

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 not only protect the integrity of and harmony of the community, but also to promote the safety and welfare of residents. These Rules and Regulations do not replace the By-laws, which the Board of Directors uses as its primary governing document. Both documents are in force. In case of conflict between the wording of these documents, the By-laws will prevail.

The Rules and Regulations apply to all property owners, their residents, family members, tenants, occupants, agents, visitors, employees, and guests; and shall be enforced by the Board of Directors in accordance with applicable Covenants and By-laws. Owners are responsible for the resident(s) and guests in their unit.

In establishing and maintaining the Rules and Regulations, the Board of Directors make every effort to ensure that they do not affect unit owners' right to the enjoyment of reasonable and unrestricted use of their property or privileged of ownership.

The Rules and Regulations may be modified, repealed, or amended at any time by a resolution of the Board of Directors when deemed necessary in the best interest of unit owners/residents, and the community. Owners will be notified of changes made to the Rules and Regulations at least 30 days before the 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 Mesa County Clerk and Recorder. The area includes the common use, in and to the five buildings constituting the Franklin Park West Condominium premises as well as the entire grounds associated with the real property owned by FPW Homeowner's Association, Inc. a Colorado non-profit corporation.
- "Individual Unit" or "Unit": the individual air space which is contained within the unfinished perimeter walls, floors, and ceilings of a Unit in the buildings.
- "FPW Caretaker": the contractual employee of FPW HOA's residence at Unit #701 of FPW who provides caretaking, repair, and maintenance duties on behalf of FPW HOA and on behalf of the general common area of FPW. Enforcement of the Rules and Regulations, Fines and Enforcement (see Policy and Procedures for Enforcement of Covenants and Rules and Regulations).

Franklin Park West HOA

Rules and Regulations

Nuisance and Noise Regulations

1. Residents/owners should not, nor should they allow their guests, tenants, pets, or family, to intrude on other residents.
2. Residents/owners should not, nor should they allow their guests, tenants, pets, or family, to make any unreasonable noise that will disturb, threaten, or annoy other residents or permit anything to be done which will interfere with the rights, comfort, and convenience of other residents. This includes noises emanating from within individual units, or from porches or balconies or common areas.
3. Noise levels are to be lowered between the hours of 10:00 PM and 8:00 AM.
4. No scooters, skateboarding, or skating on FPW premises.
5. No inappropriate language, including but not limited to language that is loud, obscene, or threatening, in the common areas.
6. No noxious or offensive trade, or activity shall be carried on within the common areas or in any condominium units, nor shall anything be done therein or thereon which may be or become an annoyance to the community.

Littering and Trash

1. No littering (trash, cigarette butts, etc.) in common areas.
2. Trash dumpsters are provided for residents' convenience. They are located at the Franklin Street entrance. Do not put large items like mattresses, tires, or furniture in or next to the dumpster or anywhere else on the FPW common areas. Residents need to dispose of large items at their own expense.
3. All household trash should be bagged and tied, before putting it in the dumpster. Always keep the dumpster lids closed after use.
4. Do not keep trash on your balcony or in the hallways. Do not throw household trash in common area trash cans.

Vehicles and Parking

1. Resident vehicles are required to have a valid parking sticker. Residents can get a parking sticker from FPW Caretaker. Each unit is limited to two parking stickers.
2. Spare parking spaces are marked in the underground parking garage. They are available on a first come, first served basis. These spaces are not for long term car storage.

3. Parking is limited to automobiles, motorcycles, and pick-up trucks not to exceed ¾ ton. Vehicle height is limited by parking garage ceiling height and clearance.
4. On-grounds vehicle maintenance is limited to repairs which can be completed in 12 hours. Maintenance work is limited to a single parking space. Leave the parking space clean of debris and stains.
5. Do not drive “studded snow tires” in the underground parking garage.
6. No camping in vehicles parked in FPW parking areas.
7. All vehicles must have a valid license plate.
8. Vehicles in the parking area will be moved at the caretaker’s request to facilitate snow removal or maintenance work.
9. Trailers are not to be left unhooked from a vehicle in any parking space without prior permission from the caretaker.
10. Garage gate openers are available for \$50 from the property caretaker.
11. There is usually guest parking available on the street.

Unit remodeling or repairs

1. Changes which affect the exterior appearance of the unit, including but not limited to painting, signage, and shades, needs prior approval by the Board of Directors.
2. If owners plan to repair, remodel, or make changes to their unit, they first need to contact management or the property caretaker, to be sure that the project stays in compliance with municipal codes and FPW regulations.
3. Owners need to notify the caretaker 24 hours in advance if projects require water turn off. (This does not apply in emergencies.)

Use of Units and Common Areas

1. All units are to be used for residential purposes exclusively.
2. Respect and protect common areas. Keep the grounds, parking areas, pool and sauna, stairways, laundry rooms, walkways, and hallways clean and free of litter and trash.
3. Notify the Caretaker if you notice something in the common area that needs to be fixed.
4. Do not use common area water or electricity for personal use (washing cars, charging phones, extension cords, etc.)
5. Do not prop common area doors open (laundry rooms, pool and sauna room, parking garage doors).
6. No smoking in common area rooms or elevator.
7. For security reasons, do not duplicate gate controllers or keys, pool keys, and laundry room keys. For key replacement, see the Caretaker or your landlord.
8. Unit Owners are responsible for damages to common areas and for damages done by their guests, families, pets, or tenants.
9. Children in the common areas must be supervised by a responsible adult.
10. Balconies, patios, and hallways need to be kept tidy. Do not hang anything on or from the balconies without approval from the BOD. Do not use “indoor” furniture on balconies or in

- the hallways. "Open flame" or propane barbecue grills are not allowed on balconies or in hallways. Electric grills are permitted.
12. Patio areas need to be free on animal feces, trash, and weeds, and should not be used for storage.

Pets

1. Pet owners are responsible for their pet(s) at all times.
2. No more than 2 pets to a unit.
3. Pets must be registered with FPW Caretaker.
4. Only "small" dogs, cats, and domestic pets are permitted.
5. Pets must be confined to owner's unit unless it is restrained (leash or cage).
6. Pet owners are required to clean up and properly dispose of animal waste in a timely manner.
7. The noise ordinance applies to all pets.
8. Sherwood Park is close by and available for walking your dog.
9. 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.
10. It is the owner's responsibility to follow the City and County requirements for their pet(s).
11. Animals that demonstrate nuisance barking or have attacked, bitten, or shown aggressive tendencies toward other residents, may require permanent removal after a 3-day notice by the board of directors.
12. Do not put pet food outside the doors or in common areas.
13. It is strongly recommended that unit owners and/or pet owners carry insurance that covers the pet's actions.

Laundry Facilities

1. Coin operated laundry facilities are located in the East and West Buildings. They are for resident use only. Report unauthorized use to the Caretaker.
2. Management/HOA is not responsible for lost or stolen property.
3. Remove clothing promptly. Clothes left overnight may be discarded.
4. Do not overload the machines.
5. Clean up after yourself. Keep the laundry room clean.
6. Clean the lint filter after each load.
7. No tinting or dying.
8. Do not use the equipment for laundry that is excessively oily, or that is heavily soiled in a way that will leave residue in machines.

Pool and Sauna

1. The pool and sauna are for resident use only. The hours are 9:00 AM to 8:00 PM.

2. Pool keys are issued to the unit owners. Renters need to get the key from their landlords.
3. No lifeguards are on duty. Persons using the pool do so at their own risk. Keep the pool door closed at all times. This is for safety and liability reasons. In the event of an emergency call 911.
4. Minors, under the age of 18, must be accompanied by an adult.
5. No glass containers, food and drinks, or alcoholic beverages are not permitted in the pool area, with the exception of plastic water bottles.
6. The pool may be reserved for short periods of time to accommodate birthday parties or special events. Make reservations with the Property Caretaker.
7. Be aware that the south end of the pool is deeper than the north end.
8. No running in the pool room.
9. Only pool toys are allowed in the pool with you. Floatation devices are encouraged for children.
10. Don't swim in street clothes. Traditional swim wear only.
11. To prevent damage to the pool, do not pull or stand on the swimming pool rope divider.

General Information

1. Lighting and security cameras are on the premises to provide safety for residents.
2. If you have a "working fireplace", it is recommended that the fireplace chimney be cleaned once a year if it has had average use. Close the flue during the winter months to keep your unit warmer.
3. To prevent drainpipe clogs, don't flush certain items like cleaning and baby wipes, feminine hygiene products, etc. down the toilet. Garbage disposals should be used with lots of water to prevent clogs. Don't pour fats and oil down the drain. Call the property caretaker in case of a maintenance emergency.
4. Balcony drains must be left uncovered to assure proper drainage from rain or snow.
5. Fire extinguishers are in each building on each floor. If you are new to the building, please look for the location of the extinguishers so you will know the location in case of emergency. Also plan the best escape route for you and your family. If you are in the West Building, in case of fire, do not use the elevator. Everyone should use the stairs.
6. Storage units (4.5' x 4' x 7') are available on a monthly first come, first served basis. They are in the East and West Buildings. The cost is \$30 a month with a \$25 "lock fee" and a \$25 returnable security deposit with return of key and clean unit. Contact Management or the Caretaker.
7. A free Franklin Park West Newsletter is published quarterly. Check for it near the information board on Franklin Street or in your email.
8. The HOA community information 'bulletin' board is located in front of the parking area, near the mailboxes. Contact the property caretaker if you want to post something.
9. General BOD meetings are held every other month. Owners or their representatives are invited to attend. Dates are posted in the newsletter and on the information board near the mailboxes on Franklin Street. An all-members meeting is held the second Wednesday in the month of September.

10. No owner or tenant shall contact the HOA attorney or the HOA insurance company directly. Any correspondence relating to management of Franklin Park West must be through the property manager or Board of Directors.
11. HOA payments can be paid online, or checks can be mailed to Western Slope HOA Management, PO Box 153, Mack, CO 81525, or deposited in the secure slot on the caretaker's door.
12. By-laws, Policies and Procedures, complaint forms, rules and HOA board minutes can be found on the Franklin Park West website.

Enforcement and Penalties

Violation of any of the Rules and Regulations may result in a special assessment (a fine) being imposed on the unit resident who committed the offense and/or the owner who leased the unit to the offending person.

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

1. Owner and offender will receive a written warning and a given time to cure it.
2. If a violation is not cured within the given time, the owner will be fined \$50 for a violation. If a violation threatens the public safety, wellbeing, or health of residents, the fine will be \$100.
3. If the violation is not cured within the given time or if it is ongoing, the violation will incur additional fines. The HOA property "manager" has the authority to impose fines up to \$200 for any subsequent or continuing offense. The "HOA Board of Directors" may increase a fine up to \$500.
4. Unpaid fines incur interest at eight (8%) per annum.
5. Unpaid fines can result in a lien or other legal actions.

Please see the FPW HOA Policy and Procedure for Enforcement of Covenants and Rules and Regulations for more detailed information. It is posted on the Franklin Park West website.