

**RESOLUTION 2026-001**  
**FALCON HEIGHTS CONDOMINIUM ASSOCIATION**

*Establishing Use Restrictions and Liability Requirements for Common and Limited Common Elements*

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**WHEREAS**, Article 5 of the Falcon Heights Declaration defines the General Common Elements as all land, roads, fences, grounds, and all central and appurtenant installations of services located outside the physical perimeter of each building, and designates such areas as Common Elements for the use and benefit of the Association and all unit owners; and

**WHEREAS**, Article 6 of the Falcon Heights Declaration defines Limited Common Elements as walkways, patios, driveways, and backyard areas adjoining or accessed from individual condominium units, and restricts the use of these areas to the unit to which they pertain; and

**WHEREAS**, Section 8.1.3 of the Falcon Heights Bylaws requires the Falcon Heights Condominium Association to maintain comprehensive general liability insurance coverage insuring the Association, the Board of Directors, the Unit Owners, the Declarant, and the Managing Agent against liability incident to the ownership, maintenance, operation, and use of the property, including all Common Elements; and

**WHEREAS**, Article 11, Section 11.1(k) of the Falcon Heights Bylaws provides that nothing shall be done or kept in any unit or in the common elements which will increase the cost of insurance on the common elements, and that no owner shall permit anything to be done or kept in his or her unit or in the common elements which will result in cancellation, nonrenewal or adverse action towards the insurance policy of the common elements; and

**WHEREAS**, such insurance coverage does not extend to or protect against activities or uses of General Common Elements or Limited Common Elements that fall outside the intended purpose of these areas, or that create added liability exposure to the Association without proper approval or insured protection; and

**WHEREAS**, it is the responsibility of the Board of Directors of the Association to be fiscally responsible to all members of the community, including taking reasonable actions to maintain the Association's insurance policy at the lowest responsible premium rate, and to avoid increases or risk of cancellation that may result from the willful allowance of activities that expose the Association of cost to undue liability; and

**WHEREAS**, Article 11.1(1), empowers the Board of Directors from time to time to adopt, modify, or revoke such rules and regulations governing the conduct of persons and the operation and use of the units and common elements as it may deem necessary or appropriate in order to assure the peaceful and orderly use and enjoyment of the condominium property.

**NOW, THEREFORE, the Board of Directors hereby declares as follows:**

**I. Prohibition of Unauthorized Public Events**

No unit owner shall organize, conduct, sponsor, advertise, promote, or permit any public event, activity, or gathering that allows or invites members of the public who are not residents of the Falcon Heights Condominium Association onto the grounds of the Association without prior written authorization from the Board of Directors.

## II. Definition of "Public Event"

For the purposes of this Resolution, a **"public event"** shall be defined as any activity, attraction, gathering, or operation on the grounds of the Falcon Heights Condominium Association that is intended, promoted, advertised, or reasonably expected to draw attendance, visitation, or participation from individuals who are not current residents of the Association or their friends and/or family.

A public event shall include, but is not limited to:

- **Commercial or business-related activities**, whether for profit or nonprofit (including donation-based events).
- **Artistic, entertainment, fundraising, or recreational attractions** that are advertised or open to the public outside of a specific unit owner's invited guests.
- **Any gathering or activity promoted through media, signage, flyers, social platforms, business pages, or word-of-mouth intended to attract non-residents.**

An event shall be considered public **whether or not admission fees, donations, or sales are solicited.**

## III. Penalty and Enforcement

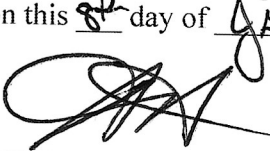
Any unit owner shall be assessed a fine of \$1,500.00 if the unit owner, or any persons or family or occupants, organize, sponsor, advertise, promote, or permit a public event, activity, or gathering in violation of this Resolution. The fine shall be due in full no later than ninety (90) days from the date of issue.

In addition to the fine, the homeowner shall be personally responsible for any and all damages, legal fees, and costs incurred by the Association as a result of the prohibited activity, regardless of whether an insurance claim is filed or paid.

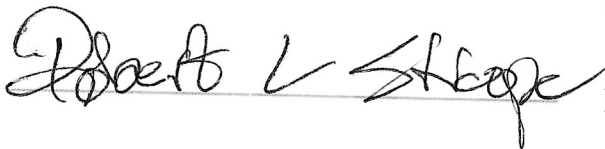
The fine and enforcement provisions of this Resolution cannot be waived, reduced, altered, or forgiven except by a unanimous vote of the Board of Directors at a duly noticed meeting. No verbal authorization or informal discussion shall constitute approval. A proposed public event to be considered by the Board of Directors must include the following information: Who; what; when; and where. The Board may request additional reasonable requirements of any application by a unit owner.

## ADOPTION

This Resolution <sup>2026-001</sup>~~2025-005~~ was adopted by the Board of Directors of the Falcon Heights Condominium Association on this 8<sup>th</sup> day of Jan, 2026, and shall take effect immediately upon approval.



Anthony Anghinetti, Chairman



Robert Stroope, Secretary