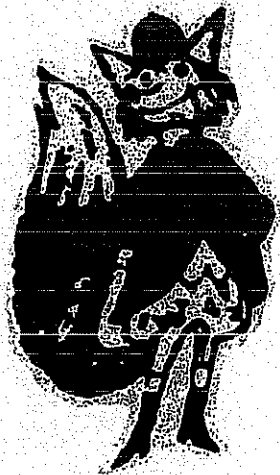


FOXCROFT TOWNHOME OWNERS ASSOCIATION

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RULES & REGULATIONS



March 2008

Table of Contents

I.	Mission Statements	1	7.	Towing	12
II.	Rights of Owners	1	8.	Vehicle repairs	12
	Responsibilities of Owners	1	9.	Speed Limit	12
III.	Rights of the Board	1	10.	Vehicle Violation Calls	12
	Responsibilities of the Board	2			
IV.	Enforcement	2-5	D.	Pets	13
A.	Authority of Board	2	1.	Registration	13
B.	Reporting Violations	3	2.	Animal control	13
C.	Notification of Violations	3	3.	Owner Responsibility	13
D.	Fine Enforcement Procedures	3-4	E.	Pool	13-15
E.	Due Process	4	1.	Pool Season	13
F.	Hearing Procedures	5	2.	Registration	14
V.	Rules and Regulations	5-17	3.	Pool Rules	14-15
A.	Owners and Members	5-7	a.	General Rules	14
1.	Conduct	5	b.	Health	15
2.	Association Fees	6	c.	Safety	15
3.	Selling Property	6	4.	Pool Rentals	15
4.	Renting Property	6-7	F.	Clubhouse	16
B.	Property	7-10	1.	Rentals	16
1.	Architectural Control	7	2.	Other	16
2.	External Changes	7	G.	Meetings	16-17
3.	General Appearance	7	1.	Annual Meeting	16
4.	Front Yards	7-8	2.	Board of Directors Meeting	16
5.	Back Yards	8	3.	Special Meetings	17
6.	Units	8-9	4.	New Owner/Renter Meeting	17
7.	Common Area	9	H.	Amending Rules and Regulations	17
8.	Landscaping	10			
9.	Damage to Common Area	10	Index		18
C.	Vehicles	10-12	Complaint Form		19
1.	Vehicle Identification	10	Notice of Violation		20
2.	Parking	11			
3.	Overflow Parking	11			
4.	Winter Parking	11			
5.	Storage of Vehicles	11			
6.	Recreational vehicles	12			
	Commercial Vehicles	12			

I. Mission Statements:

The **Mission of the Foxcroft Townhome Owners Association** is to promote and ensure the proper use and maintenance of all association property for the exclusive benefit of the Association members, residents and their authorized tenants and guests. It is also to foster, encourage, and promote an enjoyable, stimulating and dynamic community environment, and to protect and enhance the value of each member's property investment.

The **Mission of the Board of Directors** is to implement the documents of the Association. They are to adopt and administer rules and regulations governing the use of property and personal conduct of Association members/residents and their tenants and guests, to establish penalties for infractions, to ensure the Mission of the Association is realized and see to the efficient running of the Association.

II. Rights and responsibilities of Town Home Owners**A. Rights**

1. To be a member of the Association entitled to one (1) vote per unit owned
2. To serve on the Board of Directors
3. To address the Board of Directors according to the outlined procedure (pages 2-4)
4. To make improvements to their property according to the architectural guidelines and City of Aurora Ordinances
5. To keep pets according to the Foxcroft Rules and Regulations and City of Aurora ordinances
6. To an enjoyable community environment
7. To privacy within the limits of Townhome living
8. To be an active participant on Association committees
9. To attend the Annual meeting of members
10. To review the Associations budget and financial documents
11. To due process

B. Responsibilities

1. To be considerate of neighbors and their privacy
2. To pay monthly assessments and special assessments and fees on time
3. To be an active participant in the Association
4. To attend Annual meeting of members
5. To attend Board meetings
6. To review and comment on proposed annual budget and proposed rules and regulations

III. Rights and Responsibilities of the Board of Directors**A. Rights**

1. To all rights granted to other owner/members
2. To be free from reprisal from disgruntled members
3. To function in the interest of all owners
4. To do whatever it deems necessary, appropriate and legal to collect fees and fines, including the right to forceable entry and detainer
5. To do whatever it deems necessary, appropriate and legal to maintain the appearance of all units in the association, common areas and owner units

III. Rights and Responsibilities of the Board of Directors

B. Responsibilities

1. To prepare and distribute the proposed annual budget for the coming year on or before November 1st and adopt it after review. Owners have 30 days to comment on the budget.
2. To recommend an increase in dues as necessary and pursue the approval according to the governing documents
3. To notify membership of regular meetings and any special meetings and their purpose
4. To supply owners with an account of expenses for the preceding fiscal year at the Annual Members meeting or before April 15 of each year
5. To ensure all operations of the association including pool and clubhouse
6. To ensure the upkeep, maintenance, repair, replacement and improvement of common elements, including pool and clubhouse
7. To levy and collect monthly and special assessments
8. To employ and dismiss employees, lawyers, and other contractors
9. To assure adequate and appropriate insurance is in force
10. To adopt, amend and enforce the Rules and Regulations
11. To keep detailed and accurate records
12. To assure the uniform appearance of all property, both common areas and owner units
13. To provide landscaping care and snow removal
14. To notify owners of and impose consequences for violations of Rules and Regulations.
15. To tow vehicles in violation of the Rules and Regulations
16. To impose and collect fines designated in the Rules and Regulations
17. To determine all fees
18. To provide for due process hearings
19. To address any and all issues not specifically covered in the Rules and Regulations according to the documents of FTOA and local ordinances
20. To review the written and signed comments and questions of members and respond when deemed appropriate.

IV. Enforcement of Rules and Regulations

A. Authority of the Board

1. The Board has the authority to adopt and amend the Rules and Regulations governing the members of Foxcroft Townhome Owners Association. The Board has the authority to enforce these Rules and Regulations.
2. Owners and tenants have ownership interest in their unit. Townhome living requires that they share interest in the property of the Association. This means that they will have to give up some personal freedom to the Association for the common good of the Association.
3. Violation of these Rules and Regulations may result in:
 - Loss of voting rights and right to use clubhouse, pool and common areas
 - Fines as listed under Fine Enforcement Procedures (page 3)
 - Legal action

IV. Enforcement of Rules and Regulations

B Reporting Violations

1. Unit owners should make every effort to notify neighbors of any infraction of the rules in a friendly manner. Every attempt should be made to resolve personal differences between them. It is not the responsibility of the Board to intervene in personal disputes.
2. Any unit owner, tenant, or managing agent can file an unresolved complaint against another owner or tenant **for an infraction of an Association's Rule or Regulations**. This complaint must be in writing and signed. It should be delivered to the Association office. The owner reporting the violation may use the complaint form found on page 19 or a letter containing the following information:
 - a. Name, address, telephone number, and signature of the reporting owner or tenant and the date of complaint
 - b. Name and address of the unit owner or tenant who has committed the infraction of the Rules and Regulations
 - c. Date, time and description of the offense
3. The complaint must be filed **within ten (10) days** following the violation.
4. Every effort will be made to keep the names of the parties involved confidential.
5. In the event of an emergency or potentially dangerous violation of the Rules and Regulations the police, fire department or other proper authority, as applicable, should be called at once.

C. Notification of Violation

1. Within ten (10) days after a written complaint has been received the Board will investigate and the owner or tenant to who is cited will be notified in writing of the alleged complaint, when warranted. (page 20) This notification will include a description of the complaint, the time limit for it to be resolved and any fines or consequences related to the violation. A notification of the possibility for a hearing before the Board to contest the complaint will also be included.
2. If the violation is that of a tenant both owner and tenant will receive a copy of the complaint.
3. The owner or tenant receiving the notification of a violation may submit questions or a request for a hearing within 21 days from receipt of notice. This should be done in writing and delivered to the Association office.
4. In the event that the Board determines that a complaint warrants legal action, the Board may refer the complaint to the Association's attorney. All legal expenses incurred as a result of this action will be assessed against the unit owner in violation.

D. Fine Enforcement Procedures will be as follows

1. Each violation is retained for one year. If corrective measures are taken and no other violations are issued within a one year period, previous violations will not be considered on subsequent infractions of the Rules and Regulations.
2. Unless otherwise noted in these Rules and Regulations penalties and fines are:

1 st Offense	written warning
2 nd Offense	\$50.00 fine
3 rd Offense	\$100.00 fine
Subsequent Offenses	\$250.00 per offense

For flagrant violations, as determined by the Board, and defined as any action that causes property or personal damage to, or risks the health, safety, or welfare of the Association or its members, tenants or guests, the Board reserves the right to issue, without warning a \$250.00 fine for a first violation, and subsequent fines of \$500.00 and \$1000.00.

IV. Enforcement of Rules and Regulations**D. Fine Enforcement Procedures - continued**

3. All fines will be in writing. Any homeowner requesting a hearing must notify the Association, in writing, within 21 days of receipt of notice. A determination will be given to the homeowner within 14 days of the hearing.
4. In any offense where costs are incurred by the Association, the owner will be responsible for those costs. These include, but are not limited to:
 - a. Damage to property
 - b. Personal injury
 - c. Restoration costs
 - d. Legal costs and Attorneys fees
5. Fines or costs must be paid in full within 30 days of written notification from the Board. Owners are responsible for Attorneys fees and all costs of collection necessary to enforce the collection of fines and costs.
6. If the notice of a violation is ignored and the violation continues and additional fine of \$25.00 per day can be levied until the cause is corrected.

E. Due Process

1. If the alleged violator denies violating the rule or elects to continue the behavior giving rise to the complaint, the Board shall issue a written notice informing the alleged violator of a time and place where the Board of Directors or its duly authorized committee of not less than three (3) people, will conduct a hearing to review the complaint. At that time, the alleged violator shall be given an opportunity to oppose the complaint and question any witness.
2. The hearing will be conducted no later than six (6) weeks after the notification of a violation.
3. If the alleged violator is not present for the hearing, the hearing will be conducted without the presence of the alleged violator. The violation may be deemed admitted to by default.
4. Minutes of the hearing will be kept. They will include the names of the parties and any non-party witnesses testifying.
5. The findings of the hearing will be submitted to the Board of Directors, for disposition at its next regularly scheduled meeting.
6. The decision of the Board will be made by a majority vote of the Board members present at the meeting. The decision is final and binding.
7. The Board will issue a determination in writing regarding the alleged violation within ten (10) days following the regularly scheduled Board meeting.
8. If the complaint is found to be valid any fines charged to the violator will remain.
9. If the complaint is found to be invalid or only partly valid adjustment will be made to the fines at the decision of the Board of Directors.
10. In the event of any violation of the Rules and Regulations, declarations or By-Laws of the Association, the Board reserves the right to pursue with or without notice, unless contrary to law, any and all legal remedies available under these Documents and under any municipal, state or federal law, to compel enforcement of these Documents. All costs shall be assessed to the violators account.

IV. Enforcement of Rules and Regulations

F. Hearing Procedures

1. Notice of the hearing described above shall be written and delivered to the alleged violator not less than 10 days and not more than 30 days from the date of the hearing in any of the following ways:
 - a. delivery of the notice by personal service with proof of service
 - b. certified mail return receipt requested
 - c. regular first class mail with proof of mailing

Service shall be deemed effective upon the date of mailing
2. The alleged violator shall be permitted to question all witnesses called by the Board and shall be permitted to call witnesses on his or her own behalf and may be represented at the hearing by counsel.
3. The Board, in its sole discretion, may establish other reasonable rules and regulations relative to conducting the hearing, including hearing time regulations and witness number limitations.

V. Rules and Regulations - These Rules and Regulations are based on the Declarations, Covenants and By-Laws of the Foxcroft Townhome Owners Association and the Ordinances and Laws of the City of Aurora.

The purpose of these Rules and regulations is to ensure that the Mission of the Association is carried out

Owners and tenants have an investment in the environment and well-being of all owners. These Rules and Regulations and procedures for enforcing them have been adopted to maintain and improve the Association's living environment.

A. Owners/Members must provide a completed census form to the management within 10 days of the closing or occupancy. The Board may request, at any time, an update of this information for the Association's files. Each owner must provide the updated form within 10 days of the Board's request. The loss of all privileges or a fine of \$25.00 per day may be levied until the form is returned.

1. Conduct of members and guests

- a. No activity or game is permitted that might cause damage to lawns, landscaping, buildings, common areas, pool, clubhouse, private property, sidewalks or pavement.
- b. No activity or game is permitted that willfully or negligently becomes a nuisance to other residents, or disrupts the peace. This includes but is not limited to:

Noise - such as firecrackers, loud radios, barking dogs, shouting, screaming or loud cheering and disturbances that create a nuisance especially during sleeping hours.

In such close living areas as our townhomes, noise can be a serious problem to other residents. Please be considerate of your neighbors.
- c. An owner shall be deemed directly responsible for the activities of his immediate family, including children, and for the activities of the owner's pets, tenants, guests, employees, and visitors with respect to all documents of the Association.
- d. No owner shall do or permit to be done, whether in his unit or lot or on the common area, anything which shall constitute a hazard or endanger or damage the person or property of other owners or third parties or otherwise interfere with the rights or convenience of other members in the peaceful use and enjoyment of a unit, lot or common area.

V. Rules and Regulations**A. Owners/Members - continued**

2. Association fees - Unit owners are responsible for monthly and special assessments, late fees, attorney's fees, Board levied fees and cost of collections.

- a Due date - Monthly association fees are due on the first of each month. A grace period of 15 days and 2 processing days is given.
- b Late fees - A finance charge of \$15.00 is levied on all accounts where payment has not been received by the 17th of the month.
- c Owners will receive a letter requesting full payment of the past due amounts before the 17th of the next month.
- d Collection Procedures - Any past due accounts not paid by the 17th of the following month will be referred to the attorney for collection and will incur additional costs. Accounts not paid in full by the next month will be referred for possession. Collection procedures can include but are not limited to: collection letters, recording of liens, foreclosures, judgments, forceable entry and detainer and/or eviction.

3. Selling Property requires that the owner contact the Association to supply information about the sale and the buyer. The owner must notify the Association at least 2 weeks in advance of any closing in order to obtain the necessary documents (assessment letter and any questionnaires)

- a Assessment Letter - When owners sell or refinance their units they will need proof that all assessments, fees and fines have been paid and all repairs have been completed.
- b Each document requires a \$40.00 processing fee which must be paid before the document can be sent to the realtor or attorney. NO document will be sent to the owner.
- c The Association does not prorate assessments for the sale of Townhome units. This may be accomplished by and between the seller and the buyer at the closing.
- d All new owners are required to attend a new owner meeting within two (2) months of tenancy. These meetings are held at 6:00 p.m. on the day of the regular Board meeting, usually the third Tuesday of the Month. A special meeting can be arranged by mailing a request to the clubhouse.
- e New Owners must fill out a census form within ten (10) days of occupancy. This will provide information on the owner which is needed for the files of the Association.

4. Renting Property must be done in accord with the by-laws and regulations of the Association. No more than 10% of the units (eight) may be rented at any time. A rental application, copy of the lease and a census form must be sent to the Board for approval BEFORE the rental is completed. A fine of \$100.00 per day can be levied if the necessary information is not sent to the Association Office.

- a The rental application is a simple request to rent out the unit.
- b The lease to rent must include a statement that the tenant has received a copy of the Documents of the Association and the Rules and Regulations and will abide by them. It must also contain a statement as to whether or not the tenant will be allowed to use the pool and clubhouse facilities the same as an owner. There is no use of any of the Association's facilities without a lease on file.
- c The tenant is expected to attend a new owner/renter meeting to discuss the Rules and Regulations. These meetings are held at 6:00 p.m. on the day of the regular Board meeting, usually the third Tuesday of the Month. A special meeting can be arranged by mailing a request to the clubhouse.

V. Rules and Regulations

A. Owners/Members - continued

4. Renting Property - continued

- d. The Census form will provide information on the owner and the tenants which is needed for the files of the Association.
- e. Owners are liable for any rule infractions by their tenants.

B. Property of Foxcroft Townhome Owners association includes the common areas, Pool, Clubhouse, Elder Drive, two parking lots and owners units and lots

1. **Architectural Control Committee** will be established to assist the Board as indicated in Article IV of the Declarations. They will conduct the annual walk around inspections and review all requests for architectural and landscape changes notifying the Board as to the results of the walk around and any recommendations for changes.
2. **External Changes** to units and landscaping require approval from the Board. Forms for requesting architectural and landscape changes are available at the Association office.
 - a. Pre-Approved changes include replacement of Balconies, Front Porches, Fences, Front, Storm and Patio Doors, Windows, Roofs, Garage Doors, Address Numbers and Satellite Dishes
The Pre-Approved form lists requirement for these. The Pre-Approved Application must be sent to office BEFORE the replacement is made.
 - b. Other changes must be explained in full on the Architectural Modification Application. This application must be turned in at least 4 weeks BEFORE work is to begin in order for the Board to approve the work.
3. **General Appearance** of the townhomes and landscaping needs to be maintained by the association and the townhome owners. The association will provide landscaping care as indicated in section on Landscaping Page 9
 - a. Townhome owners are responsible to maintain the integrity and appearance of the units and landscaping provided by the Association.
 - b. All owners are responsible for keeping their unit and the common area free and clear of all rubbish, debris, and other unsightly material.
 - c. Owners are responsible to keep their units in a good state of preservation and cleanliness. They should not permit their units or lots to fall into a state of disrepair.
4. **Front Yards** should be cleared of all toys, tools, bicycles, tricycles, sports equipment; trash cans and recycle bins each evening. These must be stored indoors so as not to detract from the appearance of the property or create a safety hazard.
 - a. All garbage must be placed in sealed plastic bags or covered containers when placed at the curb.
 - b. Garbage cans and recycle bins shall be kept inside the unit until 7 pm on the evening prior to pickup. They are to be returned inside by dusk of the collection day.
 - c. No Barbecue grills are to be used or stored in the front yard.

V. Rules and Regulations - continued

B. Property - continued

4. Front Yards

- d No household furniture can be placed in the front yard or driveways. Any furniture used in the front yard must be outdoor type and removed at the end of use and/or the end of the day.
- e Outdoor lighting should be positioned so the light does not disturb neighbors or shine directly into their windows.
- f Garden hoses may NOT be stored outside on the front of the building.

5. Back Yards must be neat in appearance with lawns mowed, gardens weeded, decks and patios cleaned. All toys, tools, bicycles, tricycles and sports equipment should be neatly stored.

- a No household furniture can be placed in the back yard. Any furniture used in the back yard must be outdoor type and neatly stored when not in use.
- b Barbecue and Fire pits may only be used in the owner's back yard. They should be neatly stored when not in use.
- c Use of wading pools and sandboxes is limited to the owner's back yard.
- d Firewood can be stored in your back yard or garage. It is limited to neatly stacked face cords that do not interfere with maintenance or neighbors or protrude above the height of the fence.
- e Structures of a temporary nature, such as shacks, barns, storage sheds, or other outside buildings are not allowed. No permanent structure that protrudes above the height of the fence is allowed unless approved by the Board.
- f No swings or jungle gyms are allowed.
- g Clothing, blankets, sheets and laundry may be hung from a temporary line inside the backyard during daylight hours.
- h Backyard fences and decks need to be in good repair and stained according to the established color code.
- i Window air conditioners are prohibited.

6. Units shall be maintained in good repair. All repairs shall comply with the current color scheme and the requirements on the pre-approved list of repairs.

- a Sun rooms and second story decks must conform to the current approved guidelines.
- b Patios should be maintained. Any changes must be approved, in writing, before the changes are made.
- c Garage doors must be of the approved style and color. Any interior construction in the garage must be done according to City of Aurora codes.
- d A Storm door, which complies with specification on the pre-approved list, shall be installed at the front door.
- e Holiday Decorations may be put up not more than 45 days prior to a holiday and must be removed within 30 days after the holiday.
- f Advertising signs, billboards, campaign signs, and objects of unsightly appearance or nuisance are not permitted.
- g Only one For Sale or For Rent sign, of not more than three (3) square feet, may be placed inside a window or patio door of the unit.
- h No awnings are permitted on the front of the units.
- i Units are restricted to residential use only. Commercial activities are not permitted.

V. Rules and Regulations - continued

B. Property - continued

6. Units - continued

- j. Units may not be occupied by more persons than allowed by the City of Aurora ordinance.
- k. Owners are encouraged to maintain the security of their unit by locking all doors and windows and closing the garage door when not present in the garage. Extra care should be taken with lower level sliding patio doors.
- l. All units are to install working smoke and CO detectors
- m. No basketball backboards or other permanent game equipment may be installed on any unit, garage, driveway, lot or common area.
- n. Satellite dishes no larger than 1 meter across can be installed by an insured and licensed contractor on the back portion of the building or an inconspicuous part of the front roof. A Pre-approved modification form must be submitted before the dish is installed. The owner must restore the property to its original condition upon removal of the dish.
- o. No permanent hardware, such as name plates or plaques, is to be attached to the exterior of the buildings without the approval of the Board.
- p. Cable and phone lines into the unit should be underground and neatly placed along the outside wall and well secured.
- q. If any owner fails to maintain or repair any building exterior for which he is responsible, or changes or permits alterations to be made to the color, material, finish or any other aspect of any unit without complying with the provisions outlined in these Rules and Regulations, the Board has the right and duty to do whatever it deems necessary or appropriate to remedy any such failure or correct and restore any improper condition. All costs, including legal fees, of any corrective work shall be charged to the unit owner.
- r. If any addition, alteration or improvement is made by an owner without the prior written approval of the Board, the Board may, at its own discretion, take any of the following actions:
 - Require the owner to remove the addition, alteration, or improvement and restore the property to its original condition, all at the owner's expense
 - If the owner refuses or fails to properly perform the work required, the Board may cause such work to be done and may charge the owner for the cost thereof as determined by the Board
 - Ratify the action taken by the owner as if prior consent had been given
- s. The Owner shall be solely responsible for any injuries or damage to personal property which occurs during the construction or installation of any improvements which are approved by the Board, and shall be solely responsible for compliance with all federal, state and local laws.

7. Common Area consists of the street and sidewalk in the front of all units. All land behind the units from the end of the fence to the property line and the land between buildings. Also included are the clubhouse and pool and land around them and the parking lots.

- a. All owners and guests may use the common areas with consideration of those living near-by and the rules and regulations governing particular areas, such as the pool and clubhouse.
- b. All personal property, equipment and trash must be removed from the common area at the end of any activity. Nothing should be left in the common areas overnight.

V. Rules and Regulations - continued

B. Property - continued

8. Landscaping is the combined responsibility of the owner and the Association

- a. Association will provide weekly landscaping to include lawn mowing and trimming. A weed and feed treatment will be done twice each year. Seasonally bushes will be trimmed and leaves removed.
- b. Unit owners are responsible to water their lawn, flowers, trees and shrubs, since the landscaper does not provide this service.
- c. Owners may plant annuals in the landscaped portion of their yards. Major changes may be made to landscaping, including trees or shrubs, added or removed after application for change and prior written approval of the Board. Use Architectural Modification Request available in the association office.
- d. All Pavers used in the front yard landscaping must be flat with the ground surface.
- e. No statues or lawn ornaments taller than 12" will be allowed.
- f. No stones shall be allowed as ground cover. Mulch will be applied, in the front yard, by the landscaper according to the contract each spring.
- g. Landscaper will remove tree limbs up to 12 feet above ground as needed, especially to facilitate mowing. Trimming needs should be referred to the Board, in writing. The Board will contact the landscaper or tree service to have it done, if needed.
- h. Planting, replanting, removal, care and maintenance of trees, shrubs and grass in the common areas and all other common area landscaping shall be furnished by the Association. Any changes must be approved by the Board in writing.
- i. Owners must call JULIE (1-800-892-0123) to determine if there are underground utilities before starting any digging below 6".

9. **Damage to Common Area or Personal Property** caused by any act or omission of an act on the part of the unit owner or other authorized occupant or guest shall be the responsibility of the unit owner. Maintenance, repair and replacement costs due to such damage, as determined by the Board, shall be charged to the unit owner as prescribed in the Declarations of the Association.

C. Vehicles include all motorized conveyances that are licensed by the State motor vehicles office. Foxcroft Association property, where these regulations are in effect, includes Clubhouse and grounds, parking lots, common areas, Elder Drive from curb to curb, the sidewalk along the west side of Elder Drive and lawns.

Reasonable attempts will be made to notify owners and have the violation corrected before towing.

A fine can be levied for each occurrence of any violation as indicated on page 3 of this document. This will be added to the owners account after a letter of notification has been sent.

1. **Vehicle Identification** Each owner or tenant will be issued vehicle stickers which are to be placed on the inside, top of the front windshield on the driver's side. One sticker will be issued for each vehicle registered with the Association. When a new vehicle is procured it must be registered with the Association BEFORE a vehicle sticker can be issued or transferred.

V. Rules and Regulations - continued

C. Vehicles - continued

2. **Parking** - Garages are the primary location for all parking. Driveways are the second choice.
 - a. Vehicles should only be parked in spaces that accommodate the size of the vehicle.
 - b. Vehicles **SHOULD NOT** lap over a neighbor's driveway.
 - c. Cars must be parked on Elder Drive in the same direction as traffic flow (North)
 - d. All vehicles parked on the street should be locked.
 - e. Motorcycles may **NOT** be parked in a full sized parking space.
 - f. No parking is allowed on the west side of Elder Drive. This is a fire lane. Violators can be towed without notice. A \$50.00 fine for each occurrence may be levied.
 - g. Horizontally blocking a vehicle in a driveway is prohibited, with the exception of pick-up or drop-off.
 - h. Parking on the curved corner of Elder Drive and Bayview Lane is prohibited.
 - i. No parking is allowed where the curb is painted yellow.
 - j. It is legal to park one vehicle in the street if you have a vehicle in your driveway and garage.
 - k. If you have three cars the third vehicle must be parked at the clubhouse unless the other two are in the garage and driveway.

3. **Overflow parking** is available in the Clubhouse parking lot **AFTER** arrangements have been made with the Management Team. This is available for overnight or part of the day for all stickered vehicles. Those without stickers can be towed if left over night.

4. **Winter Parking** - A vehicle parked on Elder Drive **MUST** be moved by 7 am after a snowfall of 2" or more. It must also be moved during the day while the street is being plowed. Vehicles may be parked in the clubhouse parking lot during this time. Vehicles not moved can be towed and a fine levied.

5. **Storage of vehicles** is allowed for a 24 hour period. A vehicle will be considered stored if it is in a parking space on Elder Drive or the Elder Drive parking lot for **more than one (1) day**. Your vehicle must be moved in a 24 hour period. Violation may result in your car being towed. Residents are encouraged to be aware and report violations as indicated on pages 2 and 3 of this document. Efforts will be made to avoid towing your vehicle.
 - a. If possible the owner will be notified and given several hours to move the vehicle. If not moved the vehicle can be towed and a fine levied.
 - b. Vehicles can be stored, if needed, in the Clubhouse parking lot **AFTER** arrangements have been made with the Management Team.
 - c. Moving the vehicle from one parking spot to another, after only a few minutes of driving, and then leaving it parked in the new spot, will be regarded as an attempt to circumvent this rule and will be considered storage for the purpose of these regulations.
 - d. In the event of special circumstances a written request to store a vehicle must be sent to the Board at least 2 weeks prior to the need. Request will be considered and notification of their decision will be returned within ten (10) days.

V. Rules and Regulations - continued**C. Vehicles - continued****6. Recreational and Commercial Vehicles** include motor-homes, campers, all types of trailers, boats, and commercial vehicles

- a. Recreational vehicles and trailers cannot be parked on the street.
- b. Recreational vehicles and trailers may be parked in the owner's driveway while being loaded or cleaned. They may not be stored there for **more than two (2) days** unless written permission is granted by the Board.
- c. Commercial vehicles may be parked on Foxcroft property temporarily to provide service during normal business hours or at other times for emergency service or while services are obviously being performed
- d. Service vehicles should not block a driveway or the fire lane other than for pick-up and delivery.
- e. Recreational and Commercial vehicles may be parked for a longer time in the Clubhouse parking lot AFTER arrangements have been made with the Management Team.
- f. Owner operated commercial vehicles and Recreational Vehicles are prohibited from being parked on Elder Drive
- g. Snowmobiles and ATVs are prohibited from being driven on common areas.

7. Towing can be the result for the following:

- a. Vehicles parked on any landscaping
- b. Vehicles parked in the fire lane along the west side of Elder Drive
- c. Vehicles parked on or blocking sidewalks
- d. Vehicles violating No Parking signs
- e. Vehicles blocking a driveway
- f. Vehicles parked in front of the dumpster in the Clubhouse parking lot
- g. Vehicles double parked
- h. Vehicles without stickers parked overnight on Elder Drive or in the Clubhouse parking lot
- i. Vehicles with non-existent or expired license plates

The costs associated with the towing of a vehicle are the responsibility of the vehicle's owner. These costs are levied by the towing company and may include relocation costs as well as per diem storage costs.

Fines for violations are separate from towing charges and will be levied by the Foxcroft Townhome Owners Association.

8. Vehicle repairs are not allowed on the street. This includes but is not limited to: oil changes, engine disassembly and transmission replacement.**9. Speed Limit** is posted along Elder Drive. Please observe the 15 MPH limit.**10. All vehicle violations** calls must be made to the Management Team and immediately followed up in writing.

V. Rules and Regulations - continued

D. Pets include but are not limited to dogs, cats and birds. No illegal or exotic animals may be kept as pets.

1. **Registration** with the city of Aurora is required for all dogs and cats. A copy of the registration or license must be on file in the Association office. The City of Aurora limits the total number of dogs and cats to four (4) per household.
2. **Animal control** ordinances of the City of Aurora must be followed by all homeowners, tenants and guests.
 - a. An animal must be under the control of a person by a leash any time it is outside the home or enclosed yard.
 - b. A dog cannot be tied, chained, or tethered in a way that allows it access to public property, common areas or another person's property.
 - c. Animals should be prevented from barking, howling, crying or other frequent noise that may disturb the peace and quiet of the neighborhood.
 - d. The owner of the animal is responsible to remove and dispose of the excreta deposited by his animal. When walking a dog there must be suitable means to remove the excreta immediately. The fine for violations concerning pet waste is \$10.00 per occurrence.
 - e. Owners are expected to provide humane care for their animals.
3. **The Owner will be responsible** for any damage done by their pet to another person or to another person's property or to the common areas. The owner shall indemnify and shall hold harmless the Board, the Association, its agents and members against any loss or liability of any kind or character whatsoever arising from, or growing out of, the presence of a pet on the property.

E. The Pool is an amenity and can be used by all Foxcroft Townhome Owners with current paid up assessments and completed census forms and families with paid memberships.

1. **The Pool season** extends from the Sunday before Memorial Day to Labor Day each year.
 - a. A manager/life guard/attendant will be present from 12:00 – 7:00 pm each none school day that the pool is open. On school days they will be present from 3:00 – 7:00 pm.
 - b. No manager/life guard/attendant will be present before or after these hours. Owners or paid members use the pool outside these hours at their own risk.
 - c. No one is to use the pool after 9:00 pm or before 7:00 am. The pool gate will be locked during these times.
 - d. Parents are totally responsible for their children at all times. Check the Pool rules for ages and circumstances when children over 12 may use the pool without a parent present.
 - e. No one is to ever swim alone. At least two (2) adults must be present at all times when the pool is in use.
 - f. The pool will be closed in bad weather including but not limited to thunder, lightening, severe rain and when the air temperature is below 70 degrees F.

V. Rules and Regulations - continued

E. The Pool - continued

2. Registrations must be renewed each year and current names, phone numbers and emergency information included. Each owner must sign the registration form indicating that all persons using the pool will abide by the rules. A copy of the rules will be sent out with each registration form. Registration forms are available from the Association office.

- a. There is no additional fee for Owners to use the pool
- b. There is an annual fee of not less than \$175.00 for each family wishing to purchase an annual membership. Pool rules and registration forms will be sent to former members in May. New members can obtain these from the Foxcroft Association Office, 1900 Bayview Lane.
- c. In order to use the pool the registration form needs to be signed and returned to the office where it will be kept on file. Paid members must include the fee at this time. At least one week should be allowed to process the forms. **No one will be able to use the pool until the registration is processed.**
- d. On your first visit to the pool you will need to check in with the manager/life guard/attendant and show a form of picture identification. On each successive visit all persons will be asked to sign in before they use the pool.
- e. Each family, whether owners or paid members, may bring up to four (4) guest.
- f. Paid members will pay for the guest at a rate of \$1.00 per child under 13 and \$2.00 for each person 13 and over.
- g. Owners and paid members are responsible for their guests at all times and **must be present at the pool during the time the guests are present.**

3. Pool Rules must be followed by all persons using the pool facility whether or not an attendant is present. Any questions or concerns should be sent to the Association Board of Directors in writing. The Attendants' authority is to be respected and their instructions followed. The attendants have the authority to expel anyone, at any time, if they think the measure is needed to ensure that the pool remains a safe, family oriented environment.

a. General Rules

- Only members and their guests may use the pool. **Guests must be accompanied by the host member at all times.** Guests must sign in individually and pay guest fees to the attendant, when applicable.
- Children 12 and under, **must** be supervised by an adult 18 years or older.
- Youth 13 – 16 years old must be accompanied by an adult 18 years or older whenever there is no lifeguard on duty.
- Parents must be in the pool with any child who has **not** passed the swim test.
- Swimmers under 16 must pass the deep water swim test annually in order to swim in the deep end of the pool.
- The attendant may ask any person to demonstrate their swimming ability at any time before entering the deep water.
- Swimmers under 16 are **required** to take an hourly 10 minute break from swimming.
- Attendants will monitor the conduct of all persons using the pool
- Any person who does not follow the rules will be asked to leave the pool facility.

V. Rules and Regulations - continued**E. The Pool - continued****3. Pool Rules - continued****b. Health**

- Showers, using soap and water should be taken before entering the pool.
- Hair below the nape of the neck **must** be tied back or tucked into a swim cap.
- Swimsuits **must** be worn while swimming. (No street clothes or cut offs) White T-shirts may be worn over a swimsuit.
- Persons having skin disease, sore or inflamed eyes, nasal or ear drainage, excessive sunburn, open sores or bandages **will not** be admitted to the pool.
- Spitting, spouting water or otherwise introducing contaminants into the pool is not allowed.
- Pets are not allowed in the pool area.
- Infants **must** wear swim diapers.

c. Safety

- Gum or glass is not allowed in the pool facility.
- Alcohol and illegal drugs are not allowed in the pool facility.
- Smoking is not allowed in the pool facility.
- Personal conduct within the pool facility must be such that the safety of self and others is not jeopardized. (**No dunking, no running, etc.**)
- Profanity, abusive language, improper behavior, and loud profane music are not allowed in the pool facility or surrounding area.
- No diving or jumping into the shallow end of the pool.
- Non-swimmers using a floating device must be supervised by an adult **who is in the pool**.
- In case of bad weather all will be required to **leave the pool area** and follow the instructions of the pool attendant.
- Swimmers must clean up their area before leaving the pool. (remove trash, food, toys, mats, etc.)
- Any accidents must be reported **immediately** to the attendant on duty. The attendant will fill out a written report.

4. Pool Rentals will only be available for Foxcroft Owners in good standing and paid members and only between the hours of 12:00 – 7:00 pm for a four hour time limit. The rental does not constitute exclusive use of the pool facility.

- a. No pool membership will be sold only for the purpose of renting the pool.
- b. A fee of \$10.00 per hour, per each additional manager/life guard/attendant, will be required for rentals with over 20 persons in attendance at the pool.

V. Rules and Regulations - continued

F. Clubhouse is available for use of all Foxcroft Townhome Association members and guests. It can be used for Association activities or rented for personal activities.

1. **Rentals:** When not in use by the Association the clubhouse can be rented by members for their personal use. It can also be rented by non-members according to the latest rental schedule, listed on the rental application
 - a. Rental applications are available from the clubhouse. They are to be filled out and returned to the clubhouse several weeks before the desired rental date. The Clubhouse manager will call and discuss the rental. At that time a date will be set to meet and sign the contract.
 - b. The rental is not complete until the contract and rental agreement are signed by the clubhouse manager and the renter. The contract indicates the legal agreement between the Association and the renter and must be read carefully. The deposit can be lost and additional fines levied if the contract items are not met by the renter.
 - c. In addition to the contract the renter will be asked to read and initial the rental guidelines and penalty fee schedule. This will be used to assess additional costs if the clubhouse is not returned to the same condition that it was before the rental.
 - d. No smoking is allowed in the clubhouse. No use of illegal substances or gambling is permitted.
 - e. Alcoholic beverages may not be sold in the clubhouse. Privately owned liquor can be consumed. It must be removed from the clubhouse at the end of the event.
2. **Other**
 - a. The clubhouse is used for the regular Board meetings, new owner meetings and the annual meeting of members.
 - b. From time to time the clubhouse is used for special events of the members.
 - c. In addition the clubhouse can be open on holidays for use of the members.

G. Meetings of The Board of Directors and members are held regularly as follows:

1. **Annual meeting** of members is held on the third Tuesday of March each year, at 8:00 pm. At this meeting members can voice their opinions on various issues and often vote on resolutions, changes to the Rules and Regulations and Amendments to the Covenants and By-Laws of the organization. Any voting is done according to the procedure set in these documents.
2. **Board of Directors** meetings are held at least ten (10) times a year (including the annual meeting). These meetings are usually held on the third Tuesday of the month at 7:00 pm in the clubhouse. Meeting date can be changed when needed to accommodate the attendance of Directors or other issues at the discretion of the Board of Directors.
 - a. All meetings of the Board, with the exception of executive sessions, are open to owners and residents in accordance with the By-Laws.
 - b. A majority of Directors constitutes a quorum.
 - c. Owners should submit any questions or concerns to the Board, in writing, at least two weeks before the next scheduled regular meeting. This will allow the item to be put on the agenda.

V. Rules and Regulations – continued

G. Meetings - continued

- 3. Special meetings** of the Board of Directors can be called as needed by the President of the Board. Special meetings of the members can be called by the Board President or by 20% of the members.

- 4. New Owner/Renter** meetings are held before each Board meeting at 6:00 pm or at a time arranged by the new owner/renter with the Management Team
All new owners/renters **MUST** attend this meeting within two (2) months of moving in to Foxcroft. A fine of \$50.00 per month can be levied until the meeting has been attended.

H. These Rules and Regulations may be amended as deemed appropriate by the Board

Index

Annual Meeting	16	Parking	11
Architectural Control Committee	7	Pavers	10
Assessment letter	6	Pets	13
Authority of the Board	2, 17	Animal Control	13
Awnings	8	Owner responsibility	13
Back yards	8	Registration	13
Barbecue grills	7, 8	Pool	13
Board meetings	16	Registration	14
Clubhouse	16	Rental of	15
Common Area	9	Rules	14, 15
Damage to	10	Season	13
Complaint form	19	Renting Property	6, 7
Conduct of members and guests	5, 6	Responsibilities of the Board	2
Damage	10	Responsibilities of Owners	1
Decks	8	Rights of the Board	1
Due process	4	Rights of Owners	1
External Changes	7	Rules and Regulations	5
Fees	6	Satellite Dishes	9
Fine Enforcement procedures	3, 4	Security	9
Fines	3	Selling property	6
Fire lane	12	Signs	8
Fire pits	8	Snowmobiles	12
Firewood	8	Statues	10
Front Yards	7, 8	Stones	10
Garage doors	8	Trailers	12
Garbage cans	7	Trees	10
Garden hoses	8	Units, general information	8, 9
General appearance of units	7	Vehicles	10
Hearing procedures	5	Identification	10
Holiday decorations	8	Commercial Vehicles	12
Landscaping	10	Parking	11
Late fees	6	Recreational Vehicles	12
Meetings	16, 17	Repairs of	12
Motorcycles	11	Storage of	11
Neighbor relations	3	Towing of	12
New Owners/Renters meeting	17	Window air conditioners	8
Noise	5		
Outdoor lighting	8		
Owners and Members	5		

Must be completed within ten (10) day of the violation

Name _____ Date of report _____

Address _____	Phone _____
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Name _____ Date of violation _____

Address _____ Time of violation _____

Location of Violation _____

[illegible]

Date received in office _____

Team Member receiving complaint _____

FOXCROFT TOWNHOME OWNERS ASSOCIATION

Notice of Violation

Date: _____

The Board has received a /several complaint/s noting that you have violated the following Rule or Regulation of the Association.

As follows:

As provided in the Rules and Regulations of the Association you have _____ hours to correct the violation or a fine of _____ can be levied against your account.

You may submit questions to the Board or request a hearing at the next Board meeting if you respond, in writing, within ten (10) day from the receipt of this notice.

Failure to comply with this notice and the lack of correction of the violation could result in additional fines up to \$25.00 per day being levied on your account.

Board of Directors

Foxcroft Townhome Owners Association

