

**WILLITS TOWNHOMES ASSOCIATION**  
**ADOPTED 01/01/02**  
**UPDATED August 2015**  
**UPDATED November 13 2019**  
**UPDATED August 01 2022**  
**RULES AND REGULATIONS**

### **Introduction**

The Willits Townhomes community is a great place to live. The Rules and Regulations we follow are meant to keep our neighborhood safe, visually attractive and free from unnecessary disturbances. The Rules and Regulations are a living document that has evolved over time to reflect what the Board believes to be the current general consensus among owners. Every owner may not agree with every point, but the intention is to focus on the greater good. We accept and live by these Rules and Regulations.

Keeping our neighborhood a great place to live will in turn keep our property values competitive. In the long term, this will protect the investment we have each made in our homes. Be especially mindful of the following associations rules. **Drive the 10 mph speed limit within the property, monitor noise from electronics, dogs or loud children's play in the evening hours, and on the day of pick-up, store your trash bin. Dogs must be walked on leash. Homeowners may wash their cars in the safety of their driveway. Keep grills, trash, and bird feeders free of attractants as bears live in the area. Safeguard WTA's smokeless environment, smoke inside your unit as a courtesy to adjoining homeowners and children. Finally, share these rules with tenants.**

We thank you in advance for knowing and following the Rules and Regulations. Failing to comply in some cases will lead to fines in accordance with the WTA Violation Policy. Furthermore, failure to comply and/or pay any fines may result in a lien being filed on the property, and the Association shall have the right to recover reasonable attorney and other costs of collection for violation of the Rules and Regulations of the Association. In addition, after the second notice of violation, the Association may assess the cost for the property manager's time to continue enforcement efforts. All unpaid balances are subject to an annual interest rate of 18%. All such charges shall be enforceable as assessments. It is never fun to impose fines, but without this consequence, some would choose to ignore the rules. Please remember that by following the Rules and Regulations, we are upholding our obligation to be good neighbors.

### **Terms to Know**

1. Common Elements— Means and includes all parts of the property, grounds, improvements, installations and facilities which are not included within a unit.
2. Limited Common Element—Means a portion of the Common Elements allocated by the Declaration for the exclusive use of one (1) or more units, but fewer than all units.

### **Safety for All**

1. All units must have their fire sprinkler system inspected annually. An inspection certification must be presented to the managing agent and any and all deficiencies and/or antifreeze needs to be immediately remedied. The Association will schedule dates for this inspection annually. Failure to allow access during the scheduled times or provide other fire sprinkler system certification will result in a fine in the amount of \$250.00 with an annual interest rate of 18%. If other fire sprinkler inspection is done outside of the normally scheduled inspection, then an inspection certificate shall

be submitted to the managing agent either in September, October, or November of each year. The Associations pays for the inspection scheduled by the Association. All repairs as a result of the inspection are an owner charge.

2. No owner may be allowed to use a welding torch inside the unit for thawing pipes.
3. All common sidewalks, driveways, entrances, halls, stairways and passageways shall not be obstructed or used by any unit owner, tenant or guest for any purpose other than ingress and egress from the unit(s)

#### **Common and Limited Common Elements**

4. Personal property shall not be placed on or in any of the general common elements unless on or in the owner's exclusive limited common element.
5. The balconies, terraces, decks or patios, and enclosed backyards shall be used only for the purpose intended and shall not be used for storage of household articles or other items. Patios and balconies shall be kept free of garbage, debris, weeds, trash, bicycles, toys, tires, animal droppings, laundry or other unsightly storage.
6. No changes of any kind are to be made to the general or limited common areas of the Association without the expressed written permission of the Board of Directors. Any changes, alterations or additions to the limited common or general common areas of the association by a unit owner must be approved by the Board or the unit owner may be directed to remove and/or return the area in question back to its original condition.
7. Any damage to the general common elements or common personal property caused by a unit owner or the child, children, guest, tenant or lessee of a unit owner shall be repaired at the expense of the unit owner.

#### **Additions to Your Townhome**

8. Owners shall not undertake any work upon the exterior building walls or upon the general or limited common elements. Such work is the responsibility of the Association.
9. No owner, resident or lessee shall install wiring for electrical or telephone installations or for any other purpose, nor shall any television or radio antennae, machines or air conditioning units be installed on the exterior of the unit, including any part of the balcony or patio.
10. No installation that protrudes through the walls or the roof of the building shall be allowed unless expressly authorized by the Board.
11. Satellite dishes may be added upon board approval.
12. Central Air Conditioning is permitted; units that do not have central air conditioning must submit a request to add central air conditioning to their unit to the Board of Directors with product info for approval. Information accompanying the request must include the routing of the conduit containing refrigerant lines and power. The Board will consider and either approve the request, ask for more information, or deny the request. Licensed air conditioning and electrical contractor with all the necessary permits and insurance coverage for the WTA must carry out the central air conditioning installation work. Air Conditioner condensers must be placed on the unit's patio (not on decks) and their decibel output of the condenser must not exceed 80 decibels during operation. The Board may permit applicable conduits on the exterior of the building on the patio level at an inside corner or directly adjacent to a downspout. Such conduits must enter the interior of the unit no higher than the deck (second floor) level. Units that do not have a deck must confer with the Board about possible routing options. Failure to comply may result in the removal of the air conditioning unit installed at the unit owner's expense by the Property Manager or one of its agents.
13. In-wall Air Conditioners that protrude through the exterior of the building are not permitted.
14. Air Conditioning Window units are allowed to be mounted in windows on the patio/deck side of the building only and should have minimal protrusion out of the window. One window unit is allowed

per unit. Winter covers should match the exterior of the building.

15. Above ground hot tubs are allowed in patio areas, hot tubs to be located on balcony decks must first be approved in writing by the Board of Directors.
16. Awnings may be installed over balcony decks once the unit owner has received written approval of the Board of Directors for such installation.
17. Subject to Board approval, gas lines may be routed to grills located on the deck. Request for approval to install a gas line should include the routing method proposed to minimize visibility of the gas line. A licensed contractor with all the necessary permits and insurance coverage for the WTA must carry out the installation of the gas line.

### **Renting Your Townhome**

18. The WTA CC&Rs specifically state that no owner may lease their unit for hoteling or transitory purposes. For clarification, the Board interprets this to mean that an owner may not lease their unit for less than 30 consecutive days. This aligns with the Town of Basalt's definition of a short term rental. Should the Town of Basalt increase the length of time for a short term rental to something more than 30 consecutive days, these regulations are automatically extended to match that time frame. In no situation will the length of time be shortened to less than 30 consecutive days.

Please note, the Town of Basalt municipal code states that in the case of the renting of rooms for long-term purposes of thirty (30) days or more the total number of unrelated persons, including roomers, in any one (1) dwelling unit must not exceed three (3).

Owners who choose to rent their units out, whether for 30 consecutive days or a longer period of time, must do the following:

- Indicate in any postings, listings, or on-line ads (i.e., VRBO, airBnB, etc.) that all leases/rentals/occupancies must be for 30 days or longer.
- Identify to the WTA property manager a local point of contact that can be called at any time to assist in issues with the Unit and rule violations, particularly noise and parking.
- Notify the WTA property manager of the car license number(s) of their renter(s). Please ensure your tenants understand their cars must be parked in the unit's garage or driveway. Not in guest parking. This may mean they have parking for less than 4 cars if they are using the garage for storage.
- Attach a copy of these Rules & Regulations to any lease so your renters are aware of the rules of the Association.

If it is determined that you are renting your unit in violation of the CC&Rs regarding hoteling, you will be subject to a fine of \$500. Subsequent violations will be considered a separate violation subject to an additional fine of \$500. Additionally, repeated violations may be subject to legal action to prevent future violations. The Town of Basalt will be notified of any Unit that is rented on a short term basis, subjecting you to licensing and tax requirements, fines, and possibly prosecution in municipal court.

Owners are responsible for any rule violation their renter or guest incurs.

### **Noise**

19. At all times, owners and occupants shall exercise reasonable care to avoid making, or permitting to be made, loud, disturbing or objectionable noises, and in using audio devices or playing, or permitting these devices to be used or played. Audio devices such as musical instruments, radios, stereos, television sets, amplifiers and any other instruments or devices must be monitored to avoid disturbing or tending to disturb owners, tenants or occupants of other units. Any complaints by guests or other owners regarding noise and/or other nuisances must be resolved immediately to the

satisfaction of the concerned party. The Board has the authorization to issue a written warning to the offending party. Following one written warning, the Board may assess a fine of \$50 to the offending unit owner. Subsequent violations will be subject to the fine schedule in the Violation Policy.

### **Pets**

20. Pet Ownership; Willits Townhomes Association will follow the Town of Basalt rules & regulations as they govern pets such as dogs & cats. Any violation of the Town of Basalt's pet rules may result in a fine of \$50 to the offending unit owner. Subsequent violations will be subject to the fine schedule in the Violation Policy. Pets must be on a leash when walking on Association property.
21. A dog owner is responsible for cleaning up after their dog. Unit owners are responsible for any related cleanup or damages to any personal or common area property caused by any pet kept in their unit. Hybrid pets (i.e. dog/wolf) are not allowed. Exotic animals must have the approval of the Board of Directors. No renter/lessee is allowed to have pets without specific written consent of the unit's owner.
22. Should any pet create a problem in any way by running loose, making excessive noise, creating offensive odors or uncollected waste on balconies, ground level "patio" areas, or other common areas, the Board has the authorization to fine the unit owner \$50. Subsequent violations will be subject to the fine schedule in the Violation Policy.

### **Parking**

23. Vehicles belonging to, or under the control of, a unit owner or family member, or tenant shall be parked within Designated Parking spaces. Designated Parking spaces shall be defined as in a garage and the space(s) directly in front of the unit's garage. A resident may request approval to use guest parking for a child who is away in school and is home on break. The resident must demonstrate a hardship to conform to the regulations.
24. No vehicles shall be parked in a public right of way. Vehicles may not extend out into the street further than the island.
25. Guest spots are for guest parking only. Guest Parking is defined as all parking spaces not in a garage or space(s) directly in front of the unit's garage. Unit owners or renters shall notify the property manager of the car license number of their guest(s) who will be using guest parking for more than 48 hours.
26. Unregistered or inoperable vehicle shall not be parked in a space directly in front of a unit's garage for more than forty-eight (48) hours.
27. No car, truck, motorcycle or any other motor vehicle shall be repaired anywhere within the complex with the exception of low maintenance repair or cleaning in a unit's garage or the space(s) directly in front of the garage.
28. No recreational vehicles; including but not limited to boats, watercraft, snowmobiles and trailers, shall be parked or stored on the property. To prepare for travel, a camper, a trailer or a Winnebago may be parked in front of a unit's garage for a maximum of forty-eight (48) hours (24 hours for packing/24 hours for unpacking). Further, no person shall live or sleep in any vehicle, of any size, especially in the space(s) directly in front of a garage.
29. Parking Violators will be tagged with a warning; for a second violation, the vehicle will be booted or towed at the owner's expense. Willits Townhomes Association assumes no liability.

### **Other**

30. Trash bins and recycle bins must be stored inside at all times. Arrange with a neighbor to set out and restore your bins promptly when you are away. Trash bins and recycle bins must be put out for collection only on the morning of trash pickup. The reason for this rule is due to our local Bear problem. Bears in our area are known to feed on the contents of trash bins left out overnight.

Please understand there is an additional fee to the homeowner for trash collected outside of the bin. Bird feeders on patios or balconies are discouraged due to the fact that they are an attractant. Failure to comply with these rules may result in a written warning; the second such offense may result in a \$25 fine. Subsequent offenses are subject to the fine schedule in the Violation Policy.

31. Garage Sales: Many homeowners participate in the annual WTA garage sale, usually held in May or June. The association and homeowners are notified in advance. Sale items are limited to personal belongings that are displayed only on the driveway pad. During a pre-arranged sale, neighbor's driveways, roads and fire lanes must remain clear. Association notification is necessary as a courtesy to inform neighbors of a disruption to their peaceful enjoyment, their access in and out of their home and to minimize congestion due to increase traffic and parking. Similarly, automobiles need to be removed from the sale area to improve traffic flow.
32. Exterior lighting should be minimized to reduce light pollution. The Town of Basalt regulations on outdoor lighting apply, but as a general guideline:
  - a. Holiday Lighting: Winter holiday lighting which is of a temporary nature should be illuminated only between November 1 and April 15 of each year and should be turned off by 10 pm.
  - b. Other outdoor lighting on patios and decks: Decorative or string lighting use should be done in such a way as to minimize light spill towards neighboring windows. Lights should be turned off by 10 pm. Lights should have covers to direct light down and to decrease the distance the light travels. Any complaints by guests or other owners regarding objectionable lighting must be resolved immediately to the satisfaction of the damaged party.
  - c. Permanent entryway and driveway lights are permitted to be on for safety at any time, however residents are asked to be courteous to surrounding neighbors and use such lights after 10 pm only when necessary.
33. Home businesses are allowed but are subject to the Town of Basalt Municipal Code and the CC&Rs for the complex. Specifically, owners or tenants may have an in-home business that does not involve employees or the serving of customers and provided there is no external evidence (i.e. signage) and no inconvenience to other owners. Please see Sopris Meadows PUD Declaration of Covenants, Conditions and Restrictions (Multi-Family Parcels), Article V, Section 2 and Town of Basalt Municipal Code Sec. 16-202 for additional rules applicable to home businesses.