

RULES AND REGULATIONS

Highland Park Condominium Owners Association

Effective March 1, 2016

The following Rules and Regulations have been created and approved by your Board of Directors to clarify and ensure a quality living environment within the Highland Park Condominium Association (HPCOA or Association). This authority is derived from Article IV, Section 1 of the Declaration for the HPCOA (herein referred to as the Declaration) and in the Bi-Laws Article VI, Section 6.2 (i) recorded with the County Clerk and Recorder of the city and county of Denver.

All governing documents can be found on Capitol Hill HOA Management's website (www.chillhoamng.com).

These Rules and Regulations are not intended to replace any laws or regulations as published by the city and county of Denver, and/or the state of Colorado and such laws and regulations shall be observed and adhered to by this Association.

When there is a conflict, the HPCOA Declaration and Bylaws, or the laws/regulations of the city and county of Denver, and/or the state of Colorado shall be prevailing authority. Residents should not hesitate to contact the Denver Police Department, District 1, Denver Fire Department, Denver Animal Care Division, or any other applicable agency if the need exists.

The Board of Directors of HPCOA hopes that all affected persons will embrace these Rules and Regulations as reasonable and necessary for the peaceful enjoyment of all owners and residents of HPCOA.

I. ASSOCIATION MANAGEMENT

A. The HPCOA Board of Directors has appointed an agent for the Association ("Property Manager") to administer the day-to-day enforcement of these Rules and Regulations, the Declaration, the Articles of Incorporation and By-Laws of the HPCOA. Capitol Hill HOA Management (Property Manager) is authorized to take these actions within the standards of the complex.

B. In the event of an after-hours emergency, please contact the Property Manager at 303-913-0010. As stated above, also contact any or all applicable agencies or the owner of the unit. All non-emergencies should be called into the office at 303-320-1660.

C. From time to time, it is necessary for the HPCOA or its Agent to enter some/all of the condominiums for the health, safety and welfare of the residents. Access must be granted by residents upon Association request for such problems as (pest control, water and/or heat related problems (by way of example, but not limited to). Homeowners and residents will be notified in advance, except in case of emergency. If access is not allowed, the homeowner may be fined according to the section X of this document). Homeowners are permitted to designate

an emergency contact that may, alternatively, provide access to the unit. *Note: In the event a resident is unavailable, property management can determine whether it is an emergency and will grant access to the unit accordingly.*

II. COMMON AND LIMITED COMMON ELEMENTS

Note: For the legal definition, see Article 1 Section 8 of HPCOA Declaration. For the purposes of these Rules and Regulations, “common area” shall be defined as, but not limited to, the exterior walls, stairs, stairways, landings, sidewalks, walkways, parking areas, roofs and trash enclosures.

A. Common Elements:

- i. Structural alterations cannot be made to any exterior component or surface without prior written approval by the Board of Directors. Structural changes can be defined as anything that requires construction changing the integrity/structure of the building.
- ii. The Association provides both trash and recycling for the community. Please recycle items that are listed as recyclable by the waste management company.
- iii. Littering: Nothing commonly defined as trash, including cigarettes and/or butts, animal droppings, bottles or cans shall be left within the complex or parking area.
- iv. Trash must be enclosed in plastic trash bags or other appropriate trash containers and placed in the dumpster. No trash is to be stored outside of your home. Trash is to be placed in the dumpster. No trash is to be stored outside of your home. Trash is to be placed inside the dumpster and NOT around the dumpsters. Cardboard containers are to be broken down before being placed inside the recycling dumpster.
- v. Owners/Residents are responsible for the proper disposal of any hazardous materials and large appliances. Items that cannot be placed in the dumpster should be removed by the owner/resident, or the owner/resident should make provisions to have the items removed at the owner’s/resident’s expense. The Association will charge any homeowner’s resident’s account for the dumping of oversized items and the cost of their removal, associated with the individual owner’s/resident’s home.
- vi. Property interior/exterior window attire must be hung and maintained in good condition.
- vii. Discharging fireworks within the complex is prohibited.
- viii. Personal property/landscaping items used for beautification purposes may be placed in common areas, provided the Board approves such beautification measures and no complaint is received from any homeowner/resident. Should the management company receive such a complaint, the owner/resident of the property will immediately remove the decoration.

- ix. No personal property of any kind is to be kept or stored within a common area (including under outside steps or on landings). Any personal property found within the complex will be disposed of immediately at the owner's expense.
- x. No signs, notices or bills shall be posted in common areas, such as fences, walls, railings or mailboxes.
- xi. The Association does not allow use of outdoor cooking equipment other than what the Denver Fire Department approves.

Note: *Due to numerous fires caused by barbecue grills, the city and county of Denver issued Fire Safety rules regarding grill use in condominium complexes. Grills that use LP gas containers (gas grills) larger than one pound are not permitted. Electric grills and one-pound only gas grills as permitted as well as charcoal grills, smokers and hibachis. Authorized grills must be used at least 10' from the buildings, including 10' from the overlying decks. **THE DFD DOES NOT ALLOW GRILLING ON DECKS OR PORCHES.** Violations will be issued by the HPCOA and/or the Denver Fire Department for non-compliance.*

B. Limited Common Elements

- i. All changes, improvements, repairs and/or replacements to the exteriors of the units including but not limited to entry doors, garage doors, storm/screen doors, windows, must be submitted in writing to the Board of Directors for written approval, prior to changes, improvements or repairs and/or replacements being made.
- ii. Satellite dishes, antennas, poles, wires or other objects of this kind, for the purpose of radio television reception, may NOT be installed without prior written approval from the Board of Directors. The homeowner/resident is completely responsible for any, and all, damages made to the unit. Any and all damages shall be repaired at the sole expense of the homeowner. Satellite dish installation on the roof or attached to the siding of the building is strictly prohibited. A professional must install the satellite dish and any required city and county of Denver permits must be pulled before installation can begin. A green ground wire must be used in the installation. The preferred method of placement is on a tripod on your deck. Antennas, poles, wires, satellite dishes or other objects of this kind, for the purpose of radio television reception that are installed without prior written approval from the Board of Directors may be removed by the Association, at the owner's expense, after due notification of intent. The owner may also be subject to additional fines for failing to comply with these Rules and Regulations.

III. PARKING AREAS AND VEHICULAR TRAFFIC

- A. All Residents shall register all vehicles by providing the year, make and model, color and license number of the vehicle to the property manager via the Resident Information Form.
- B. Each unit will be allowed **ONE** Parking permit. The permit must be acquired, for a nominal fee, from the HPCOA's approved parking partner. Please reach out to the property manager for information on how to obtain a permit.
- C. Due to limited parking space (located in the rear of the buildings), access is for residents only on a first come basis and no more than one space per residence is allowed. **Guests are not allowed to park in resident parking spaces.**
- D. Vehicles blocking traffic will be ticketed, booted and/or towed immediately without notice, at the vehicle owner's expense.
- E. Campers, motor homes, boats, trailers and any vehicle larger than a 3/4 pickup truck are prohibited from parking anywhere within the complex at any time. Trucks or vans making deliveries are excluded from this policy.
- F. Any vehicle supplied by a company for residents' use in their job must be used regularly, however, this vehicle must not exceed 3/4 ton capacity and must meet the above conditions.
- G. Motorcycles and scooters are treated as any other vehicle. They are not to be parked on any sidewalks or in front of a parked car. They must have a block placed under the kickstand to protect the parking lot from damage. Any motorcycle or scooter that damages the parking lot in this manner will subject the owner to a fine, the owner may be liable for any expenses for repairing such damages and the motorcycle or scooter may be towed at the owner's expense.
- H. Vehicles must be parked between the painted lines, within the designated parking spaces. No vehicle may extend on/over the painted lines. Only one vehicle per parking space is allowed. Any vehicle not parked correctly within a parking space may be ticketed, booted and/or towed, within 24 hours, at the vehicle owner's expense.
- I. Abandoned and/or inoperable vehicles (not street worthy) are not permitted in the complex. Such vehicles are subject to ticketing, booting, or towing and removal, within 24 hours, at the vehicle owner's expense. Abandoned and/or inoperable vehicles are defined as:
- i. Vehicles that are obviously inoperable (flat tires, wrecked, etc.)
 - ii. Vehicles whose license plates are expired or missing all together.
 - iii. Vehicles that have not moved under their own propulsion for a period of 72 hours or more.
- J. Vehicles or equipment that is considered abandoned, unauthorized or inappropriate will be subject to a ticket and towing, without 24 hours, at the owner's expense.

K. Vehicles blocking the designated Fire Lane will be towed immediately without notice, at the vehicle owner's expense.

L. Cars parked in approved spaces without a valid parking permit will be subject to a fine or towing, within 24 hours, at the vehicle owner's expense.

M. If resident is going on vacation and leaving his/her vehicle parked for an extended time, the resident must notify the property manager before he/she leaves so that the vehicle is not towed.

IV. PETS

A. All residents shall follow the city and county of Denver's municipal codes for animal regulations, including licensure. Residents that do not follow the city and county of Denver's municipal code will be fined by the Association and turned over for the Denver Animal Control Division and may be fined by them for pet violations. The municipal code can be obtained by calling 311.

B. Residents shall not permit any pets to run loose around buildings or about the grounds. Pets are to be leashed and in control of a responsible individual at all times.

C. Pets shall not be allowed to defecate on walks, driveways, parking lots, stairs/steps, personal decks and landings or in the buildings (by way of example but not limited to). Pet excretion must be placed in a plastic bag before thrown in the dumpster. In the event of defecation, the pet owner must immediately pickup and clean up after the animal.

D. Pets shall not be left unattended, chained or tethered to any common or limited common element.

E. The resident/unit owner is responsible for any and all damages caused by a pet to Association property.

F. Homeowners are responsible for pet behavior and, should an incident occur, such as a bite or damage to limited or common elements of the community, any associated expenses are the sole responsibility of the owner.

G. Only (3) pets, (dogs and/or cats) will be allowed per unit.

H. Pit Bulls and any other breed prohibited by the city and county of Denver are NOT allowed.

I. Residents must provide pet information to the property manager via the Resident Information form.

V. USE OF UNITS

- A. All Residents shall follow the city and county of Denver's municipal code regarding housing regulation. Residents that do not follow the city and county of Denver's municipal code will be fined by the Association and turned over to the city and county of Denver.
- B. Each condominium unit will be used for a residence and not for business purposes whatsoever.
- C. In accordance with Denver fire laws, maximum occupancy is two people per bedroom.
- D. Any owner of a condominium unit shall have the right to lease his or her unit subject to the governing documents of the Association.
- E. Homeowners must provide a copy of these Rules and Regulations to their renters. Homeowners are liable and responsible to the Association for any and/or all violations of the established Rules and Regulations, Declarations and By-Laws by their guests, renters and pets. Residents are financially responsible for all damage caused by their guests and pets to Association property.
- F. The owner or agent shall complete the Resident Information form annually, or each time there is a change of resident, in order to provide the information below to the property manager:
- i. Unit address
 - ii. Name of resident(s)
 - iii. Home and work numbers of Resident(s)
 - iv. Term of lease (if applicable)
 - v. Automobile information: year, make, model, color and license plate number of residents' vehicle(s)
 - vi. Pet information: type of animal, breed, sex, weight, color, age, license number in accordance w/Denver law for dogs to be licensed
- G. Owner or agent shall supply a copy of these Rules and Regulations to all prospective renters prior to lease being signed and moved in. All leases require inclusion of these Rules and Regulations.
- H. Owners and/or residents must take reasonable care when moving into and out of the complex. Any damage to the common and/or limited common areas of the complex caused by an owner, resident, his/her agents, or visitors will be the sole financial responsibility of the unit owner.

VI. MAILBOXES

- A. Tampering with mailboxes is a FEDERAL OFFENSE and will be reported to federal officials if witnessed.

B. Replacement of broken locks and or lost or stolen mailbox keys is the responsibility of the unit owner. Contact Capitol Hill Management Company to receive instruction on replacing mailbox locks and keys.

VII. INSURANCE CLAIMS

A. Any insurance claim filed against the HPCOA master policy must be filed through and reported to the property manager immediately. After a claim is made, the property manager will investigate and validate such claim. If claim is valid, all insurance checks will be mailed directly to the Association. Repair payment(s) will be made by HPCOA. (This policy is to ensure that repairs authorized by the insurance company are completed.)

B. The comprehensive insurance policy covers only exterior elements in the community; it does NOT cover the contents of individual units/storage areas, garages or liability caused by guests on the premises.

C. Condominium owners are responsible for damage to another unit if the damage is the result of an incident occurring in the condominium owner's unit.

D. Each unit owner or occupant should arrange insurance coverage for all losses and risks of the ownership and/or occupancy of the interior premises.

VII. MISCELLANEOUS

A. Bicycles, motor bikes, motorized scooters, roller-blades/skates, skateboards and other toys or playthings are not to be stored, used or ridden on any sidewalk, stairs or landings in the complex common/limited common areas.

B. Any careless or willful damage caused to common areas or building exteriors is the sole responsibility of the resident. The property manager will have the damage repaired and the responsible party will be billed.

C. No objects that may fall and cause damage or injury may be placed on any railing or stairs within the complex, including all common element areas.

D. All seasonal decoration must be removed within 10 days after the holiday.

E. Unit owners/occupants shall not create a situation wherein their actions or conduct, as determined by the Association Board, represent a nuisance (defined in Declarations) or disturbance to other residents. Nuisances shall be reported to property manager.

F. Excessive noise will not be tolerated and should be reported to the Denver Police Department, District 1 immediately.

G. Homeowners and/or occupants shall not store or keep fireworks or flammable, hazardous or toxic liquids, solvents or toxic materials of any kind in the

unit (outside of common household cleaners), storage locker or on common/limited common areas of the complex.

H. All units must have operable smoke, carbon monoxide and radon detectors, as well as fire extinguishers, in accordance with applicable city and county of Denver code requirements.

I. Residents will not tolerate use of the premises for criminal activity and will not engage in any act which facilitates criminal activity, on or near said premises.

J. Guns or any other types of weapons are prohibited from being displayed or discharged within the complex.

K. Any owner who is delinquent with Association dues, assessments and/or fines will be sent to the attorney and as a result, will not be permitted to vote on Association matters until account is paid in full in accordance with applicable city and county of Denver laws.

L. All violation complaints need to be submitted, in writing, to the property manager.

1. Complaints must include the owner's HPCOA address and be signed by the owner. The person filing the complaint must disclose if she/he wishes to remain anonymous.

2. In addition to the incident/violation, the day, date, time and information leading up to the incident/violation must be included in the written complaint.

IX. ENFORCEMENT

A. From time to time, as determined by the HPCOA Board of Directors, a schedule of fines may be adopted for the violation of the Association's Rules and Regulations, Declarations and By-Laws and Policies and Procedures. Homeowners may be held responsible and liable for the actions of their tenants and occupants of their unit. Compliance with the standards of the complex is important for everyone in order to ensure a quality of living environment.

B. In the event of a violation of any provision of the Declarations, Articles of Incorporation, By-Laws of the Association, Policies and Procedures or these Rules and Regulations, a fine or penalty shall be assessed as follows:

Note: Parking and vehicular traffic rules are exempt from these enforcement policies and procedures as they follow their own schedule of fines.

- i. First offense or violation: Warning letter to homeowner and/or resident posted to door or mailed to the owner's mailing address of record by 1st class mail.
- ii. Second offense or violation: Fifty-dollar (\$50.00) fine assessed against the homeowner's account.
- iii. Third and subsequent offenses or violations: Fifty-dollar (\$50.00) fine assessed against the homeowner's account.
- iv. All fines are due and payable to the Association ten days after receipt.

- v. Objections and basis for objections to levied fines shall be made in writing within ten days of notice of fine.
- vi. A hearing will be scheduled at the next regular Board of Directors meeting. The owner will be notified of the day, date and time of the hearing by 1st class mail at his/her address of record. Non-delivery of the notice does not constitute non-notification.
- vii. The violator will have an opportunity to present evidence in his/her own behalf regarding the violation and the Board of Directors will make a decision.
- viii. The Board of Directors shall have the discretion of making a decision in the case without the presence of the accused party.
- ix. The decision of the Board of Directors shall be final.

X. GENERAL PROVISIONS

A. Failure by the Association, the Board of Directors or any person to enforce any provision of these Rules and Regulations shall in no event be deemed to be a waiver of the right to do so thereafter.

B. The provisions of these Rules and Regulations shall be deemed to be independent and the invalidity of any one or more of the provisions hereof, or any portion thereof, by judgment or decree of any court of competent jurisdiction, shall in no way affect the validity or enforceability of the remaining provisions, which shall remain in full force and effect.

C. Unless the context provides or requires to the contrary, use of the singular therein shall include the plural, use of the plural shall include the singular and the use of any general shall include all genders.

D. The captions to the sections are inserted therein only as a matter of convenience and for reference and are in no way to be construed so as to define, limit or otherwise describe the scope of these Rules and Regulations or the intent of any provision hereof.

XI. AMENDMENT TO THESE RULES AND REGULATIONS

The Board of Directors of Highland Park Owners Condominiums reserves the right to amend these Rules and Regulations from time to time as may be deemed necessary for the safety, care and cleanliness of the premises and for securing the comfort, convenience and enjoyment of owners and residents.

Residents are welcome and highly encouraged to attend and participate in regular HPCOA meetings.

Homeowners Association Agent Mailing Address:
Capitol Hill HOA Management
400 S. Colorado Blvd #360
Denver, CO 80246
Main office: 303-320-1660

XII. AFTER HOURS EMERGENCY

- A. An emergency is defined as the following:
- i. Fire or gas leak: move to a safe location and dial 911.
 - ii. Please call 303-320-1660 after you are in a safe location and have called 911
 - iii. Flood, water main/pipe break, sewer back up that is causing damage to a unit, another unit or the common areas, please call 303-320-1660
 - iv. Electric or power outage: if your Xcel account is current, call Xcel Energy (800-895-1999) to check for an outage in your area. If there is no power outage in your area, please call 303-320-1660.
 - v. Electric emergency/power outage: 800-895-1999
 - vi. Gas emergency/gas odor: 800-895-2999
 - vii. Report a Streetlight Outage: 800-895-4999
 - viii. No heat, no water or an accident causing personal injury or property damage, please call 303-320-1660

XIII. CITY AND COUNTY OF DENVER CONTACT INFORMATION

Police, Fire, Medical Emergencies-911
Denver Police Department (non-emergency), 720-913-2000
Community Resource Officer (Officer Todd Cole), 720-913-0400
Denver Fire Department (non-emergency), 720-913-2400
Denver Neighborhood Services (Code Enforcement), 720-865-3200
Denver Animal Control Division, 303-698-0076

