall not pull on or stand on the swimming pool rope divider.

General Information

- Lighting and security cameras are maintained on the premises to support resident safety.
- For units with a working fireplace, annual chimney cleaning is recommended when the fireplace has had average use. The flue should be closed during winter months to help retain heat within the unit.
- To help prevent drainpipe clogs, residents shall not flush items such as cleaning wipes, baby wipes, feminine hygiene products, or similar materials. Garbage disposals should be used with sufficient water to prevent clogs. Fats and oils shall not be poured down drains. In the event of a maintenance emergency, contact the Maintenance Manager (970-261-5748).
- Fire extinguishers are located in each building on each floor. Residents should familiarize themselves with extinguisher locations and plan an appropriate emergency escape route for themselves and their families. In the event of a fire in Building B, residents shall not use the

elevator and should use the stairs. Notify the Maintenance Manager if you require special assistance in case of an emergency.

- Storage units measuring approximately 4.5' x 4' x 7' are available on a monthly, first-come, first-served basis in the A and B Buildings. The cost is \$30 per month, with a \$25 lock fee and a \$25 refundable security deposit upon return of the key and a clean unit. Contact HOA Services (970-986-6051).
- The Franklin Park West Newsletter is published quarterly and may be distributed at residents' doors, posted on the FPW website, and/or sent by email.
- The HOA community information bulletin board is located on the entrance sign near the mailboxes. Contact the Maintenance Manager to request permission to post information, list items for sale, make announcements, or advertise events.
- General Board of Directors meetings are held every other month. Owners or their representatives are encouraged to attend. Meeting dates, times, locations, and agendas will be emailed and posted on the website at www.hoaservicesco.com/Franklin-Park-West and on the information board near the Franklin Street mailboxes. An annual Owners' Meeting is held after the fiscal budget period at the discretion of the HOA Board of Directors.
- Owners and tenants shall not contact the HOA attorney or HOA insurance company directly. Any correspondence relating to the management of Franklin Park West must be directed through HOA Services or the Board of Directors.
- All payments must be made payable to Franklin Park West c/o HOA Services, 607 S. 7th St., Grand Junction, CO 81501. To set up Auto-Pay, email contact@hoaservicesco.com.
- All By-laws, Policies and Procedures, Complaint Forms, Rules and Regulations, Architectural Review Forms, HOA Board Minutes, and the Quarterly Newsletter can be found on the Franklin Park West website at www.hoaservicesco.com.

Enforcement and Penalties

Violation of these Rules and Regulations may result in a special assessment or fine imposed on the resident who committed the violation and/or the owner who leased the unit to that individual.

Fines may be imposed for violations of any of the above rules according to the following schedule:

- The owner and offender will receive a notice of violation and will be provided 30 days to cure the violation.
- If a violation is not cured within the specified time, the owner and offender will receive a second notice of violation and an additional 30 days to cure the violation. If the violation remains uncured after that period, a \$50 fine will be imposed.
- If a violation threatens the safety, well-being, or health of residents, it must be cured within 72 hours. If the violation is not cured within that period, a \$100 fine will be imposed.
- If a violation is not cured within the specified time or is ongoing, additional fines may be imposed. HOA Services has the authority to impose fines of up to \$500 for any subsequent or continuing offense.

- Owners may dispute a violation within 7 days of notification.
- Voting rights may be suspended for owners who are in violation of the CC&Rs.