


# MONUMENT PARK PLACE COMMUNITY RULES AND REGULATIONS

Revised August 2024

## COMMUNITY LIVING

Preserving the safe, decorous, and desirable living environment for the Monument Park Place community.

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Monument Park Place Community Rules
2023

Approval Signatures

Wes Scott — 12/12/2023

Board President /Vice President — Date

DocuSigned by:
Ross Markhoffer
280C4D7433C944A...

12/12/2023

Board Secretary/Treasurer — Date

12/12/23

Board Member at Large — Date

# LIST OF GOVERNING DOCUMENTS

The following is a list of documents that govern the Monument Park Place Condominium (MPP) community. A brief description of each document is provided, along with the date of its last revision. Please note that some of the content of these documents may overlap to provide context for specific application and that the content is neither contradictory nor inconsistent.

Each MPP resident shall read and comply with the Association documents listed below. Governing documents, including forms, may be accessed in the Documents folder on the RowCal Property Management website (requires a login) http://rowcal.cincwebaxis.com/ or in the Documents folder found at http://MonumentParkPlace.com/ (no login required).

## Articles of Incorporation

06/26/1985: A document recorded with El Paso County to establish a Home Owners' Association (HOA) to manage the operational, financial, legal, and business affairs of the condominium property.

## Bylaws

06/26/1985: A document establishing the association membership of MPP condominium owners, and the makeup of the Association Board, including Board member duties, obligations, and authorities.

## Declaration of Covenants, Conditions, and Restrictions (CCR)

06/26/1985: A document recorded with El Paso County for the purpose of establishing conditions of property ownership and Association responsibilities.

## CCR Amendment

08/09/2019: An amendment to the Covenants, Conditions, and Restrictions Declaration, recorded with El Paso County describing the requirements for leasing of condominium units and smoking restrictions.

## Management Policies and Procedures

2020: Management Policies and Procedures define the governing rules and laws of MPP HOA. A document detailing the requirements for condominium owners, including selling or property transfer of their units; Association dues and assessments; committees; communication; meetings; insurance; utilities; document control; and Board, including Board makeup, elections, duties, responsibilities, authorities, Board meetings, hearings, and Board records.

## Community Rules and Regulations

The July 2024 MPP Community Rules and Regulations define the obligations of all residents to maintain premium-living conditions within the community and are compiled as a separate document. These rules govern architectural control; grounds and landscape design, maintenance, and repair; health and safety; leasing; remodeling; property use; and rules enforcement to ensure the peaceful and sustainable enjoyment of all residents.

## Forms

- Remodel-Architectural Review Request

- Leasing Permit Application

# 1 INTRODUCTION

The Monument Park Place Homeowners Association (MPP HOA) complies with all federal, state, and local laws. Each owner of a condominium shall read and comply with MPP HOA documents, which include the Declaration of Covenants, Conditions, and Restrictions; the Articles of Incorporation; the Bylaws; Management Policies and Procedures; and Community Rules and Regulations.

MPP HOA's Board of Managers (hereafter, the Board) shall have the power to enforce MPP HOA's Documents and to amend these from time to time. At a minimum, Community Rules and Regulations will be reviewed every two years and revised as appropriate. Rules and Regulations are intended to reflect the requirements for living conditions within the community and are compiled as a separate document.

This document contains the Community Rules and Regulations updated in October, 2023. These supersede all previous versions of MPP HOA's Rules and Regulations. Throughout this document, there are cross references to other of the Governing Documents, as well as additional information or recommendations (symbolized by ⭘) that provide context for the rule.

Permanent exceptions to or waivers of portions of these Rules may be made on a case-by-case basis by the Board, and shall be documented, communicated to all MPP owners and residents, and incorporated into subsequent revision of the Rules. Temporary waivers with the expiration date of the waiver shall be posted on the MPP Bulletin Board or MPP digital message board above the mailboxes.

# 2 COMMON AREAS

Common Areas (a.k.a. General Common Elements) are defined in the Declaration of Covenants, Conditions and Restrictions (CCR) *Article 1, A*. Owners will be notified by email blast and/or posting if there is any common area not accessible to owners due to repairs, safety, etc.

a. Personal storage of any kind is not permitted in Common Areas, including, but not limited to: toys, storage containers, firewood, tools, trash and debris, garden equipment (e.g., hoses, shovels, hoes, clippers, watering cans, bags of potting soil, seed, and fertilizer), and construction and maintenance equipment and supplies (e.g., electrical cords, power tools, paint, ladders, sawhorses). Common Areas include landscaped areas, unit entryways, stairwells, bridges, sidewalks, walkways, and parking areas (garage, carport, and alley). Bicycles and shopping carts may be stored in the parking garage and are addressed further in *section 2.1.1.b*.

b. No owner or occupant shall erect or have erected any form of aerial, antenna, poles, wires, or similar objects or unsightly objects of any kind for the purpose of radio, television, or hi-fi reception on any balcony, roof, or building exterior without the prior written approval of the Board. Satellite dishes, while permissible, must be approved for size and location by the Board.

c. Hummingbird feeders are the only feeders allowed in the condominium complex.

d. Feeding and watering wildlife is prohibited. (*See section 9.e.)*

e. None of the parking areas are to be used for sport activities.

## 2.1 Parking

a. All vehicles shall meet local noise and safety requirements, and automobiles and motorcycles without mufflers in good working order are prohibited.

b. No recreational vehicles, boats, campers, trailers, junk or inoperative vehicles (as determined by the Board) may be parked on the property, except a trailer is temporarily permitted if the owner has an active ARC permit for remodeling, and the trailer is parked in the owner's designated stall. Alternatively, owners may pay a $100 fee to reserve a visitor stall in the alley, specifically for dumpster use. . (*Ref CCR §7.11*)

c. No routine or elective mechanical work whatsoever shall be performed on vehicles in parking areas. *(Ref CCR §7.12)*

d. Electrical outlets cannot be used for personal appliances with the exception of car vacuum cleaners and trickle chargers.

e. Regulations concerning electric vehicle charging stations are contained in the Board Amendment, Electric Vehicle (EV) Infrastructure Policy, dated 12/4/2021. The policy states the Board will initially provide an EV current transformer panel to accommodate up to 12 subscribers. Expansion beyond the 12 ports will require Board approval and investment in an additional panel. An EV applicant wishing to install a charging station is required to submit an Architectural Review Request (ARC) for approval prior to the installation of any equipment. The Board has the authority to billback for EV charging based on data from monitoring equipment. See EV Infrastructure Policy noted above for all details.

f. When in use, electrical cords for car charging must not be positioned in any manner that presents tripping hazards.

g. "Junk vehicles" are prohibited. A junk vehicle is one which, in the discretion of the Board, appears to be in need of substantial repair or appears to be inoperable, damaged or abandoned (Ref CCR 7.12)

h. Any vehicles that are parked illegally or in violation of these Rules may be towed, removed, or disabled by the Association with 72-hour notice placed on the vehicle and any expenses, therefore, shall be paid by the offending party.

### 2.1.1 Parking Garage and Carports

a. Residents are to park vehicles in their assigned spaces. Only resident-owned vehicles or vehicles with MPP parking decals or visitor passes are allowed to park within the gated parking garage and carport. Vehicles parking temporarily in designated spaces should have a visitor parking pass visible on the dashboard. The visitor pass should be supplied by the owner of the space. Decals and visitor passes can be obtained from a Board member. Service vehicles are allowed to provide services while temporarily parked in the parking garage or carport area. Service vehicles are allowed to provide services while temporarily parked in the parking garage or carport area. *(Reference section 2.1.3.a)*

b. Storage of personal items is not permitted in the parking garage or carports. *(See section 2.a.)* Bikes and/or shopping carts may be stored in front of an owner's parking space, at the owner's risk. The Association is not responsible for any thefts that may occur.

- Colorado Springs Police Dept. recommends that items which may attract potential theft not be stored in any obvious manner on the property, such as chained or attached to fencing.

c. Only one vehicle per parking space is allowed, unless both vehicles fit into the designated parking space (e.g., two motorcycles, one smart car/one motorcycle).

d. Obstruction of parked vehicles, parking spaces, or garage/carport walkways is prohibited. See *section 2.1.3, Loading and Deliver Zones* for information on permitted parking locations for moving, delivery, and service vehicles. Emergency response vehicles and their equipment are exempt from these requirements.

e. Oil drip trays are prohibited, with the exception of absorbent oil mats no larger than 3-feet by 5-feet. If oil leaks occur and spill onto the pavement, it is the responsibility of the vehicle owner to clean the oil from the affected garage or carport parking surface(s).

2.1.2 MPP Parking Alley/Visitor Parking

a. Resident- and visitor-owned vehicles that are parked in the MPP parking alley must display an MPP parking decal or permit for overnight parking. Overnight parking is defined to be parking in the alley anytime between the hours of Midnight and 6am. Violators may be subject to towing at their own expense.

b. Each unit is permitted to register a maximum of two vehicles and receive two visitor guest passes. *(Amended by the Board on 11/09/21)*

c. Storage of personal items is not permitted in the MPP parking alley. *(See section 2.a.)*

d. An owner or resident wishing to place a construction dumpster in the alley parking lot must obtain prior approval of the Board, is limited to a maximum of 30-days, and will be charged a reserve stall fee of $100.00. The owner or resident making such a request shall be responsible for regular cleanup of the area and will be responsible for any damage to the concrete, fence, etc. Only two containers shall be permitted in the alley parking lot concurrently. The container space will utilize a resident's guest pass. An extension will have to be presented to the board for a temporary waiver. *(Amended by the Board on 11/09/21)*

2.1.3 Loading and Delivery Zones

a. Moving, delivery, and service vehicles may park at the curb near the north vehicle entry gate, and in the south alleyway near the southeast pedestrian gate for loading and unloading. Service vehicles may park in the MPP alley parking spaces, if available. Service and delivery vehicles must not obstruct vehicle entry gates, parked cars, or empty parking spaces. Emergency response vehicles and their equipment are exempt from these requirements. The garage has a clearance of seven (7) feet. Vehicles greater than seven (7) feet in height cannot access the garage without sustaining damage to the vehicle and/or the garage. Service vehicles weighing more than 10,000 pounds fully loaded may not park in the carport.

b. It is the responsibility of MPP residents to inform moving, delivery, and service vehicle drivers of parking rules.

2.2 Unit Entryways

a. Unit entryways are defined as the area from unit front doors to the start of a walkway or bridge.

b. Unit entryways must not be obstructed to allow 36 inches for egress in compliance with fire department regulations.

c. Storage of personal items is not permitted in unit entryways. *(See sections 2.a and 4.3.)*

2.3 Stairways, Walkways and Bridges

a. Owners, residents, and their visitors may use the Common Areas as described in section 2, for the purposes intended.

b. Walkways and bridges shall not be obstructed and must allow sufficient egress width (36 inches) in compliance with the International Fire Code. *(Ref. [BE]1024.1, Exit Passageways).* See *section 4.5* for rules on permissible outdoor furniture and container gardening on walkways and bridges.

c. No items of any kind are to be stored or placed on exterior stairways. Stairways must be unobstructed at all times.

2.4 Landscaping

All landscaped areas are maintained by the Association. Without limitation, all improvements and landscaping thereon shall not be altered, constructed upon, removed, or maintained. *(Ref CCR §7.3).* Requests for community landscaping modifications will be considered but require Board approval. If approved, owners/residents must work at their own risk and adhere to the following:

a. Must sign a Board-approved waiver good for one year from date of execution,

b. Work only on designated area projects advertised with date and time by the Landscape Committee and approved by the Board, and

c. Work on non-elevated (flat or nearly flat) garden areas only. Work on sloped areas of hillside garden east of buildings A&B is not permitted. The Association does not/will not accept responsibility or liability for any injuries that may be sustained as a result of these activities. *(Amended by the board on 05/10/22)*

2.5 Community Room

Owners and residents are not permitted to store or place items in the Community Room without Board approval. Any such items found in the Community Room may be discarded without notice.

2.6 Trash Dumpsters/Recycling

a. Trash and recyclables shall be deposited into the appropriate dumpsters.
   - It is recommended that trash be bagged and sealed prior to depositing into the dumpster.

b. Items prohibited for disposal in the trash dumpster include: electronics, appliances, household hazardous waste (including used oil and lead-acid batteries), and paint, per the MPP waste service contractor and in compliance with Colorado Code of Regulations *(Ref 6 CCR 1007-2)* for landfill disposal.

c. Remodeling debris (e.g., flooring, cabinets, appliances) is prohibited for disposal in the community trash and/or recycle dumpster.

d. Discarding any furniture or appliances in or around the trash dumpster is prohibited.
   - Go to: https://communityservices.elpasoco.com/environmental-division/household-hazardouswaste/ for more information about disposal of household hazardous waste in El Paso County.

e. Leaving food for human or wildlife consumption near the dumpsters or in the common areas is prohibited.

f. Cardboard boxes must be broken down as much as possible prior to depositing in the recycling dumpster.

- Breaking down cardboard boxes allows more room in the recycling dumpster. Please comply with all recycling guidelines provided by the commercial operator when placing any items into the recycling dumpster.

2.7 Balconies

a. Open flames and any heat generating devices on balconies and/or patios are prohibited. These include, but are not limited to, candles and any electric/ethanol/kerosene/gas fire pits, outdoor cooking devices, and patio heating devices. Storage of fire pits, outdoor cooking devices and patio heating devices on balconies is prohibited,. *(See section 3.1, Fire Safety.)*

b. To not distract from the appearance of the building, items stored on balconies shall not be visible above the railing.

c. Residents shall not dry or hang clothes on their balcony and/or patio areas in any manner that is visible above the railing, or on lines or poles hung on the exterior of any building.

d. Residents shall not allow anything whatsoever to fall from the balcony and/or patio, nor shall residents sweep or throw anything from the balcony and/or patio.

e. No awnings or other projections shall be attached to the outside walls of the building, and no *outdoor* blinds, shades, or screens shall be attached to, hung, or used in conjunction with any balcony, patio, window, or door of the unit unless/until the plans and specifications have been approved by the Board. *(Ref CCR §7.2. See section 4.a.i. for more information.)*

f. Residents shall use care with items or fixtures kept on balcony and/or patio areas to ensure items do not blow from or fall from same.

2.8 Storage Rooms

Storage rooms and personal storage units are located off each entryway. They are for the use of owners/residents on that level. The main entry area of the storage room is common and not to be used for storage of items that impede access to either personal storage unit. Each owner/resident is assigned a lockable storage unit for their personal use. The closet at the end of the main entry area is also common and to be shared equitably by owners/residents on that level. The door to the storage room common area is to be kept closed and locked. For prohibited items in storage rooms. *(See section 3.1, Fire Safety,)*

- The storage room common area has two electrical outlets. Any electricity drawn from these outlets is billed to the MPP complex account. Use of electrical outlets in the common area of storage rooms is prohibited, except for personal vacuum cleaner use. If electrical outlets are located inside personal storage units, any electricity drawn from those outlets is billed to the respective owner's/resident's personal utility account.

### 2.9 Lock Boxes

Lock boxes for key storage may only be secured to the designated lock box location. The designated lock box location is at the north pedestrian walk-in gate at the Building C landscaped area. It is the owner's responsibility to notify realtors and vendors of the designated lock box location and to ensure proper placement of the lock box in the area labeled "lock boxes go here".

## 3 HEALTH AND SAFETY

### 3.1 Fire Safety

a. Use of open flame or electric devices, including but not limited to candles, grills, fire pits and heaters, on balconies is prohibited.

b. Gasoline storage in any quantity is prohibited in condominium units or storage rooms/units.

c. Storage of incendiary devices in storage rooms/units is prohibited.

d. Storage of flammable fluids, solvents, or toxic materials in quantities beyond normal household needs is prohibited in condominium units, storage rooms/units, or any Common Areas.

e. All condominium units shall have working smoke alarms.

- Per the U.S. Fire Administration, smoke alarm batteries should be replaced annually (unless the alarms have sealed 10-year batteries), and alarms replaced every 10 years.
- Colorado law requires residential *rental* units to have a smoke detector and a carbon monoxide detector within 15 feet of any bedroom.
- It is recommended that each condo unit have an easily accessible ABC fire extinguisher (suitable for extinguishing flames from wood, paper, flammable liquid, and/or electrical fires) that meets National Fire Protection Association (NFPA) standards.

f. Fireplace ash disposal is permitted in the dumpster ONLY after the ash has cooled in the fireplace (not in an ash bucket) for seven (7) days. If accumulating fireplace ash in an ash bucket, wait at least 30 days from the last ash deposit before bagging and disposing of contents in the dumpster.

- **Please be aware that small bits of hot coals can be buried and mixed with fireplace ash. These hot coals and embers are hidden dangers and must be handled appropriately.** Hot coals can lay dormant for days when buried and protected in fireplace ash. The ash acts as an insulator, keeping coals from burning completely. Exposure to air can cause these coals to flare.

g. The Board is authorized to mandate periodic maintenance, cleaning, or other actions for chimney and/or dryer vents to improve fire safety.

### 3.2 NO Smoking

"Smoking" includes but is not limited to using, inhaling, exhaling, or carrying any lighted cigarette, cigar or other tobacco product, marijuana, vaping devices, bongs or any other combustible substance or device for personal consumption or recreational use is forbidden. No owner, guest, family member, tenant, resident, invitee, visitor, or vendor is permitted to engage in smoking (as defined) or to smoke within any

condo unit, or on any portion of the General Common Elements or Limited Common Elements. The only exception is smoking is permitted on a condo unit's exterior Limited Common Element patio/balcony, provided the smoke does not enter any other condo units. *(Ref. CCR Amendment, August 2019, §7.14)*

### 3.3 Unit Cleanliness

a. Owners are responsible for maintenance and cleanliness of their condo units so as not to create health or safety hazards. Conditions felt to be dangerous should be reported to the Board by the witnessing party. (*Ref CCR §7.8*)

b. The Board is authorized to mandate periodic maintenance, cleaning, or other actions deemed necessary for health and safety.

### 3.4 Drive-in Gates

Drive-in gates are equipped with emergency-stop sensors when the gates are closing and an obstruction is present during the closing operation. However, as with all mechanical equipment, failures can occur, so be vigilant when crossing at open drive-in gates and report gate maintenance issues to the Board.

### 3.5 Walk-through Gates

Bracing walk-through gates to keep them open is prohibited. During inclement weather, walk-in gates may be slow to close. It is the responsibility of each resident to ensure proper closure of walk-through gates upon entering or exiting.

### 3.6 Elevators

a. Do not use elevators during a fire emergency.

b. Bracing elevator doors to keep them open is prohibited.

c. Obstruction of elevators is prohibited.

### 3.7 Emergencies

The Board has the authority to enter, or to assist emergency responders to enter, any unit during an emergency. These include health, public safety, flooding, or fire emergencies. For emergencies, it is recommended that owners/residents provide the Board with keys and/or entry codes for their condominium units and storage rooms/units.

## 4 EXTERIOR ARCHITECTURAL AND DESIGN CONTROL

Owners shall strictly comply with the requirements for architectural approval set forth in MPP HOA's documents. The Board shall have sole and complete discretion in interpreting, enforcing, and determining compliance with the architectural control provisions. The Board may determine in its sole discretion whether any applicant has met the procedural and other requirements of architectural review.

a. No buildings, fences, walls, or other items or structures shall be erected or maintained upon the Common Elements. Nor shall an addition to or change or alteration therein be made until the plans and specifications have been approved by the Board. *(Ref CCR §7.2)*

i. Owners must submit a **Remodel-Architectural Review Request** to the Board detailing proposed changes prior to making any alterations to any exterior part of the condominium complex, including exterior building walls and sidings, patios, balconies, walkways, bridges, grounds, landscaping, fences, lighting, entryways, doors, and mechanical infrastructures.

b. Owners shall not attach awnings, screens, screen doors, or other items to the exteriors of the building, except those specifically authorized by the Board.

4.1 Grounds Landscaping and Decoration

a. For safety and liability issues, residents are prohibited from performing landscape maintenance of any kind without approval from the landscape committee. Residents who desire to work on landscaping must get approval from Landscape Committee and sign a waiver of liability.

b. Personal plantings of any kind are prohibited in grounds landscaping, including potted plants. *(See section 2.4 Landscaping.)*

c. Personal landscape decorations of any kind are prohibited in landscaping, including, but not limited to seasonal decorations, wind spinners, boulders, decorative gravel, garden art, benches, or other seating.

d. Watering of landscaped areas by residents or their agents is prohibited.

- Erosion control is paramount in protecting the structural integrity of the condominium grounds. The watering of moisture-loving plants increases soil erosion, permits water seepage under the garage and carport structures, weakens retaining walls, and adds to community water costs.

e. Storage of any kind in landscaped areas is prohibited. *(See section 2.a.)*

4.2 Unit Entry Doors

a. Replacement of all entry doors, including screen doors, is at the owner's expense. A **Remodel-Architectural Review Request** must be submitted for Board approval prior to replacing entry doors.

5 Seasonal and holiday decorations are permitted on unit entry doors.

4.3 Unit Entryways *(See section 2.2.a for definition of Unit Entryway.)*

a. Individual unit door mats up to 3-feet by 5-feet in size, or one large shared indoor-outdoor rug of neutral color placed on the tiled area of unit entrances, are permitted.

b. Free-standing decorations, including flowerpots, planters, and seasonal decorations, are prohibited in unit entryways.

c. Entryway furniture, as described herein, must be agreed upon by both owners/residents of the entryway and revisited when an owner/resident or situation changes. A two-person bench in natural wood, natural stone, dark metal, or dark metal/wood may be placed in the entryway. The furniture must not impede fire egress as previously described in section 2.2.b. The bench is to be placed on the longer wall and may not exceed 54 inches in length, 17 ½ inches in depth, or 34 inches in height.
Cushions, if applied, are to be secured to the bench.

d. A single outdoor decorative piece is permitted on exterior walls in unit entryways and must be securely fastened. Outdoor wall decor must be in good repair, and not objectionable to immediate neighbors.

- Common courtesy requires a discussion with your nearest neighbor about entryway decor. If an objection regarding entryway decor is made to the Board, the Board will request its removal.

e. Decorative string lighting hung on walls or ceilings of unit entryways is prohibited except for seasonal holiday lighting as defined in *section 4.3.f.*

f. Seasonal holiday lighting and decorations in the entryway (see definition *section 2.2.a*) are allowed three weeks before and a week after each holiday. Lights must only be battery operated to avoid tripping hazards from cords to residents and visitors. Owners/renters in each entryway may work collaboratively or individually. To maximize safety, freestanding objects are not allowed, and entryways are not to be blocked or otherwise impeded. When working individually, common courtesy suggests you have a discussion regarding the plan with your neighbor.

- Common courtesy requires a discussion with your nearest neighbor about seasonal decor. If an objection regarding entryway decor is made to the Board, the Board will request its removal.

4.4 Outdoor Furniture/Planters on Bridges

a. One black or dark-colored metal bistro table and two chairs (or four stackable chairs) or two-person bench is permitted on each bridge. The lower-level walkway bump outs may contain one bistro table and two chairs (or four stackable chairs) or a two-person bench. All furniture and planters on bridges must be placed on the same side to alleviate any egress issues.

   i. Metal bistro tables may be round or square with a maximum size of 36 inches. The table surface is not to exceed 30 inches in height. Tables may have four chairs, if stackable. Cushions, if applied, must be secured to the chairs. Furniture is not permitted on walkways, which are located at ground level. *(See section 2.3.b, Stairways, Walkways and Bridges.)*

   ii. A metal, stone, or metal-framed wood bench may be placed on the bridge. The bench may be a two-person bench, not to exceed 54 inches in length, 17 ½ inches in depth, or 34 inches in height. Cushions, if applied, are to be secured to the bench.

b. A total of two non-hanging pots (one per unit) may be placed on the bridges or walkway bump outs, provided that egress is not obstructed and water overflow is contained.

   i. Pots/planters must be in good condition (e.g., not cracked, broken, or splintered).

   ii. Pots/planters may be a maximum of 24 inches in height and width, and may be a maximum of 50 inches in height with plantings.

   iii. Plants must be maintained and in healthy condition. Dead or dying plants must be removed or replaced.

c. Pots/planters (with plants removed) may be left in place after the growing season. Bistro sets and benches may be left in place year-round.

d. Rail planters on walkways and bridges are prohibited.

e. Artificial plants and flowers are prohibited.

f. Personal seasonal and holiday decorations on walkways, entryways, and bridges are prohibited. Seasonal and holiday decorations must be in compliance with *section 4.3.f.*

4.5 Balconies *(See also section 2.7.1, Balconies.)*

a. Seasonal and holiday decorations, including lights, are permitted on balconies and/or patios provided they do not pose a hazard to neighboring units (e.g., securely fixed, no open flames).

b. Container gardening is permitted on patios and/or balconies. Care must be taken to ensure watering of container gardens does not result in water pouring onto patios and/or balconies below.

c. Patio umbrellas must include stands of the correct size and weight, and umbrellas must be collapsed when not in use.

   - According to industry recommendations, the larger the umbrella, the heavier the stand needs to be. To determine the minimum weight for the umbrella stand, multiply the width of the umbrella canopy by 10. For example, an umbrella with a width of 7 ½ feet requires a stand weighing approximately 75 pounds.
   - Plastic or wicker outdoor furniture, unsecured chair cushions, and patio umbrellas can become airborne in windy conditions. It is the owner's/resident's responsibility to repair and pay for any damage to personal and/or condo complex property caused by wind-blown or airborne furniture or accessories.

d. The installation, placement, or use of hot tubs, spas, plunge pools, inflatable pools, or any other water-filled device within a condominium or on a balcony, patio, or limited common element is prohibited. Standard bathroom tubs installed in the existing bathrooms are excluded from this rule.

4.6 Bulletin Boards

MPP community bulletin boards, located by mailboxes and by elevator 5 in building C, are for the use of residents. Only those events that are open to the entire MPP community may be posted. Postings must be removed within 48 hours after completion of the publicized event. The Board has the authority to remove any posting deemed objectionable or containing controversial content. When contact information is included in the posting, the Board will make every effort to notify the person who posted it of its removal and inform the person of the reason for the removal.

5 PETS

a. Residents shall be permitted to have not more than two animals (dogs/cats) that do not exceed a weight of 40 pounds each. These animals cannot be bred or kept for commercial purposes, cannot make objectionable noises or otherwise constitute a nuisance or inconvenience to any residents, and are to be kept in compliance with all applicable ordinances. *(Ref CCR §7.6)*

b. Residents shall not permit any pet to run loose around the buildings or about the grounds. No resident shall permit any pet to be outside their unit unless on a leash and in the hand of a responsible person or in a carrier container. *(Ref CS Ordinance 6.7.107)*

c. In the event a pet defecates, urinates, and/or vomits on the walkways, driveways, bridges, or landscaped areas in or about the buildings or grounds, the pet owner or responsible person must immediately remove the animal waste.

d. Pets, whether inside or outside a unit, shall not disturb any neighbors or disrupt the quiet environment within their homes.

e. Service animals are permitted per criteria under Colorado state law and can be dogs that are properly trained and licensed to assist persons with disabilities. These animals do work or perform tasks for the benefit of individuals with disabilities that are directly related to the individual's disability and/or needs. The state laws related to service animal regulations are evolving. They will be reviewed at the time a request is made to the Board for a service animal to reside within a condominium unit.

f. Emotional Support Animals (ESA) are permitted per criteria under the federal Fair Housing Act (FHA). The guidelines for supporting an ESA may be found at https://www.hud.gov/sites/dfiles/PA/documents/HUDAsstAnimalNC1-28-2020.pdf. Prior to hosting an ESA on the MPP grounds, whether accompanying a resident or visitor/guest, for any duration of time the owner of the unit hosting the ESA must

- Inform the board of the ESA

- Provide documentation from a certified medical professional certifying the medical need exists for a resident/visitor/guest of the unit to have an ESA, in conformance with the FHA guidelines referenced above.

Additionally, the ESA must follow all other community Rules and Regulations regarding pets, including but not limited to, ensuring the ESA is either on leash or crated at all times while it is on or inside MPP common areas, picking up and discarding the ESA's waste, etc.

## 6 SOLICITING

Soliciting, whether commercial, political, religious, or otherwise, is strictly forbidden within the complex. To the fullest extent allowed by law, any such solicitors shall be considered trespassers and subject to civil and criminal penalties.

## 7 SIGNS, DISPLAYS, FLAGS AND FLAGPOLES

No signs, advertising, billboards, unsightly objects, or nuisances shall be placed, erected, or permitted to remain in or on any condominium unit or any part of the complex. Nor shall any condominium unit or any part of the complex be used in any way or for any purpose which may endanger the health, safety, or life of any person, or which may unreasonably disturb the other owners/residents. *(Ref CCR §7.13)*

- Signs shall not be posted, placed, or displayed on any MPP Common Areas or landscaping including fences, gates, lights, or signposts.

a. Owners/residents shall not erect permanent flagpoles in Common Areas. Flags may be displayed temporarily.

b. Any flag may be displayed on an owner's/resident's property or within the window of a unit. Owners are responsible for any damage caused by installation of said flag. The flag may be not be any larger than 36 inches by 48 inches.

c. *Political Signs*. Except to the extent restricted by city, town, or county ordinances, a unit owner or resident may have no more than one political sign per political office or ballot issue that is contested in a pending election, as defined by the statute, to be located on the door or in a window of the unit, with

a maximum dimension of 24 inches by 18 inches. Such political signs may only be displayed no earlier than forty-five (45) days prior to the election day to which the sign pertains, and no later than seven (7) days after said election day.

d. *Other Signs*. Two small security system signs are permitted. Conventional "For Sale/Rent," signs are permitted as approved by the Board.

## 8 MAINTENANCE AND INTERIOR REMODELING

### 8.1 Owner Maintenance

Owners are responsible for the maintenance, repair, or replacement of the following *(Ref CCR, Article XII)*:

a. Interior walls, floors, and ceilings of unit and materials thereof, including plaster, gypsum, drywall, paneling, woodwork, wallpaper, paint, carpet, wall and floor tile, and flooring that make up the finished surfaces of the perimeter walls, ceiling, and floors within the unit.

b. All cabinets, kitchen and bathroom fixtures and equipment, and built-in appliances.

c. All lighting, plumbing, furnace, and air conditioning and heating improvements that are for the exclusive use of the unit, and related hardware, except for lines or pipes to the extent they are located or run through the ceilings, floors, or walls of the building's structure, said lines or pipes shall be the Association's responsibility as provided in the Declaration of Covenants.

d. All utility lines, pipes, conduits, equipment, and fixtures from the point where they enter the unit.

e. The window units and sliding patio door units placed in the frame of the walls. The window unit includes the total casement of the window, glass, seals, and mechanical mechanisms to open and close windows. The Association is responsible for the framing around the window unit and the siding around the window. Therefore, if a leak occurs between the window unit and framing, the repair of the framing is the responsibility of the Association. All window and door replacements must be approved by the Board before the work can be done.

### 8.2 Interior Remodeling

a. A **Remodel-Architectural Review Request** must be submitted to the Board for review and approval prior to undertaking kitchen/bath demolition and replacement; plumbing and electrical projects; window replacements; front entry door, screen door, or patio door replacements; alterations to fireplaces; breaching or removal of interior walls; and use of liquid floor leveler.

- Using liquid floor leveling material may seep around the walls of the unit into the unit below so it can only be used if provisions are made to guarantee no leveling material can escape the unit in which it is being used. Additionally, the weight of the leveling material may be an issue that requires an engineering analysis.
- It is the homeowner's responsibility to obtain any necessary building permits. Consult the Pikes Peak Regional Building Department website (https://www.pprbd.org/) for more information.
- Interior painting does not require Board approval. However, it is recommended that owners notify the Board of any interior unit work that involves the use of contractors or vendors, or that may cause noise.

b. No owner shall undertake any work in their unit which jeopardizes the soundness or safety of the building. *(Ref CCR §3.11)*

c. An owner shall not do any act or work that might impede any easement or right of way. *(Ref CCR §12.1(e))*

d. Owners or residents who purchase or install, at their own expense, Association-approved items, such as security doors and exterior sunscreens, shall be solely responsible for maintaining and replacing them, as determined by the Board. Likewise, any owner or resident of a property containing such improvements assumes responsibility for maintaining and replacing them.

e. No external gas lines for the delivery of the gas to units is permitted for any reason.

f. Any maintenance, repair, replacement, alterations, or remodeling work involving hammering, power drills, power saws, or other power tools can be done only between the hours of 8:00 a.m. and 5:00 p.m. on weekdays, and 9 a.m. and 3 p.m. on Saturdays and legal holidays. Only quiet work is permitted outside of the above-specified hours.

g. During remodeling, Common Areas must be cleaned of any debris at the end of each workday. All trash, debris, and other work materials must be removed from the Common Areas and NOT placed in or around the condominium dumpsters. *(See section 2.6.c.)*

h. If construction dumpsters are to be used during remodeling, Board approval must be obtained prior to the start of construction. The Board will direct the on-property location and duration of dumpster use. See *section 2.1.2.d*.

    i. A **Remodel-Architectural Review Request** must be submitted for Board approval prior to the installation of solar film or similar products on any windows in a unit or to place solar collectors on the roofs.

## 9 NUISANCES

No nuisance shall be allowed upon the property, nor shall any use or practice be allowed which is a source of annoyance to residents, or which interferes with the peaceful possession and proper use of the property by its residents. *(Ref CCR §7.4)*

a. Owners and/or residents shall not create any situation wherein their actions or conduct, as determined by the Board, represents a nuisance, disturbance, or health hazard to other residents. This includes, but is not limited to, noise during quiet hours from radios, televisions, vacuum cleaners, washers and dryers, loud music or parties, or offensive odors (e.g., cooking, incense, smoke of any kind).

b. No owner, guest, family member, resident, or tenant shall damage the landscaped areas nor any of the private streets, sidewalks, or other common property of the Association. Owners are liable for any violations or damage done by their guests, tenants, residents, contractors, visitors, or family members, and each owner shall be charged for any damage/cleaning violations of the Association Documents by those persons. Owners shall make such persons fully aware of the Association Documents and their requirements and shall incorporate the same into any leases and agreements. *(Ref CCR §7.4)*

c. No owner or occupant shall discharge any firearms within the complex.

d. Quiet hours for the complex are from 10 p.m. to 8 a.m. All residents shall take measures to ensure that no noise from their unit bothers other residents.

e. Feeding and watering wildlife is not permitted within the condominium complex. This includes placing bird feeders or watering containers within the complex. Hummingbird feeders are permitted, as the exception. *(See section 2.c.)*

- While the Board cannot enforce a prohibition of bird feeders on city-owned property outside of the complex, the placement of such bird feeders is discouraged due to their use by nuisance wildlife, such as squirrels, skunks, and racoons, which can be highly destructive to property and disease carriers for pets and humans.
- Colorado Springs city council passed an ordinance in 2018 that indicates citizens can face a fine of up to $500 if they are cited for feeding wildlife. The ordinance defines wildlife as "any undomesticated animal species including but not limited to bear, skunk, raccoon, wolf, coyote, fox, deer, elk, moose, or antelope." Any MPP resident that is witnessed placing food outside for these wildlife species may be reported to Colorado Springs code enforcement. *(Ref CCR §7.4)*

f. It is the responsibility of each owner/resident to maintain a temperature within their condominium unit sufficient to prevent interior pipes from freezing. Damage to an adjoining unit caused by frozen or leaking pipes or other destructive causes is the responsibility of the offending owner to repair at their own expense.

## 10 LEASING

See *CCR Amendment, August 2019, §7.10* for complete leasing requirements.

a. Owners must submit a **Leasing Permit Application** form to the Board prior to leasing their unit(s).

i. The Board has 30 days to review and approve or disapprove a Leasing Permit Application request.

ii. An owner's request for a leasing permit will be approved if the number of current, outstanding permits issued, plus grandfathered units, is less than twenty percent (20%) of the total units in the community.

b. Condominium units shall be leased for a period no less than six months, provided any lease for a six-month period may be extended on a month-to-month basis. *(Ref CCR §7.10)*

c. No owner may lease less than their entire condominium unit.

d. All leases shall provide that the terms of the lease, and lessee's occupancy of the condominium unit, shall be subject in all respects to the provisions of the Declaration, the Articles of Incorporation and Bylaws of MPP HOA, and the rules of the Board. Any failure by the lessee to comply therewith shall be a default under the lease.

e. An owner who leases a unit shall provide a copy of the lease, fully executed, to the Board within fifteen (15) days of execution.

f. Noncompliance will be treated as any other violation. The owner and/or occupant must take extreme care in moving into and out of the complex. Any damage to the Common Areas of the complex caused by an owner, resident, their agents, or visitors will be repaired by the Association at the expense of the owner or occupant. All leases shall provide that the Association may, on behalf of the owner, evict any tenant or occupant who is violating the Declaration or these Rules. An owner who leases a unit shall be

responsible for advising their tenants of the Declaration and these Rules, and shall be responsible for any violations or damages caused by the tenants.

## 11 AMENDMENTS

Any policy, procedure, rule or regulation of the Association, including these Rules, may be amended, deleted, replaced, or augmented at any time by the Board, and communicated to the membership in accordance with the Association Documents. Any owner who desires any type of modification of a policy, procedure, rule, or regulation of the Association can make a request in writing to the Board, in accordance with procedures specified in the Policies and Procedures.