

TOWNHOMES ON THE HILL ARLINGTON PLACE HOMEOWNERS ASSOCIATION

RULES & REGULATIONS

Townhomes On The Hill Arlington Place is a Townhome Community with Covenants, Conditions, and Restrictions that are intended to provide a safe and enjoyable living environment. These Rules and Regulations are the result of many hours of thoughtful discussion, months of refinement, and years of practical experience at Townhomes On The Hill Arlington Place. They constitute an automatic agreement between all Townhomes On The Hill Arlington Place owners and residents for their mutual benefit.

Owners, who do not live in their unit, have the obligation of making sure all occupants receive a copy of these Rules and Regulations. It is the Owner's responsibility to make sure renters/guests/occupants abide by these Rules and Regulations. Violation of these Rules and Regulations may result in fines. Ultimately, the unit Owner will be held responsible for payment of all fines.

OCCUPANCY

Each of the Townhome units is intended to be used for single-family residential housing and is subject to the requirements of local, state, and federal laws. There are no restrictions based on race, color, national origin, religion, sex, familial status (families with children under 18), or disability. Provo City zoning ordinances currently limit occupancy to one family or **three unrelated single persons per Townhome**. A **\$1,500/month fine** will be assessed to over occupied units.

PARKING/VEHICLES

Parking regulations are strictly enforced. Please be aware of the following:

- a. All exterior parking in the complex is deemed visitor parking. **All parking outside of the garages requires a valid parking pass.** Each owner is issued a total of three parking passes which is for use on the Arlington campus and Arlington Drive. The pass must be displayed and fully visible in the front windshield (either taped to windshield or hanging from the mirror). All parking is available on a first come first serve basis, 24 hours a day, 7 days a week. The replacement fee for lost passes will be significant and determined by the HOA Board of Directors.
- b. All vehicles parked at Arlington must be currently registered and licensed. Unregistered, inoperable, and unlicensed vehicles are subject to tow and applicable fines. Vehicles parked or driven on Arlington streets must meet all Arlington Homeowners and Provo city requirements.
- c. Parking in front of garages or along driveways at any time is prohibited. Vehicles must be parked in the garages or designated parking spaces only. Violations will result in towing, booting and fines that will accrue in accordance with the fine schedule.
- d. Parking or driving *any* vehicle, motorcycle, skateboard, etc. on the lawns or landscape is prohibited.
- e. Boats, trailers, and RV's of any kind are not permitted on the premises unless stored in the individual garage. Fines to accrue in accordance with the fine schedule. For the purpose of this rule, separate violations occur on a daily basis and escalate as per the schedule included on page 5.
- f. Bicycles must not be chained to porch railings or other common facility fixtures throughout the project. Fines to accrue in accordance with the fine schedule. For the purpose of this rule, separate violations occur on a daily basis and escalate as per the schedule included on page 5.
- g. Vehicle repairs are to be restricted to inside the garages and out of sight.
- h. Arlington Drive is a private road. City driving and parking requirements apply.
- i. All owners leasing, renting, or otherwise permitting occupancy by another must notify its tenant or occupant of this Motor Vehicle Policy which has been adopted by the HOA Board. **The Special Arlington Residential Lease Motor Vehicle Addendum must be signed and**

fully agreed to by all tenants and occupants whether they have a motorcycle or not. (This addendum may be obtained from the management company).

- j. All motorbikes, motor-scooters, motorcycles, and all other motor vehicles must at all times be equipped with that vehicle's stock muffler in good repair.
- k. All motor vehicles must have a current license and registration and conform to all Provo City and Utah State motor vehicle requirements.
- l. Due to noise complaints ALL MOTORCYCLE ENGINES MUST REMAIN OFF IN GARAGES AND ON ARLINGTON STREETS AT ALL TIMES.
- m. Motorcycles must be walked to the city streets.
- n. Motorcycles, motorbikes, and motor scooters, (two wheeled motor vehicles) and bicycles must be parked in the owner's garage at all times. Fines will accrue in accordance with the fine schedule. Violations are subject to tow.
- o. Violations of this policy will be considered Disruption, Nuisance, Disturbance, and/or Noise Violation and will carry a fine up to \$1,500 for each incident or violation.
- p. Owners are responsible if guests or visitors violate this policy.
- q. **The HOA Board of Trustees and Management are not responsible for any costs incurred. NO EXCEPTIONS.**
- r. No moving trucks or trailers may be parked on Arlington Drive or within the Arlington complex overnight.

GARBAGE CANS

Garbage cans must be returned to the inside of the garage by **8:00 p.m.** the day following trash pick up. It is illegal to put trash in another person's container. Overflowing cans or trash left beside the containers will not be picked up by the city and are subject to fines. Owners who violate this provision will be fined in accordance with the fine schedule. For the purpose of this rule, separate violations occur on a daily basis and escalate as per the schedule included on page 5.

GARAGES

Garage doors are to remain closed. If a garage door is left open a fine will be assessed per occurrence and in accordance with the fine schedule included on page 5. Garage doors and garage frames must be kept in a neat appearance and in good repair.

SPEED LIMIT

The speed limit throughout the complex is not to exceed five miles per hour.

SATELLITE DISHES

Satellite dishes/antennas are allowed on the following conditions:

- a. Written permission must be obtained from Management before installation.
- b. Dishes must only be mounted in the respective unit's limited common area, and must be installed with little or no visual and structural impact. Roof and stucco mounting is prohibited.
- c. All wiring must be routed and kept on the interior of the unit where possible.
- d. A professional must do the installation.
- e. Fines and the cost of removal and repair will be assessed for any violations.

SIGNS

Signs may *not* be posted in the common areas. Only real estate signs may be posted in the unit windows or on balcony railings. Reasonable flier boxes may be placed at the respective unit only. No other signs or banners can be displayed from balconies or windows at any time. Reasonable holiday decorations and

patriotic flags may be displayed around holidays but may not result in damage to the Townhome's exterior or be hung from roof or eaves.

SMOKING

The Utah Title 78 Chapter 38-1 (nuisance provisions) provides that a *nuisance may include tobacco smoke if it drifts into any residential unit a person rents, leases or owns, from another residential unit, and the smoke (a) drifts in more than once in each of two or more consecutive seven day periods; and (b) creates a condition which is injurious to health, offensive to the senses, and interferes with the comfortable enjoyment of life or property.* Arlington Place Townhomes were not designed to allow adequate ventilation between units. While smoking inside a unit is not prohibited by rule, it is strongly discouraged. However, smoking in any of the Arlington facilities, on balconies, or within 25 feet of a residential building is prohibited.

PETS

Considering the limited open area and the close proximity of residents to each other, keeping pets is strongly discouraged. Residents who choose to be pet owners are required to abide by the following rules:

No animals of any kind shall be raised, bred, or kept in the Common Areas. Pets must be kept inside the unit and may not be kept on the balcony or any other outside area at any time. Whenever pets are taken outside they must be on a leash and in the possession and control of the Owner at all times. Barking and other disturbing behavior by pets is not allowed. Pet Owners must clean up after their pet. Pets, pet messes, and damage caused by pets are the responsibility of the pet Owner and unit Owner. Fines and cost of landscape repair and other damage caused by pets will be assessed.

BALCONIES

Certain exterior portions of the complex, including balconies and front porches, are considered limited Common Areas. Each resident shall keep the limited Common Areas designed for use within their unit in a clean and attractive condition at all times.

Items that are considered acceptable on unit balconies or porches are patio furniture in good condition and designed for outdoor use, approved outdoor carpets/floor coverings, live and artificial plants that are well maintained, gas grills that are kept clean and in working condition. Installing carpet, rugs or other flooring on the balconies is not permitted without prior approval from the Board of Trustees. Approved flooring must be kept neat, clean, trimmed and cannot exceed the boundary of a given balcony.

Specific items not allowed on porches and balconies are flammable liquids, gas cans, batteries, car parts, tools, bicycles, weight sets and exercise equipment, indoor furniture, garbage containers, clotheslines, hammocks, and charcoal grills. Hanging items from the railing (wet clothes, rugs, etc.) is not allowed. Attaching anything to the balcony walls is not permitted. Changing balcony light fixtures to something other than the current uniform light fixture is not permitted. The Board of Trustees reserves the right to determine what articles are suitable for balconies and management may require residents to remove unacceptable items. Failure to respond to management requests may result in fines and confiscation of unacceptable items. Please be considerate so that others are not negatively affected. The appearance of your balcony affects the appearance and value of your neighbors' homes as well as your own.

Roofs

At no time is anyone (whether owner, guest, tenant, agent of owner, or any other person), allowed to access the roofs without HOA authorization. Fines and cost of damage will be assessed to anyone accessing the roof.

INDIVIDUAL UNITS

Residents are required to keep their unit in good repair and in a clean and sanitary condition. Nothing shall be done in any unit or in the Common Areas or any part thereof which could result in the cancellation of the insurance on the project. Nothing shall be done or kept in any unit or in the Common Areas or any part thereof which would be a violation of any statute, code, rule, ordinance, regulation, permit or other validly imposed requirement of any governmental body.

No structural alterations to any unit shall be made by any Owner/Occupant without the prior written consent of the Board of Trustees, e.g. moving, adding or removing walls, windows, doors, fireplaces, and skylights. Each unit shall be maintained so as not to detract from the appearance of the Project and so as not to affect adversely the value or use of any other unit.

MOTORCYCLES, BICYCLES, SCOOTERS, TOYS, ETC.

Riding bicycles, scooters and the like pose a unique hazard. Please exercise extreme caution when operating to use these items. Be aware of traffic, i.e. cars backing out, etc., so everyone is safe while playing outside. Arlington Place does not have an area that is separate from traffic for the use of these items; therefore, **the following items are prohibited to use on the Arlington campus:**

Skateboards, ramps, and motorized toys, etc.

Bicycles, scooters, toys, etc. must not be stored in the Arlington common areas. Items found in the Common Areas (not immediately being used) will be removed by the management. Arlington Board and Management will not be responsible for any item(s) stolen or damaged. Owners who violate this provision will be fined in accordance with the fine schedule. For the purpose of this rule, separate violations occur on a daily basis and escalate as per the schedule included on page 5.

Due to the noisy nature of motorcycles, please enter the property as quietly as possible. All motorcycles (including guests) must have engines turned off at all times when on the Arlington streets and premises. Please contact Arlington Board members regarding any violations. Fines will be assessed for violation of this provision. See page 1 paragraph h. for mandatory **Special Arlington Residential Lease Motor Vehicle Addendum** that must be signed by all non-owner occupants

GENERAL BEHAVIOR

Owners are responsible for their own actions and the actions of their occupants and visitors. Climbing in/on trees, fences, or any other structure is not permitted. Littering, to include cigarette butts, is not allowed. Throwing or moving rocks from any landscaped area is prohibited. Any unlawful act or indecent behavior in violation of Provo City Ordinances is prohibited. **Fireworks of any type are prohibited.** Fines will be assessed.

Townhouse living provides many positive features unavailable to those living in single-family neighborhoods. However, the close proximity of living arrangements and the shared nature of community assets including grounds, balconies, parking and amenities require thoughtfulness and consideration from every resident. Remember that your wall may be adjoining to the unit next to you and that people are living just a few feet away. Maintain considerate volume levels when listening to music, watching television, or participating in other activities. Keep noise and disturbances under control.

NOISE

As written in the Arlington Declaration of Covenants, Conditions, and Restrictions; "No Obnoxious, destructive, or offensive activities shall be carried on within any lot or in any unit or in the common areas or any part thereof, nor shall anything be done there which may be or may become an annoyance or nuisance to any other owner or to any person at any time lawfully residing in the project."

We are in a community where neighbors live very close to one another and have very different sleep and work schedules. **At no time may residents make noise that can be heard outside their private living quarters, this includes noise on streets or grounds at any hour.** Games or social gatherings of any kind are prohibited in the Arlington common areas and streets 24/7. Please be courteous and considerate of others at all times.

Parties, gatherings, or disturbances that can be heard outside of the offenders private residence will incur a fine of \$1,500. In addition if police are called to the disturbance there will be an additional \$250 fine per police visit. All such fines are due and payable immediately.

FINES

As set forth by the Community Association Act, Section 57-8a-208: All rule infractions are subject to fines by the Board of Trustees. Unless otherwise noted herein, the Board of Trustees shall give notice of the violation to the unit Owner and inform the unit Owner that a fine will be imposed. Fines will be imposed as follows:

1 st Violation	\$10.00
2 nd Violation	\$25.00
3 rd Violation	\$50.00
Each violation thereafter	\$100.00
Satellite/Antenna violation	\$400.00 plus cost of repair
Over Occupancy	\$1,500/month
Lost parking passes	\$150.00
Duplicated parking passes	\$450.00 & loss of parking privileges
Storing personal items and/or trash in common areas	\$100 plus cost of removal and storage
Each police visit in response to DISRUPTION or other NUISANCE.	\$250
Balcony/Roof/ Pet damage to Common Areas (landscape, etc.) damage Violations	\$500 plus damages/cost to restore
Parties, Gatherings, or DISTURBANCES	\$1,500
Noise Violation	\$200

With respect to fines that accrue daily, a day shall be considered the twenty-four hour period beginning at the time of the violation.

A unit Owner who is assessed a fine may request an informal hearing to protest or dispute the fine within 14 days from the date the fine is assessed. The hearing shall be held in conjunction with a normally scheduled Board of Trustees meeting. No interest or late fees may accrue until after the hearing has been conducted and a final decision has been rendered.

An assessed fine which remains unpaid after the time for appeal has expired becomes a lien against the unit Owner's interest in the property in accordance with the same standards as a lien for the nonpayment of HOA assessments.

The Arlington HOA provides rules and guidelines to protect the quality of life in our community. We realize that when living in such close proximity, disputations may arise. If you have a dispute or concern with your neighbor, you should first discuss the matter directly with them or the unit Owner. If no resolution can be made, and you feel that their actions are in violation of an Arlington rule, you may report the action to the manager.

The manager will, at that time, inform you whether or not this is the domain of the Association. The Association urges you to use caution and consideration in and around units as your actions often affect those around you. Please contribute to our unique Townhome Community in a positive manner by following neighborhood rules.

Arlington Board of Trustees