

HUNTER CREEK CONDOMINIUMS

November 2017

RULES AND REGULATIONS THE HUNTER CREEK CONDOMINIUM ASSOCIATION OF BOULDER

These are the Rules and Regulations governing The Hunter Creek Condominiums and The Hunter Creek Condominium Association of Boulder, Colorado. They apply to all residents of The Hunter Creek of Boulder, owners and non-owners alike. They are enforceable in accordance with our Declaration and Bylaws. The purpose of these Rules and Regulations is to ultimately provide all residents maximum enjoyment while living at The Hunter Creek of Boulder Condominiums.

Hunter Creek of Boulder is an association of individuals and a community of residents with many common interests. REMEMBER—TO HAVE A GOOD NEIGHBOR, YOU MUST FIRST BE A GOOD NEIGHBOR.

ARTICLE ONE: PERTINENT INFORMATION

- 1.1 **OFFICE.** The Hunter Creek of Boulder Condominium Association is currently managed by Hudson Real Estate, 1200 28th Street, Suite 100, Boulder, CO 80303. Office hours are 8:30 am – 5:00 pm, Monday through Friday.
The Property Manager is Kay Jones, kjones@hudsoncos.com. The telephone number is (303) 442-6380. There is a 24-hour answering service at the same number.

Information regarding the Hunter Creek of Boulder Governing Documents, Rules & Regulations, Architectural Committee request forms, Board meeting minutes, budgets & financial information can be found on the website at www.huntercreekofboulder.com.

- 1.2 **MAINTENANCE.** Maintenance of all Common Elements is provided by contract labor. Repairs inside a unit are the responsibility of the unit owner and not of the Association.
- 1.3 **GOVERNING DOCUMENTS.** The Condominium Project and the Association are governed by three documents: (a) THE CONDOMINIUM DECLARATION OF HUNTER CREEK OF BOULDER CONDOMINIUMS, (b) ARTICLES OF INCORPORATION, and (c) BYLAWS OF THE HUNTER CREEK OF BOULDER CONDOMINIUM ASSOCIATION OF BOULDER, COLORADO. These documents, as well as budgets and other Association-related documents, are kept on file at the office of the management company and are available for your inspection and copying in accordance with ARTICLE NINE of the Association's Bylaws. Governing documents are also available to all homeowners on the Hunter Creek website: www.huntercreekofboulder.com.
- 1.4 **ANNUAL MEETING.** The annual meetings of the Association shall be held each year on such date as shall be selected by the Board of Directors. At such meetings, the members shall transact such business of the Association as shall properly come before the meeting, including election of members of the Board for those whose terms are expiring. The Board of Directors encourages all residents to become involved in and with Hunter Creek of Boulder and to attend

the Annual Meetings and Board Meetings and serve on various committees that advise the Board. Information on these committees is available from the Board members or the management company. Only through active resident participation can the Association be responsive to the residents' needs and wishes. This will make Hunter Creek of Boulder a sound investment, as well as a pleasant and enjoyable place to live.

ARTICLE TWO: DEFINITIONS

Terms used in these Rules and Regulations have the same meaning as such terms have in the Condominium Declaration of Hunter Creek of Boulder Condominiums.

ARTICLE THREE: GENERAL RULES

- 3.1 These Rules and Regulations, Declarations, Articles and Bylaws shall be enforced by the Board of Directors, and fines and individual assessments for infractions may be levied in accordance with the Declaration and Bylaws.
- 3.2 Owner Responsibility. Parents are responsible for infractions committed by their children; and owners are responsible for infractions committed by their tenants and guests.
- 3.3 Loud Noises. There shall be no loud noises or playing of musical instruments, radios, stereos, televisions, etc. in such a manner as to disturb other residents as a nuisance.
- 3.4 Signs. No sign of any type is allowed to be placed on the Common Elements without prior written permission from the Board of Directors except one sign of dignified form which may be placed inside an owner's residence for purposes of advertising the unit being for rent, sale or lease.
- 3.5 Clearance of Obstructions. All roadways, stairwells and walkways shall be clear at all times for emergency traffic. No cars, furniture, bicycles, barbeques, toys or other items of personal property shall be stored, left or parked on a roadway, stairwell, walkway or any other place within the Common Elements.
- 3.6 Household Items. Rugs, clothing, sheets or other household items may not be permanently hung from any window, balcony, fence, or facade of the buildings. No clothesline of any type shall be allowed if it is visible from the Common Elements, the street, or a neighbor's unit.
- 3.7 Fireworks. No fireworks or firearms may be fired or discharged within the Community.
- 3.8 Infractions. Any immoral, improper, offensive or unlawful act will be reported to the appropriate governmental authorities and will be deemed an infraction of these Rules and Regulations.
- 3.9 Prohibited Substances. No flammable, combustible or explosive fluids, chemicals or substances (including propane tanks) shall be kept within the Community except those required for normal household use.

- 3.10 Debris. No resident shall sweep or throw any debris, including cigarette butts, onto the Common Elements.
- 3.11 Adoption of Rules. The Board may adopt such reasonable rules as it deems proper for the Association. A copy of said rules, as they may from time to time be adopted, amended or repealed, shall be mailed or otherwise delivered to each owner. Upon such mailing or delivery, said rules shall be in full force and effect and shall be enforced against each owner. **It shall be the owners' responsibility to provide their tenants with the Rules and Regulations.**
- 3.12 Contractors. All contractors hired by individual homeowners must have general liability and workers compensation insurance. Homeowners must obtain a Certificate of Insurance showing evidence of this coverage from every contractor.
- 3.13 Charcoal Grills. There shall be no placement or use of charcoal or gas grills on the decks or patios. This is in compliance with the National Fire Code, Section 308.3.1 Open-Flame Cooking Devices which states: "Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet of combustible construction. Any propane bottle larger than 2.5 lbs. of water capacity (nominally 1 lb. or LP-gas capacity) may NOT be stored within 10' of combustible construction. Only camp stove sized bottles meet this requirement."
- 3.14 Clubhouse. The Clubhouse may be used by residents between the hours of 8:00am and 10:00pm. The cost of a Clubhouse replacement key is \$50.00 and is available from the management company.
- 3.15 Clubhouse Reservations. The Clubhouse may be reserved by residents of the condominium community. The management company must be contacted in advance to reserve the facilities. A Clubhouse Reservation Form must be completed and returned to the management office along with a \$100.00 security deposit. Deposit checks may be returned if the clubhouse is left in a clean and damage-free condition and all requirements on the Clubhouse Reservation Deposit Checklist form have been met.
- 3.16 Personal Items. There shall be no storage or display of any resident's personal possessions (including strollers, toys, tires, chairs and other furniture) in the Common areas including stairwells, in front of covered and uncovered parking areas, on any part of the lawns, plant beds or sidewalks.
- 3.17 Bicycles. In addition to the bike racks, bicycles are allowed in the covered carports if parked and locked in an upright position to the metal supporting beams or cross bars, in the open space running north and south between facing vehicles. Bicycles can also be kept on outside patios or decks, positioned behind the deck wall, as long as they are not visible from the street. No bikes can be hung from the rafters or attached to the outside of the building which are common areas.
- 3.18 Porches/Balconies. Porches and balconies shall not be used for storage. Porch furniture, plants and typical porch/balcony décor are allowed.

- 3.19 Satellite Dishes. Satellite dishes 18” in diameter (or less) are permitted in accordance with the Declaration, but installation plans must be submitted and approved by the Board of Directors prior to installation. Any dish installed without Board approval may be subject to removal or relocation at the expense of the owner.
- 3.20 Owner Responsibility. Owners will be solely responsible for any damage done to the Condominium Community by the installation or use of any waterbed or other such furniture. Furniture of a weight heavier than ordinary household furniture is not allowed without the Association’s prior written approval.
- 3.21 Dryer Vents. Owners are responsible for cleaning their own dryer vents and, as a fire prevention safety measure, will periodically be required to have it professionally cleaned from the inside out.
- 3.22 Fireplace Cleaning. Owners are responsible for having their individual fireplaces and chimneys cleaned (recommended annually). As a fire prevention safety measure, owners with wood burning fireplaces will periodically be required to have them professionally cleaned.
- 3.23 Water Usage. Since the HOA pays for the water for each building, we track the costs for large increases from month to month. When the HOA must hire a plumber to enter each unit in a building to detect and repair a water leak, each owner whose unit is found to have a leak will be charged for the plumber’s time and materials to repair the leak and will also be assessed the cost for the increase in the water usage.
- 3.24 Solicitors. Door-to-door solicitation, including solicitation by condominium owners or occupants, is prohibited in the Condominium Community.
- 3.25 Outdoor Outlets. The electrical outlets on the exterior of the carport buildings are considered a common element; therefore, they are not allowed to be used by any resident for personal use. This includes recharging electrical motor vehicles or appliances of any kind.
- 3.26 On-Site Contractors. No resident at Hunter Creek is permitted to interrupt, interrogate or interfere with any contractor(s) on-site, while conducting services directed by the HOA for the Hunter Creek community, with the exception of an emergency situation. If questions arise, a tenant is required to contact their landlord and an owner may call the property manager.

ARTICLE FOUR: PETS

- 4.1 Nuisance. If a permitted household animal constitutes a nuisance or inconvenience, including but not limited to, excessive noise so as to disturb neighboring residents of the Condominium Community, being off leash or littering the Common Elements, the Board of Directors shall have the right to direct that the animal be permanently removed from the Condominium Community. No removal of an animal shall be made until the animal’s owner has been given written notice as to the reason for such animal’s removal, and such owner has had an opportunity for a hearing before the Board of Directors. All costs incurred by the Association in enforcing and effecting the

removal of such animal, including reasonable attorney fees and costs, shall be properly assessed against the owner of the unit wherein the animal resides.

- 4.2 Animal Waste. Permitted household animals shall not litter the Common Elements. ANY SOILAGE MADE BY PETS ON ANY PORTION OF THE COMMON ELEMENTS MUST BE CLEANED UP AT THE TIME OF THE INCIDENT. It shall be the duty of the owners/residents to keep the Common Elements free of litter left by pets. The owners of pets known to be at large upon the Common Elements shall be assessed by the Board of Directors for the cleanup expenses incurred, together with the costs of collection and enforcement, to include reasonable attorney fees and costs if necessary.
- 4.3 Leash Laws. Residents must follow the City of Boulder's leash laws. It shall be the duty of the Association, and its representatives, to notify the Animal Control of pets found at large within the Common Elements in violation of City Ordinances.
- 4.4 Pet Restrictions. No livestock, rodents, reptiles, birds, poultry or animals other than standard domesticated household pets may be kept in the units.
- 4.5 Animal Leashes. No animal may be leashed to any stationary object in any Common Element or left alone on a patio or balcony at any time.
- 4.6 Damage from Pets. Owners will be held responsible and liable for any property damage, injury or disturbance which such owner's pet or such owner's tenant's pet may cause. Tenants are NOT ALLOWED TO HAVE A DOG on the property. Indoor cats are allowed at the discretion of the owner.

ARTICLE FIVE: QUIET HOURS

- 5.1 Quiet Hours. Due to the shared walls and non-insulated floors in our complex, noise is easily transmitted between neighboring units. All residents are required to comply with the quiet hour policy in effect from 10:00 p.m. – 7:00 a.m.
- 5.2 Restricted Activities. During the quiet hours, no dishwashers, garbage disposals, vacuum cleaners, washing machines, clothes dryers or electrical equipment, or other appliance that would disturb another resident should be used inside the condominium unit.
- 5.3 Volume. The volume of televisions, stereos, musical instruments, conversations and parties must be kept at a reasonable level at all times. No shouting, loud talking on patios/balconies or extremely loud conversations in the parking lot that would disturb other residents is allowed.
- 5.4 Disturbances. Noise disturbances may be reported to both the Boulder County Sheriff's office non-emergency number at the time of the incident and later to the management company.
- 5.5 Complaints. Upon receipt of a written complaint, the owner and resident of the unit will receive a warning letter. If the violation continues and additional complaints are received, the owner will be asked to appear before the Board for a hearing which may result in fines.

ARTICLE SIX: SWIMMING POOL

- 6.1 Daily Hours: 9:00am – 9:00pm
- 6.2 Caution. NO LIFEGUARD IS ON DUTY. ALL PERSONS SWIM AT THEIR OWN RISK.
- 6.3 Guest Policy. Guests must be accompanied by a resident. Only two guests per resident are allowed in the pool area at any one time.
- 6.4 Pet Restrictions. Pets are not allowed in the fenced-in pool area, which includes the clubhouse, workout room, tennis court, and restrooms.
- 6.5 Pool Area Restrictions. No alcohol or glass containers are allowed in the pool area.
- 6.6 Food Restrictions. No food is allowed in the pool area. Food must remain in the picnic/patio area at all times.
- 6.7 Children. Children age 14 and under MUST be accompanied by an adult at all times. It is recommended that children who cannot swim wear certified life preservers. Other types of floats (air mattresses, inner tubes, etc.) are NOT allowed in the pool.
- 6.8 Security. The pool gate is to be kept locked at all times. The pool gate is never to be propped open.
- 6.9 Swimwear. Only appropriate swimwear is allowed in the pool—no cutoffs, street clothes, etc.
- 6.10 Parent or Guardian Warning. Infants must wear waterproof pool diapers at all times.
- 6.11 Noise. Residents and guests making excessive noise may be asked to leave.
- 6.12 Trash. All residents and guests MUST dispose of trash before leaving the pool or patio area.
- 6.13 Pool Use. No floating devices or volleyball nets are allowed in the swimming pool.
- 6.14 Furniture. Pool furniture must remain in the pool area at all times and may not be placed in the swimming pool.
- 6.15 Pool Keys. The cost of a replacement key for the pool is \$50.00. Replacement keys may be purchased from the management company.

ARTICLE SEVEN: TRASH, RECYCLABLES AND COMPOST

- 7.1 Trash Pickup. All trash, recyclable and compost material shall be picked up on a regular schedule from the enclosed dumpster areas behind the carports. All trash must be bagged and placed in the trash dumpster, and the area around the dumpster should be kept clean.

- 7.2 Trash Areas. All bagged trash, trash cans, recyclables and compost must be kept inside the unit until placed in the appropriate container in the enclosed dumpster area.
- 7.3 Other Items. No furniture, mattresses, garbage bags, trash or discarded smoking materials shall be permitted on any common area or left outside of the trash dumpsters. For removal of large items, residents must call Western Disposal (303-444-2037) to arrange for a special pickup.
- 7.4 Access. All enclosed dumpster areas shall remain clear for access by the waste removal trucks.

ARTICLE EIGHT: VEHICLE PARKING AND TRAFFIC POLICIES

- 8.1 Assigned Spaces. Vehicles shall be parked only in assigned garage spaces or in assigned exterior parking spaces. No vehicle shall be parked in such a manner as to impede or prevent ready access to any entrance or exit of a building or garage space or in fire lanes. Any offending vehicle is subject to immediate towing.
- 8.2 Traffic Rules. Speed limit signs, stop signs, yield signs and no parking signs may be erected at the Board's discretion with authorization of the appropriate governmental agency.
- 8.3 Parking Spaces. Vehicles shall not extend beyond the marked boundaries of any parking space while parked. The front of a vehicle shall not obstruct pedestrians walking along the sidewalks.
- 8.4 Carports. Only two licensed motorcycles are allowed to be parked in the carport space. A third motorcycle is permitted in front of the space where bicycles are allowed or it must be moved to the street. All vehicles must be properly licensed and in proper working order. Residents will be responsible for any damage to the carports caused by their vehicles.
- 8.5 Visitor Parking. Spaces designated for "Visitors" are not to be used as additional daytime or overnight parking for residents. Any offending vehicle is subject to immediate towing. Residents must park only in the space designated for their unit unless they have written permission from another resident to use that space. Any additional vehicles must be parked on the street.
- 8.6 Oversized Vehicles: No trucks or vehicles over ¾ ton are allowed to be parked on the premises. Parking of oversized vehicles, trailers, boats, campers or recreational vehicles of any kind is not allowed.
- 8.7 Moving Vans: Moving vans and delivery trucks are permitted on the property only during loading or unloading.
- 8.8 Pods and Storage Units: Temporary parking of a POD or other storage unit on the property requires prior permission from the management office.

ARTICLE NINE: DESIGN REVIEW COMMITTEE

- 9.1 **Board Approval.** No exterior alteration, modification or addition shall be commenced, altered, moved, removed, installed or maintained within the Project until the plans and specifications showing the nature, kind, shape, height, materials, locations and approximate cost of the same shall have been submitted to and approved in writing by the Board of Directors.

A Design Review Application and signed copy of the Remodeling Rules must be submitted for any exterior remodel work or any work requiring permits, licensed electrical, plumbing or mechanical contractors. The documents are available on the Hunter Creek website (www.huntercreekofboulder.com), or by contacting the Property Manager. The Board of Directors shall approve or disapprove all requests within thirty (30) days after receipt of all necessary documents.

- 9.2 **Modifications.** Any exterior modification, alteration or addition, or any interior work that requires permitting without the written approval of the Board shall be deemed a violation of these Rules and Regulations.

- 9.3 **Water Shut-Off Procedure and Instructions:**

1st Floor Units:

The shut-off valve must be turned ON and OFF by a licensed plumber. This Valve controls the water in this unit as well as the two units in the stack above.

For plumbing repairs, access to the Shut-Off Valve may be needed by the two units above you, so please cooperate with your neighbors.

2nd and 3rd Floor Units:

If you need to have the water shut off in your unit, it must be done by a licensed plumber.

Because the shut-off valve for your unit is in the 1st floor, and controls all the units in your stack, please follow the instructions below to schedule your repair and notify your neighbors.

1. Contact the lower level unit by leaving a note on their door and coordinate a time with them for your plumber to turn the water off.
2. Notify all units in the stack (at least 24 hours before the shut-off) by posting a note on their door telling them the date and time the water will be off. Please give them a 1-2 hour window of time based on the plumber's estimate.
3. Please be considerate as you cooperate with your neighbors during this process.

- 9.4 **Holiday Décor.** Any temporary exterior holiday decorations may be displayed within 15 days before a holiday and must be removed within 15 days after the holiday. Christmas lights and decorations will be allowed from November 25 through February 1. All installations of exterior decorations for holiday purposes must not jeopardize the safety, welfare or convenience of the community.

- 9.5 **HARD SURFACE FLOORING:** As of March 1, 2017; cork, wood, engineered or laminate flooring installed over a NALFA Delta Certified soundproofing underlayment may be installed with Board approval. All flooring must be installed as a floating floor. The soundproofing underlayment must meet a minimum Delta IIC rating of 21. The product ECO-ULTIMATE SILENCER meets the underlayment soundproofing specifications. Installation of the

underlayment will follow the product specifications with special attention to keeping the surface 100% free from any perforation due to nails, tacks or staples. Perforation of the underlayment decreases the soundproofing quality.

The owner will be required to fill out a Design Review Application and sign the acknowledgement of the Hunter Creek Remodeling Rules; and submit the information to the Board for approval before proceeding. The homeowner must appear before the Board to present the products they wish to install. The owner should be prepared to show the acoustical Delta rating of the underlayment as specified by the manufacturer. The owner is responsible for any disturbing noise from the flooring and may be required to take mitigating actions up to and including removal of the flooring. It is important to note that creaking caused by structural or subfloor issues will not be mitigated by installing new hard surface flooring.

- 9.6 Storm Doors. Owners have the option of purchasing and installing a storm door. The model approved is Anderson HD300TT – 36” (almond) Model #22024 SKU 818-463. The local building supply store (Home Depot) carries this door.
- 9.7 Solar Energy Devices. Owners who want to install any type of solar energy device must submit a written request to the Board detailing product specifications and location of such device before proceeding with the project. The Board may approve or disapprove such request and has the right to require an owner to remove a device that has not been approved.
- 9.8 Balcony Shades. Shades made of bamboo, fiberglass or fabric are allowed on the porches and balconies. Shades must be a solid color that blends with the trim; and cannot be patterned or striped. Shades must properly fit the space. The installation of any other type shade must be submitted to the Board in writing. Owners will be required to remove any shade not approved.

ARTICLE TEN: LEASED UNITS

- 10.1 Term. Each unit leased shall be for an initial term of not less than 30 days.
- 10.2 Tenant Applicants. All owners who rent their units are required to comply with the following:
 - a. Provide a completed Tenant Information Sheet to the Management Company within 30 days of lease signing, with all emergency contact information for residents occupying the unit. Noncompliance with these guidelines shall be deemed a violation of the Rules, and may result in automatic fines without any previous notices being sent out.
 - b. Owner is responsible for the distribution of the Rules and Regulations to such owner’s tenants, and acknowledgement of receipt, either as part of the Lease or as an Addendum, to be provided to the Management Company
 - c. Included in the lease, a statement that prohibits tenants from having dogs on the property.
- 10.3 Use. Leasing of a unit for business or commercial purposes is not permitted.
- 10.4 Occupancy. There shall be no more occupants in any unit than are allowed by the zoning ordinances of the City of Boulder.

- 10.5 Compliance with HOA Rules. Any non-owner residing in any unit shall be subject to these Rules and Regulations in the same manner as would an owner. Any fines or individual assessments incurred by non-owner residents shall be the liability of the owner of the unit, and shall be assessed in accordance with the procedures specified in the Declaration and Bylaws.
- 10.6 **No Dogs. Tenants are NOT ALLOWED TO HAVE A DOG on the property.** Owners will be held responsible and liable for any tenant who does not comply with this rule.

ARTICLE ELEVEN: COLLECTION OF DELINQUENT ASSESSMENTS

- 11.1 Dues. All monthly assessments are due and payable on the FIRST DAY OF EACH MONTH. Assessments not paid within fifteen days after the due date shall be assessed a \$25 late fee. Should it become necessary to file a lien or County Court Summons and Complaint against the unit, the owner of such unit is responsible for all legal fees and costs.
- 11.2 Delinquent Accounts. Delinquent Assessments that have a two (2) month balance will be immediately turned over to the Homeowner Association attorney for legal collection.

ARTICLE TWELVE: ENFORCEMENT

- 12.1 Legal Issues. If any action is brought in a court of law or put into arbitration as the enforcement interpretation or construction of these Rules and Regulations, the prevailing party in such action shall be entitled to reasonable attorneys' fees as well as all costs incurred in the prosecution or defense of such action.
- 12.2 Owner Complaints. All complaints pertaining to infractions of the Rules and Regulations of Hunter Creek of Boulder must be in writing, addressed to the Board of Directors, c/o Hudson Real Estate, 1200 28th Street, Suite 100, Boulder, Colorado 80303, or emailed directly to kjones@hudsoncos.com. . The complaint must include the following:
- a. Name and identity of the individual committing the infraction;
 - b. Identification of the specific violation; and
 - c. The date, time and location of the infraction.
- 12.3 Upon receipt of a written complaint for a recurring offense, the Board of Directors shall follow the Notice and Hearing Procedure in accordance with ARTICLE TEN of the Association's Bylaws. Fees may be imposed according to the following schedule:
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| First Offense | Written Warning |
| Second Offense | \$100.00 Fine |
| Third Offense | \$250.00 Fine and Hearing |
| Fourth & Successive Offenses | Progressive action as designated by the Board |
- 12.4 Offenses of the owner, owner's guests and/or tenants shall be the responsibility of the owner.