

# Pineae Gardens Condos

## Quick Rule Guide

As members of the Pineae Gardens Condo community, we all have a responsibility to maintain the beauty and peaceful atmosphere of Pineae Gardens and to promote good neighbor relationships. Living in a multi-unit community requires that all residents and guests extend common courtesy to each other, to treat each other as we all wish to be treated, and to use good judgment in our interactions with each other. The better we treat our community, the more likely we will be to retain good property values.

This guide provides rules set by the Condo HOA Board. These rules complement the CC&Rs to which the Condos are subject. Where any conflict may arise between these rules and the CC&Rs, the CC&Rs govern. Violations of CC&Rs and these rules will result in actions described in the last section of these rules. Community members are encouraged to become familiar with both the CC&Rs as well as these rules.

For additional information, copies of documents, complaints, and questions, please contact our HOA management company: John Sears, [jsears@utahoa.com](mailto:jsears@utahoa.com)

### Contents

Who is Responsible – Homeowner or HOA? .....	2
Awnings .....	2
Balconies, Stairwells, and Under the Stairs.....	3
Decorations and Signage .....	3
Fireworks .....	4
Handling Disagreements with Neighbors.....	4
Noise .....	4
Parking Lot/Towing.....	4
Pets .....	6
Reinvestment Fees .....	6
Renting/Leasing Condos .....	6
Trash/Recycling .....	7
Satellite Dishes.....	8
Smoking .....	9
Violations/Fines .....	9

## Who is Responsible – Homeowner or HOA?

As members of the community, we all have the responsibility to maintain the appearance of the buildings, grounds, parking lot, and overall community. The table below is meant to provide a high-level understanding of the community’s appearance, décor, and maintenance. Consult CC&Rs for further guidance.

Property or Area of the Condos	Regulates Appearance and/or Décor:		Responsible for Maintenance:	
	Homeowner	HOA	Homeowner	HOA
Walls-in and interior	✓		✓	
Exterior walls, roofing, and stucco**		✓		✓
Windows and exterior doors		✓	✓	
Balcony structure		✓	✓	
Balcony railings		✓	✓	
Air conditioning units and dryer vents		✓	✓	
Stair railings and stairwell areas		✓	*	✓
Grounds (lawn, shrubs, trees, etc.)***		✓	*	✓
Parking lot		✓	*	✓
Garbage areas		✓	*	✓

\* The HOA has the responsibility for maintenance but homeowners can help save the community money by helping to do the following:

- Pick up garbage in the stairwells, on the lawns, or in the parking lot.
- Sweep stairwells.
- Make sure their garbage makes it into the garbage bins and keep garbage area clean.

\*\* Puncturing the stucco or other exterior parts of the buildings is strictly prohibited unless for approved purposes and done by a professional (see “Awnings”). Satellite dishes may never be installed in the stucco (see “Satellite Dishes”).

\*\*\* Please keep landscaping materials in the garden beds. Rocks that are pulled out and thrown onto sidewalks or into the grass pose a serious hazard to the landscapers as well as anyone nearby if a mower catches a rock.

## Awnings

Awnings may be installed on balconies with prior approval from the board and use of a professional installer approved by the board.

Awning colors must be browns or tans that match the exterior and color scheme of the condo buildings (see pictures for example of approved awnings).



## Balconies, Stairwells, and Under the Stairs

Residents may not hang wet items to dry on balcony railings, stair railings, or rails under the stairs since this can damage the paint on these railings and is unsightly. Residents are instead encouraged to use drying racks for things like towels and swimsuits. Residents should not dry laundry on their balconies.

Residents may not use the balcony or the stairwells for storage (for example, empty boxes, bicycles, canoes, mopeds, etc.). First floor residents may not store items on the ground outside their balcony railing. The balcony storage closet should be used for any storage needs.

Garbage bags containing trash may not be left on the balcony or in the stairwell for later disposal.

Nothing may be stored under the stairs except snow shovels and buckets of snow melt. The area under the stairs is to be kept empty and clean.

## Decorations and Signage

No lights, banners, or other decorations are allowed on balconies or porches except as specified below:

Decorations may be hung on the upper portion of the front door.

Holiday, seasonal, and patriotic decorations and decorative lights may be displayed on the exterior balcony from October 1<sup>st</sup> through January 10<sup>th</sup>; during the week before and after Memorial Day; and during the month of July. This timeframe is intended to be inclusive of holidays and festivities where such decorations are traditional, including Christmas, Chanukah, Kwanzaa, Halloween, Thanksgiving, Memorial Day, Veterans' Day, Fourth of July, and Pioneer Day.

No signs of any type shall be displayed, except "For Sale" or "For Rent" signs. Only one sign is allowed to be displayed per unit and can be placed in a window of the unit or securely attached to the railing.

## Fireworks

Due to fire danger, fireworks are prohibited within condo property.

## Handling Disagreements with Neighbors

Whenever possible, neighbors should try to AMICABLY and RESPECTFULLY work out any differences that may arise before contacting the property manager or condo HOA Board of Directors to intervene. Retaliatory behavior and complaints will not be tolerated.

## Noise

Quiet hours are from 10:00 PM to 7:00 AM.

Residents and guests should avoid loud noises in the stairways, including heavy walking and loud talking, as this is a disturbance to neighbors.

Residents and guests should avoid creating loud or unusual noises around buildings at all times.

Outside wind chimes are not allowed.

## Parking Lot/Towing

The speed limit is **10 MPH** in the condo parking lot.

All parking areas shall be used solely for the parking and storage of motor vehicles used for personal transportation. All motor vehicles parked in the condo lot must be in operating condition and have current licensing and registration. The condo parking lot is intended to benefit condo residents and guests only and should not be used by others.

The condo parking lot is not able to accommodate electric charging stations. Residents and guests may not run charging cables from interior or exterior electrical outlets to the parking lot.

### Towing

Signs have been posted around the parking lot to serve as a warning of risk of towing for parking violations. Towing will occur for some violations without further warning. For other violations, a notice will be posted on the vehicle giving the owner 24 hours to correct the violation before towing.

### Towing requiring no further warning

Don't forget that per Centerville City ordinances, parking is not allowed on public streets (i.e., 650 North) from December 1 to March 31 between the hours of midnight and 6:00 am for more than one hour (dates subject to change by City). The city does ticket cars during this time period and can have cars towed as well. Here is the city ordinance:

([https://centerville.municipalcodeonline.com/book?type=ordinances#name=14.06.010 All-Night Parking](https://centerville.municipalcodeonline.com/book?type=ordinances#name=14.06.010>All-Night Parking))

Each unit is assigned only one covered parking spot. Residents and guests should observe assigned parking. Residents should advise guests of parking options.

Parking in handicap spaces without valid permits, even temporarily, is illegal.

Parking in front of sidewalk ramps is prohibited because it restricts access of disabled to move about the community.

Parking in striped loading zones is prohibited. These should be left clear for those who are disabled to move about the community.

Residents and guests shall not park in such a way, even temporarily, that blocks traffic or that blocks other cars from entering or leaving their parking spaces. This includes when residents park temporarily while retrieving their mail.

### Towing after 24-hour notice of violation

No one may store vehicles that are unlicensed, disabled, or otherwise nonoperating in the condo parking lot, whether in covered or uncovered parking spaces.

Recreational vehicles are not allowed to be stored in the community parking lot overnight. Such vehicles include, but are not limited to: trailers, utility trailers, boats, buses, motor homes, all-terrain vehicles, campers, off road vehicles, snowmobiles, and any other vehicles or trailers of similar type. If recreational vehicles are parked for periods of time *during the day*, they shall not occupy more than a single parking space and may not be parked in any assigned parking stalls.

No vehicles/trailers/other items may be kept in the parking lot at any time if they are too large to fit into a single parking space, except as follows:

Residents moving into or out of the condos should plan their move so that the entire move occurs during the day without the need to park a moving truck, trailer, or storage container overnight. However, the community recognizes that this is not always practicable. Upon request, the Condo HOA Board of Directors may permit one night of parking a moving truck, trailer, or storage container if space permits on the south end of the parking lot. At no time should a moving truck block the flow of traffic through the parking lot.

## Pets

Pets are not permitted outside unattended. All pets taken outdoors must be walked on a leash and must be under the control of the leash handler at all times.

The person walking the pet must **immediately** pick up all pet droppings and promptly dispose of the droppings in a receptacle designated for pet waste or in a trash dumpster. Pet droppings may not be stored for later disposal (for example, on balconies or in stairwells).

Residents are encouraged to have pets potty in the grassy area on the south end of the community along the white fence rather than in front of buildings to avoid damaging the grass that is in public view.

Residents should avoid allowing pets to urinate in the same spot every day since this can destroy the grass in that spot.

Pets may not be tied to any portion of the exterior of a building and may not be penned on balconies or porches.

## Reinvestment Fees

A reinvestment fee is imposed at settlement for each unit sold equal to .5% of the sales price. This fee is generally paid by new purchasers.

## Renting/Leasing Condos

No more than 25 condominium units (30% of 84 total units) may be rental units, with some exceptions as listed below. Prior to renting or leasing any unit, the owner must complete and submit an application to the Board of Directors through the property management company. **Failure to do so will result in fines being assessed.**

Each owner will provide their tenants the Association's governing documents and rules, will provide a copy of the tenant-signed lease to the Association, will provide tenant contact information to the Association, and will notify and update the Association with any changes in tenant contact information. **Failure to do so will result in fines being assessed.**

When a rental is permitted, the owner of the unit is responsible for the full cost of any damages to the property maintained by the condo HOA that was caused by the tenant/lessee.

All lease agreements shall be in writing and must subject the tenants to the condominium governing documents. Any failure by the tenant to comply with the terms of such documents shall be considered a material default under the lease.

An owner may rent or lease their unit until one of the following events occurs, after which the owner must reapply to the Board:

- a. The owner reoccupies the unit.
- b. An officer, owner, member, trustee, beneficiary, director, or person holding a similar position of ownership or control of an entity or trust that holds an ownership interest in the unit, reoccupies the unit.
- c. Upon the conveyance, sale, or other transfer of the unit by deed.
- d. The granting of a life estate in the unit.
- e. If the unit is owned by a business entity, the sale or transfer of more than 75% of the business entity's share, stock, membership interest, or partnership interests in a 12-month period.

Exemptions allowed:

- a. An owner is in the military for the period of the owner's deployment.
- b. A unit is occupied by an owner's parent, child, or sibling.
- c. An owner whose employer has relocated the owner for no more than two years.
- d. An owner serves in a religious order or other volunteer assignment for less than 3 consecutive years outside of Davis, Weber, Salt Lake, and Utah counties.
- e. A unit is owned by a trust or other entity created for estate planning purposes if the trust or other estate planning entity was created for the estate of a current resident of the unit or the parent, child, or sibling of the current resident of the unit.

## Trash/Recycling

- Trash bins are for condo resident household use only.
- Trash removal occurs Tuesday mornings for all bins and again on Friday mornings for the two bins by buildings 326 and 327, one of the bins on the south side of the condos, and the bin beside building 281. The HOA may increase trash collection during the holidays.
- RECYCLING: When a trash bin is designated to be a recycling bin, it is marked or colored differently than regular trash bins. Currently, one of the two bins in the double wide enclosure by building 610 is to be used for recycling only. While recycling is not mandatory, please be courteous to those who choose to participate. Place trash in trash bins and only recyclable items in the designated recycling bin. Examples of what can and cannot be recycled are listed below:
  - What CAN be recycled: paper, cardboard, all plastics labeled recyclable #1-7, aluminum products, metal jar lids.
  - What CANNOT be recycled: paper with a plastic coating (e.g., some juice cartons), used disposable dishes/cups, Styrofoam, bubble wrap, diapers, food, glass, oil, lightbulbs, ink cartridges, electronics, trash.



- When throwing away trash, **make sure that it makes it in the bin.** If the bin closest to your building is full, find the next closest bin that has space.
- Items like furniture, mattresses, appliances, oversized boxes, televisions, cabinets, etc. are to be taken to the dump – they may never be placed in the condo trash bins.
- Any cardboard boxes must be broken down before being deposited in condo trash bins.
- Those moving into or out of the condos who have a large amount to throw away should instead take their items to the dump.

## Satellite Dishes

Satellite dishes may only be installed on metal posts in the gravel area of the corner of each condo building (see pictures for approved satellite dish placement and appearance). Satellite dishes **MAY NOT** be installed

On the roof. They are too difficult to access for service and repair, and they can cause damage to the roofs during storms or when installed improperly.

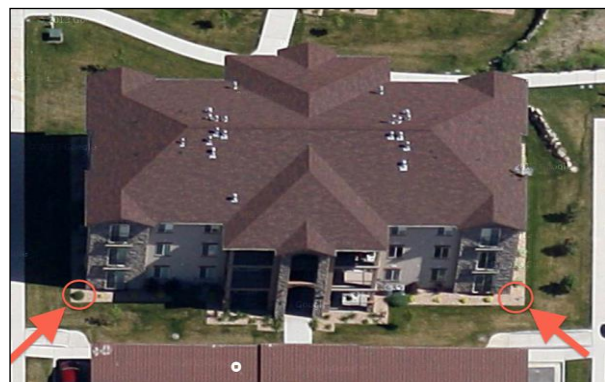
In the stucco of a building.

On balconies or balcony railings.

Each unit may only have one satellite dish at a time and the dish must have the identifying unit number marked. If service is terminated or providers are changed the satellite dish must be removed at the expense of the homeowner.

No cables for these dishes can be running along the ground, and no wires may be exposed outside of the building.

Homeowners are liable for any damage that a satellite dish or associated equipment may cause to the common areas of the property.





## Smoking

- Smoking and vaping are prohibited inside the condo buildings or within 25 feet of any entranceway, open window, or air intake of buildings.
- Cigarette butts shall be completely extinguished and disposed of in the trash.

## Violations/Fines

First Offense: A written notice of violation will be delivered to the owner and/or resident and/or owner's rental agent. The owner/and or resident and/or owner's rental agent will be given a minimum of 48 hours to bring the violation within compliance.

Second Offense: A \$25 fine will be assessed to the owner, along with any additional expenses if the written violation is not brought into compliance within 48 hours.

Third Offense: A \$50 fine will be assessed to the owner, along with any additional expenses if the written violation is not resolved.

Additional Offense: A \$100 fine will be assessed to the owner, along with any additional expense if the written violation is not resolved. Fines will not exceed \$500 per month for the same offense.

The HOA reserves the right to apply an immediate fine to any violation deemed an immediate and dangerous threat to the members of the Community, or Community property, not to exceed \$500 per month. All fines levied pursuant to this schedule of fines shall be collected pursuant to Utah law and may become a lien against the owner home.

All homeowners or their rental agents have the right to dispute a fine. All appeals must be made in writing to the Condo HOA Board of Directors by a person having ownership in the community or their rental agent. Appeals must be received within thirty (30) days of the date of notification of the fine. If the owner or their rental agent is not present at the scheduled appeal hearing, it is to be considered that the owner has forfeited their right to an appeal. Homeowners or rental agents will be advised of the hearing date, time, and place.