

# **THE VILLAGE AT UNIVERSITY HEIGHTS CONDOMINIUMS**

## **RULES AND REGULATIONS**

Effective: 12/1/2020

**These Rules and Regulations are binding upon and must be complied with by all owners, renters, guests and users of the property within The Village at University Heights Condominium Development.** They will remain in effect until amended by the Board of Directors of The Village at University Heights Owners Association (the "Association"). The adoption and enforcement of these Rules and Regulations are authorized by Arizona law and the Amended and Restated Condominium Declaration for The Village at University Heights Condominium (the "CC&Rs"). As used in these Rules and Regulations, "Common Elements" means any portion of the Development other than the Units.

It is the responsibility of each Unit owner to be familiar with the CC&Rs and these Rules and Regulations and to inform all occupants, residents, tenants, guests and invitees of the requirements for living within The Village at University Heights Condominiums. An owner is responsible for the acts of their tenants and guests and for all other occupants of their Unit.

1. Subject to the following conditions, only the following items may be used and stored on patios, balconies, decks or landings of Units: (i) customary patio furniture, customary patio furnishings, propane outdoor heaters, potted plants, bicycles and gas or electric barbeque grills, provided that the use and storage of any such items must not interfere with the use of the landing by other persons entitled to use the landing or cause a safety hazard, and (ii) from October 1st through April 30<sup>th</sup> of each year, snow maintenance items (e.g. snow shovels) and snow recreational items (e.g. snow sleds) may be stored on the balconies or patios of the Units. The Board is entitled to determine in its sole discretion from time to time what constitutes customary patio furniture and furnishings. No other personal property of any kind, including, without limitation, trash cans, brooms and mops, may be stored, kept or maintained on the patios, balconies, decks or landings of a Unit or in any other portion of the Common Elements. Bicycles are not allowed to be stored in carports or other designated vehicle parking areas. There are bicycle storage racks placed around the Development for resident use.
2. Access to and use of the sidewalks and walkways and the entrances to the Units and the Common Elements must not be obstructed or encumbered in any manner per City of Flagstaff Fire Code.
3. Nothing may be attached to, hung from, displayed on or placed on the exterior walls of the Units or on the exterior walls and ceilings of the balconies and patios. Nothing which could fall on any person or property may be placed in or on the windows of the Unit, the rails of the balconies, the entryways or the doors of the Units. Bird feeders, including, without limitation, hummingbird feeders are not allowed.
4. Owners and occupants are responsible for the removal of snow and ice from the balconies and patios of their Units.
5. Gas and electric barbecue grills are allowed to be stored or used on balconies and patios of Units; provided that such grills may never be used directly under balconies. **NO CHARCOAL GRILLS MAY BE USED OR STORED ON BALCONIES OR PATIOS.** There are charcoal grills placed around the Development for resident use. See 2006 International Fire Code 308.3.3 for additional information. Smokers and outdoor deep fryers are not allowed to be stored or used in the Development.
6. All trash, household garbage and recyclable items must be deposited in the provided dumpsters. **DO NOT** leave large, bulk trash items or any other items outside of the dumpsters. If any items do not fit in the dumpsters, owners and/or the occupants disposing of the items are responsible for removing the items from the Village at University Heights Condominiums property and for disposing of the items elsewhere. In particular, any owner remodeling their Unit may not deposit large, bulk trash items generated by such project in the community dumpsters and must arrange for the disposal of such items outside the Village at University Heights Condominiums property. All owners and occupants must be considerate of other residents and must keep the dumpster areas clean. Stacking and piling overflow trash bags and large items in front of and next to the dumpsters is prohibited. If a dumpster is full, you must deposit your permitted trash & garbage in another on-site dumpster that is not full. If all the dumpsters are full, please notify the Association through Sterling Real Estate Management at (928) 773-0690.
7. Any utility line that services only one Unit is the responsibility of that Unit owner to repair and maintain, with the exception of the two (2) RG6 communication lines entering each Unit. The Association installed and will repair and maintain these two (2) communication lines. The Association also repairs and maintains any utility line that services

multiple Units. PLEASE NOTE that water leaks frequently occur in the flexible plastic (pex) water lines entering and exiting each Unit's individual hot water heater. The Association recommends that all owners utilize a licensed plumber to periodically inspect all of the Unit's individual water lines, particularly the water lines entering and exiting the Unit's hot water heater. The owner of a Unit where a water line that services only that Unit breaks and/or leaks resulting in damage to their Unit, to any other Unit and/or to the Common Elements is responsible for the cost of remediating and repairing all such damages.

8. If at any time there is excessive noise emanating from inside or outside a Unit such that an occupant of another Unit can hear the excessive noise, such occupant of the other Unit is entitled to report the noise as a nuisance. Quiet times in the Development are from 10:00 P.M. to 6:00 A.M. each day. The criteria for what constitutes excessive noise will be more restrictive during such quiet time period. If an occupant desires to report a nuisance, please call Southwest Protective Services at (928) 774-4645 or if there is a threat to life or property related to such nuisance to Flagstaff Police Department at (928) 774-1414. When informed that such a report has been received, the Board will notify the owner of the Unit from which the noise emanated in accordance with the violation notice and fine schedule. Violations of Flagstaff Ordinance 6-08-001-0005 "Nuisance Parties" can result in significant fines being imposed against the owner of the Unit where the violations occurred.
9. Multi-unit satellite dishes are available for connection to all Units in the Development. Service fees payable to the providers of services through such dishes are the responsibility of the user. Single Unit satellite dishes are not allowed to be installed on the condominium buildings or anywhere else in the Development. Any single Unit satellite dishes will be removed and the costs of removal and the costs of any Common Element repairs resulting from the installation or the removal of such dishes will be assessed to the Unit owner responsible for the installation thereof. The Association's satellite television authorized retailer is: CM Wireless (866) 717-2355.
10. The Association currently provides high-speed internet service to all Units through Suddenlink Business Communications. Suddenlink Business Communications provides the modem/routers in each Unit. For any technical difficulties with the internet service, occupants should contact Suddenlink Technical Support at (866) 229-8750; reference Site #317 and the building/unit number. Make sure Technical Support understands that you are calling about an end-user/child account (the HOA is the primary/parent account). Misplaced or damaged modem/routers are the responsibility of the Unit owner and the occupants. Owners/occupants may contact Suddenlink Communications directly to obtain more information.
11. No one may sweep or throw dirt, cigarettes or any other items or substances (other than snow) from the balcony or patio of a Unit.
12. Outside clothes lines or other outside facilities for drying or airing clothes are prohibited. The drying of clothes, towels, rugs, bedding or other similar items outside the Unit is not allowed.
13. Holiday decorations may be placed on the balcony or patio of a Unit without the prior approval of the Board; provided however, such decorations may not be attached to or hung from the railing of a balcony or the exterior wall of the building. Such decorations shall be installed or erected no earlier than thirty (30) days prior to the subject holiday and must be removed no later than twenty (20) days after such holiday. The lights on all holiday decorations must be turned-off by 10:00 P.M. each evening. The decorations shall not emit any sounds.
14. Except for the signs which must be permitted by A.R.S. § 33-1261(C) and (E), no emblem, poster, advertisement, logo, sign or billboard of any kind, including, but not limited to, "For Sale" or "For Rent" signs, may be displayed in or on any Unit without the prior written approval of the Board. No emblem, poster, advertisement, logo, sign or billboard of any kind may be displayed on the Common Elements except that political signs may be displayed on the windows, doors, patios or balconies of a Unit not earlier than seventy-one days before the day of an election and later than three days after an election day.
15. No reflective materials may be installed or placed upon the outside or inside of any windows of a Unit without the prior written approval of the Board. No obnoxious or offensive window coverings or picture or thing as determined by the Board may be visible from outside a Unit at any time.
16. No Unit may be leased for a term of less than thirty (30) days. The owner of leased Unit must provide the Board with the following information within fifteen days of the Association's request therefor: the names of the adult tenants, contact information for the adults occupying the Unit, the time period of the lease including the beginning and ending dates of the tenancy, a description of the tenants' vehicles, and the license plate numbers for the tenants' vehicles.

17. No awning, canopy, shutter, screen door or other projections may be attached to or placed upon the outside walls, doors or roof of any building in the Development without the prior written consent of the Board.
18. Security and screen doors may be installed with the prior written consent of the Board. All front security screen doors must be white in color. All rear patio screen doors must be black or brown in color.
19. Green lattice may be installed on the inside of the rear balcony railings with the prior written consent of the Board. Green lattice can be no taller than the top of the existing rear balcony railing and must be attached to the existing rear balcony railing in an unobtrusive manner that does not result in damage to the railing.
20. Fences may be installed adjacent to the concrete patio located at the rear of the ground floor Units with the prior written consent of the Board; such fences must comply with the Limited Common Element Patio Fence Rules adopted May 20, 2015.
21. No flammable, combustible, explosive fluid or chemical substance may be kept in any Unit or on the balcony, patio or landing of any Unit except for limited quantities of such fluids or chemicals as required for normal cleaning and except for propane tanks for barbecue grills; provided that no replacement propane tank may be visible on a patio or balcony.
22. No Unit owner or occupant may install or maintain in the Unit, on the balcony, patio or landing of the Unit or on any portion of the Common Elements any wood burning stove or fireplace, a coal stove, a portable cooking stove or a kerosene heater.
23. Propane outdoor heaters are permitted on balconies and patios as long as they are located at least three feet away from any combustible surface located above, below and to the sides of the heater location while it is in use. Open flame torches are not permitted on balconies, patios or landings of a Unit or on the Common Elements. See 2006 International Fire Code for additional information.
24. No planting or gardening is permitted in the Common Elements.
25. Except as expressly permitted by the CC&Rs and this Rule, no animals, birds, reptiles, fish, fowl, poultry or livestock may be maintained or kept in any Unit, on any balcony, patio or landing of a Unit or on any other portion of the Development. A reasonable number of Permitted Pets may be kept or maintained in a Unit if they are kept, bred or raised solely as domestic pets and not for commercial purposes; provided that not more than two (2) dogs with a maximum weight of one hundred fifty pounds each may be kept in any Unit. For purposes of this Rule, a "Permitted Pet" shall mean a dog, cat, fish or bird of a variety commonly kept as a household pet. All owners and tenants with one or more Permitted Pets must provide to the Association a description of such pet(s) within ten (10) days of the pet occupying their Unit. No Permitted Pet shall be allowed to make an unreasonable amount of noise, cause an odor which is detectable outside the Unit, or be an annoyance to a person of ordinary sensibilities. All Permitted Pets shall be kept on a leash or travel crate when outside a Unit, and all dogs shall be directly under the control of the owner, lessee or occupant at all times. An unleashed dog violates City of Flagstaff Code Section 6-02-1-8 and is punishable with a monetary penalty and a misdemeanor charge. No person shall allow a Permitted Pet to be alone on the balcony, patio or landing of their Unit nor shall such Permitted Pet be permitted to urinate or defecate on the balcony, patio or landing of their Unit or of any other Unit. Any person bringing a Permitted Pet onto the Common Elements shall immediately remove any feces deposited on the Common Elements by the Permitted Pet, and such person shall be liable to the Association for the cost of any cleaning of the Common Elements or the repair of any damage to the Common Elements caused or required by the Permitted Pet. No structure for the care, housing, confinement, or training of any Permitted Pet shall be maintained on the balcony, patio or landing of a Unit or on any portion of the Common Elements or in any Unit so as to be visible from the Common Elements or from any other Unit.
26. No one may live in boats, trailers, vans, mobile homes, motor homes, recreational vehicles or commercial vehicles in the parking areas or the other Common Elements. No boats, trailers, mobile homes, motor homes, recreational vehicles or commercial vehicles may be stored in the parking areas or the other Common Elements without the prior written approval of the Board. Except for emergency repairs, no repair or work of any kind may be made to vehicles, equipment or furniture in the parking areas or the other Common Elements. No vehicle which cannot operate under its own power shall remain in the Development for more than forty eight (48) hours. Vehicles with expired registration tags/license plates parked in guest parking spaces will be considered abandoned and may be towed at the vehicle owner's expense. No motor vehicle may be operated within the Development except by a licensed operator. No motor vehicle or recreational vehicle may be operated within the Development so as to create a loud or annoying noise.

27. No parking of any motor vehicles, including, without limitation, motorcycles, is allowed on patios, balconies, under stairs, on sidewalks, on lawn areas, in fire lanes or blocking any dumpsters, provided that gas powered bicycles may be parked in the same locations as non-gas powered bicycles (see Rule #1). Motor vehicles may be parked in carports and designated parking areas only provided that such parking shall not encroach into, or interfere with the use of, any adjacent parking space or carport. The Board has the right to have any automobile, sport utility vehicle, van, truck, recreational vehicle, motorcycle, motorbike, or other motor vehicle parked, kept, maintained, constructed, reconstructed or repaired in violation of the CC&Rs or these Rules and Regulations towed away at the sole cost and expense of the owner of the vehicle. Any expense incurred by the Association in connection with the towing of any vehicle must be paid by the owner of the vehicle to the Association upon demand by the Association.
28. The rules for the Laundry Room are posted inside that building, and the rules for the Clubhouse and Exercise Room are posted inside that building. All such rules constitute Rules and Regulation of the Association as if set forth herein.
29. No activity is permitted in any Unit or the Common Elements that disturbs the quiet enjoyment of any other Unit or the Common Elements. No rubbish or debris of any kind may be placed or permitted to accumulate in any Unit, on any balconies or patios or in the Common Elements, and no odors shall be permitted to arise therefrom, so as to render any such property or any portion thereof unsanitary, unsightly, offensive or detrimental to any other property in the vicinity thereof or to its occupants.
30. No immoral, improper, offensive, or unlawful use may be made of any property within the Development. Owners and residents must comply with and conform to all applicable laws and regulations of the United States and Arizona and Flagstaff statutes, ordinances, rules, and regulations.
31. No owner, lessee or occupant of a Unit situated on the second floor of a building may install or allow to be installed any hard floor coverings (including, but not limited to, tile, marble or wood) in any part of such Unit except the kitchen, bathroom(s), laundry and front door entry and then only with the prior written approval of the Board. No loudspeakers may be affixed to any wall, ceiling, shelving or cabinets so as to cause vibrations discernible between Units. The use of stereo equipment, televisions and musical instruments is subject to and must be used in accordance with these Rules and Regulations, including without limitation, the quiet time and nuisance Rules and Regulations. All owners, lessees and occupants must take all reasonable precautions to lower noise transference between Units and to abide by these Rules and Regulations and any noise reduction ordinance of the City of Flagstaff.
32. No owner, lessee or occupant may permit anything or condition to exist in a Unit or elsewhere in the Development which could induce, breed or harbor infectious plant, pests, diseases or noxious insects. In addition to such pest control services as may be provided by the Association, each owner must perform such pest control activities in the owner's Unit as may be necessary to prevent insects, rodents and other pests from being present in the unit.

The Board may from time to time in its sole discretion amend, repeal, or augment these Rules and Regulations as it deems appropriate, subject to the terms of the CC&Rs and applicable law. It is the responsibility of each owner to obtain and adhere to the stipulations of the most recent copy of these Rules and Regulations. The Board retains the right to grant variances from these Rules and Regulations as determined appropriate in its sole discretion. In the event of a conflict between a provision hereof and a provision of the CC&Rs, the provision of the CC&Rs will prevail. Nothing contained herein shall be deemed to limit the applicability of the provisions of the CC&Rs.