

# **BASALT VISTA HOMEOWNERS ASSOCIATION RULES AND REGULATIONS**

Effective September 1, 2020

Pursuant to the Declaration of Covenants, Conditions, Easements, and Restrictions for BASALT VISTA TOWNHOMES ASSOCIATION (“Declaration”), the Board of Directors (“Board”) of the BASALT VISTA HOMEOWNERS Association, Inc. (“Association”) has adopted the following Rules and Regulations (“Rules”) to govern the use and enjoyment of the lots and units located in the Project. The Rules refer and apply to all Lots, Common Elements (all of the property except for the lots, all of which shall be owned by the association) and Limited Common Elements (A portion of the Common Elements allocated for the exclusive use of the owners of one or more but not all of the lots), in the Project. Unless otherwise specified, capitalized terms used in these Rules shall have the same meanings in these Rules as such terms have in the Declaration.

The Board desires to ensure the highest possible standards of living experience within the Project. To accomplish this, the Board requests the cooperation of all persons residing in or visiting the Project in the observance of the following:

1. Any common sidewalks, walkways, driveways, entrances, and passageways, trails and the emergency access road shall not be obstructed by any Owner for any other purpose than ingress to and egress from the Lots.
2. Smoking is not permitted on sidewalks, playgrounds and trails.
3. Except as to the area termed Limited Common Elements, no article shall be placed on or in any of the Common Elements except for those articles of personal property which are the common property of all Owners.
4. No vehicle belonging to or under the control of an Owner or member of the family or a guest, tenant, lessee, their guests or families, employee, tradesperson or worker of any type of an Owner shall be parked in such manner as to impede or prevent ready access to any entrance to or exit from a building or another Lot. Vehicles shall be parked within designated parking areas with one vehicle per designated parking space. Any traffic flow markings and signs regulating traffic on the premises shall be strictly observed. There is a 48-hour maximum time limit allowed for parking at the park and mailbox parking lot. All parking areas in the subdivision must be maintained and kept clean of all oil spills and any other substance that may create stains. Additional parking restrictions may be contained within the Declaration.
5. No construction will be permitted the Wednesday before Thanksgiving through the Sunday after Thanksgiving and December 20 through January 7. Construction will be limited Monday through Friday between the hours of 8 am and 5 pm unless construction has been approved by the Board to allow for construction on a Saturday. No construction materials will be stored in the Common Elements without prior Board approval. The foregoing shall not apply to any construction performed by or on behalf of the Declarant.
6. Personal containers for trash must be kept in Units or Unit garages. In no event shall a trash container remain outside overnight. Any large trash items such as furniture or other large items must be disposed of by Owner’s arrangement with a trash service directly and shall not be left outside. Trash and large items may not be left in common areas. All trash disposed of in common dumpsters must fit in the dumpster with the lid closed and may not be left outside of and/or adjacent to dumpsters.
7. The balconies, terraces, decks, or patios shall be used only for the purposes intended and shall not be used for hanging garments or other articles or for cleaning rugs, household articles or other items.

8. The following can be stored on decks and patios, designated as Limited Common Elements, provided they are stored in a neat and orderly manner:
  - a. Patio furniture in good condition and an amount appropriate to the space.
  - b. One (1) cooking grill, in good working order, CHARCOAL GRILLS ARE STRICTLY PROHIBITED in accordance with the Declaration.
  - c. OUTDOOR FIRES OR FIRE PITS ARE STRICTLY PROHIBITED AT ALL TIMES.
  - d. HOT TUBS OR SPAS ARE PROHIBITED.
  - e. In all cases, the Board of Directors will be the final judge as to the condition of the common areas, to ensure a pleasing appearance to the Project. No one shall obstruct damage or commit waste to any of the Common Elements.
  - f. Potted plants are allowed in Limited Common element areas.
9. Owners may have no more than (2) domestic household pets (e.g. dogs, cats, small birds kept in cages and similar small pets). If applicable, pets must be licensed and registered. Pets must always be on a leash or otherwise contained outside of the home. Owners must clean up droppings on all common areas immediately. Full description of rules regarding pets are as identified in the Declaration.
10. The Association assumes no liability for nor shall be liable for any loss or damage to articles left or stored in any common or other storage area.
11. With the consent of an Owner, the Managing Agent, or if there is no Managing Agent, then the Board of Directors, may retain a pass key to each Unit. In the event that the Owner does not so permit retention of a pass key, the Managing Agent, or if there is none, the Board of Directors, its employees and/or agents may make a forcible entry into such Unit when the Managing Agent or Board of Directors believe that an emergency requiring such entry exists. So long as entry is made upon a bona fide belief of emergency, the Owner shall have no recourse for any such forcible entry against Managing Agent or the Board of Directors or the person or persons who affect such forcible entry.
12. Nothing shall be done within the complex that would be in violation of any statute, rule, ordinance, regulation, permit, covenant, or other validly imposed requirement of any governmental body, including the zoning, subdivision or building restriction. Owners may not make any changes to the common elements or direct subcontractors to make any changes to the common elements without prior written consent from the Board of Directors.
13. Any personal property left in the Common Elements or Limited Common Elements may be presumed abandoned and will be disposed of by the Association at no liability to the Association. The Association shall not be responsible for any loss, due to theft, damage or otherwise, to any personal property stored or otherwise left on any common element, whether allowed or prohibited by these Rules.
14. Owners and occupants shall exercise reasonable care to avoid making or permitting to be made loud, disturbing or objectionable noises and in using or playing or permitting to be used or played musical instruments, radios, phonographs, television sets, amplifiers and any other instruments or devices in such manner as may disturb or tend to disturb owners, tenants or occupants or other Unit. No noxious or offensive activity shall be carried on upon any part of the project nor shall anything be done or placed on or in part of

the project which is or may become a nuisance or cause embarrassment, disturbance or annoyance to others. No sound shall be emitted on any part of the Project which is unreasonably loud or annoying which includes all mechanical equipment. No odor shall be emitted on any part of the Project which is noxious or offensive to others. No light shall be emitted from any part of the Project which is unreasonably bright or causes unreasonable glare.

15. No unsightliness shall be permitted on or in any part of the Project. Without limiting the generality of the foregoing, nothing shall be kept or stored on or in any of the Common Elements, nothing shall be hung or placed on any of the Common Elements including outdoor lights, and nothing shall be placed on or in windows or doors of units which would or might create an unsightly appearance.
16. Residency restrictions are limited to residential only. Any incidental commercial use requires approval from the Board of Directors and must meet the town's home occupation requirements. Complete restrictions are contained in the Declaration.
17. Signage restrictions are contained in the Declaration.
18. The Board of Directors reserves the power to establish, make and enforce compliance with such additional rules and regulations as may be necessary for the operation, use and occupancy of the Basalt Vista Townhomes with the right to amend the same from time to time.

**IN WITNESS WHEREOF**, the undersigned President of the Association certifies adoption of the foregoing Rules and Regulations of the Basalt Vista HOA by the Board on:

\_\_\_\_\_ Day of \_\_\_\_\_ 2020

By: President

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