

Villas on the Boulevard

Rules & Regulations

Introduction:

The Declaration of Villas on the Boulevard, Common Interest Community No. 263, recorded as Document No. 1995863.001 in the Office of the Anoka County Recorder (the “Declaration”), which is applicable to the property administered by Villas on the Boulevard Homeowners Association, restricts your right to modify the exterior appearance of your home and yard without consent of the Board of Directors (“Board”) or a committee appointed by it. The Declaration also permits the Board to adopt reasonable rules and regulations aimed at controlling undesirable activities in our community and to enforce those rules and regulations.

These rules and regulations are for the benefit of all homeowners, residents and guests in the Villas on the Boulevard community. These rules were created to prevent any individual homeowner from creating an unsightly or undesirable condition on his and/or her home and yard which could adversely affect the value of other homes in our community, and to prevent potential maintenance problems.

Part I of this booklet describes the architectural control guidelines, the procedure which must be followed in requesting approval of any changes in the appearance of your home or yard, certain guidelines which will aid you in determining the types of changes which will most likely be approved, and your option of appeal should the Board not approve your application.

Part II of this booklet sets forth specific restrictions which are applicable to the use of your property. These restrictions either arise directly from the Declaration or constitute rules and regulations which the Board has adopted to restrict undesirable activities.

Part III of this booklet summarizes some of the sanctions and remedies which the Association may impose against you in the event you violate any of these rules and regulations or any other Association governing documents.

You should carefully read these rules and regulations and the other Association governing documents and be aware of your right and obligations as a member of the community.

This document supersedes any prior rules and regulations.

Part I and Guidelines

Exterior Modifications

In order to keep our community attractive, each of our lots is subject to restrictions which prevent us from making any changes to the appearance of our homes, garages, or yards without the approval of the Board **prior to** the installation or construction of those changes. Note that changes also include the alteration of yard or buildings by the REMOVAL of architectural features, fences, trim, overhang, walkways, etc. These removals must also be approved through the Board approval procedures.

If you desire to make any changes to the exterior appearance of your Unit or yard, you must apply to the Board for approval. The Board will review the application based on the criteria set forth in the Declaration and other relevant criteria. (Note: The Board will not approve any requests from renters; requests must come from Unit owners).

The Board will regularly walk the property to observe violations and unapproved changes. Homeowners may also notify the Board of actions they observe that may be violations. All requests for architectural changes must be submitted in writing to the Board for review.

Application and Review Procedure

Detailed plans, specifications and related information regarding any proposed alteration, in form and content acceptable to the Board, must be submitted to the Board at least sixty (60) days prior to the projected commencement of construction. No alterations may be commenced prior to approval. You must proceed in the following manner:

- 1) Fill in the application form completely and return it to the Board. One copy of the application form is attached to these guidelines for your convenience. Additional forms are available from the Board.
- 2) Submit the application along with two copies of your plans for landscaping or architectural changes. The plans should show exactly what the homeowner wishes to do. For landscaping, indicate placement of all plantings and edgings, and identify all plant materials by name and indicate the mature size and height. For building changes, show dimensions of the structure, all materials and sizes, and all support structures. The required plans may be drawn up by an architect or contractor, landscape architect, or the homeowner. Professional plans are not required, but plans must be clear and complete.
- 3) The Board will review your application at its next scheduled meeting. The application and plans need to be submitted to the Board at least two days prior to the meeting.
- 4) The Board will give written notice of approval or disapproval. If the Board fails to approve or disapprove the application within sixty (60) days after receipt of the plans and specifications and all other information requested by the Board, then approval will not be required, and the architectural approval requirements will be deemed to

- have been fully complied with so long as the alterations are done in accordance with the plans, specifications and related information that were submitted.
- 5) If your application is approved, it will be marked approved and sign by at least two members of the Board. One copy will be returned to you for your records and the other will be kept in the Association's records.
 - 6) In some cases, the Board may give tentative approval to your project based on your willingness to accept the Board's input to your specifications.
 - 7) If your application is approved, your project must comply strictly in accordance with the plans and specifications submitted to the Board. If the project is not completed in accordance with the approved specifications, the Board may require your project to be redone in accordance with the approved specifications or be removed. All approved work must be done within one calendar year from the approval date. If it is not done within that year, you must reapply for approval.
 - 8) If your application is denied, the Board will notify you of the reasons for denial.
 - 9) If no request for approval is submitted, approval is denied, unless (i) the alterations are reasonably visible and (ii) no written notice of the violation has been given to the Owner in whose Unit the alterations are made, by the Association or another Owner, within six months following the date of completion of the alterations. Notice may be direct written notice or the commencement of legal action by the Association or an Owner. The Owner of the Unit in which the alterations are made shall have the burden of proof, by clear and convincing evidence, that the alterations were completed and reasonably visible for at least six months following completion and that the notice was not given.
 - 10) Any permits required for construction are strictly the responsibility of the homeowner. The homeowner is required to obtain or ensure his/her contractor obtains all building permits required by local and state regulations as a condition of any approval by the Board.
 - 11) Declarant's written consent shall also be required for alterations until Declarant no longer owns any unsold Unit.

Guidelines

The criteria for approval include and require, at a minimum, (i) substantial uniformity of color, size, location, type and design in relation to existing improvements and topography, (ii) comparable or better quality of materials as used in existing improvements, (iii) ease of maintenance and repair, (iv) adequate protection of the Property, the Association, Owners and Occupants from liability and liens arising out of the proposed alterations, and (v) compliance with Governmental laws, codes and regulations.

The Board has approved the following guidelines which will aid you in determining how the Board will generally act on various types of requested changes. This is not a guarantee of approval since each Unit has unique characteristics that may result in some generally acceptable criteria not being workable for that situation.

These guidelines address only matters which arise frequently. The absence of a guideline dealing with a particular type of change should not be interpreted as either favoring or not favoring such a change. Questions regarding these guidelines should be directed to the Board. You may call the Board to discuss your plan before you submit it if you wish. The Board will be glad to work with you to help you understand the guidelines.

Landscaping

Plans for all landscaping must be approved by the Board **before** any work begins. Plans must show how all materials are to be used, including all plants.

Specific guidelines developed by the Board follow. If your plan meets these guidelines, it most likely will be approved. The Board will also consider requests for landscaping that do not fit within these guidelines. Such plans will be evaluated on an individual basis, considering any unique circumstances of the Unit plan. Approval of any such landscaping does not signify that similar plans for another Unit would probably be approved unless the guidelines have been changed. Each request would continue to be evaluated on an individual basis.

1) Beds:

All landscaping must be done within beds defined by an approved border material. Those approved are treated landscape timbers, plastic edgers, or concrete edgers. Beds must be filled to cover all dirt with one of the following materials: small rock, pea gravel, or small bark chips. No grass or weeds may be allowed to grow in the bed areas. Homeowners are responsible for keeping beds properly maintained, including keeping rocks/chips out of the lawn, replenishing when necessary, and keeping beds free of weeds and grass.

The location requirements for planting beds are as follows:

- Bed size on the front of the house will be determined by the property size. Beds out to the outside edge of the bottom concrete landing will be approved; a three foot extension may be approved if size permits.
- Bed extensions to the area between the bottom concrete landing and the driveway turn around will be approved as long as a minimum of three feet of grass will be left on the driveway/turnaround side for snow removal. The homeowner choosing to plant in this area assumes responsibility for damage caused to plantings by snow removal.

2) Shrubs and Trees:

General guidelines for shrub/tree selection are as follows:

- Ornamental trees (small trees with a maximum mature height of 25 feet) may be used in beds, but must be at least 5 feet from the house.
- Shade trees or evergreen trees up to a maximum mature height of 50 feet may be planted in the yard outside beds but must be at least 15 feet from the house. They must be at least 10 feet from driveways or streets.

- Fruit trees or messy trees are not allowed in front or side yards.
- Trees and shrubs with shallow root systems or that propagate suckers are not allowed. Trees or shrubs that have serious disease or maintenance problems are not allowed.
- Placement of shrubs must be such that they will not cause a problem when full-grown. They should not be planted too close to the house, sidewalks or driveways; enough room must be allowed for spread of the mature plant.
- Maximum mature height for tall shrubs is just below the overhang of the roof. Shrubs placed under the deck or house overhang must be types that have a maximum height of six feet.

3) Flowers:

Annual or perennial flowers, including bulbs, will be allowed if included in beds, but must be maintained by the homeowner to remain attractive. Areas for annual flowers may be specified as “Annuals” on a proposed plan and do not need to be specifically named. Plants which spread by underground suckers, such as mint, may only be used if planted in pots sunk into the ground.

4) Ground Cover:

Ground cover will be approved as a bed cover only if it is a type that can be kept within bed borders and the homeowner agrees to keep weeds and grass removed from the beds.

5) Vines:

Vines will not be allowed against the house.

6) Vegetable Gardens:

Vegetable gardens are not allowed in the front or side yards. Vegetable gardens are allowed only in the back yards that have a privacy fence.

Architectural Changes

All alterations to the exterior of the Unit, including deck extensions, screened porches, patios, and outside window coverings, require approval of the plan by the Board before any work begins. Construction must be completed within 30 days from the start of the construction work.

The Board also requires the homeowner (or his/her contractor) to determine and obtain all building permits required by local or state ordinances and to abide by all ordinances that apply. Building permits are required for decks and screened porches. Building permits are also required for most interior alterations. Building permits cost very little and provide the services of a building inspector to confirm that all work has been done properly and safely. Building permits must be posted during construction.

- 1) Deck Size:
Deck extensions are limited to four feet beyond the six foot standard deck (a maximum deck size is ten feet from the house). Decks may not extend past the corner of the building nor beyond the property line between units.
- 2) Deck Materials:
Decks are to be constructed of the same materials as the original and in the same style. Flooring must be redwood, cedar or composite and railings, joists and support posts of rough sawn cedar or composite. Decks must be painted top and bottom (underneath) to match existing paint within two weeks of completion. Floors need to be painted or stained. Paint information may be obtained from the Board. Strong screening or chicken wire may be installed on the inside of decks to provide additional safety for children or pets.
- 3) Construction:
All deck construction must meet Coon Rapids, MN City and State building codes. The homeowner must obtain all required building permits.
- 4) Deck Stairs:
Deck stairs will be considered for approval on an individual basis.
- 5) Screened Porches:
Screened porches under the deck or screened decks will be approved on an individual basis. Such plans may not include a storage area as part of the plan. Screened deck plans must follow existing roof lines. Screened porches under the deck must have a cement floor and must be under the existing deck. All porches must be painted to match the house within two weeks of completion. The homeowner is required to obtain all necessary building permits.
- 6) Patio Size:
Patios may be located only in the back of the house. They may extend no more than fifteen feet from the house, and may not extend beyond the corner of the house.
- 7) Patio Materials:
The following materials may be approved: Reinforced concrete. Reinforced concrete patios may have a trowel finish, a broom finish, or exposed aggregate finish.
- 8) Deck Carpet:
Deck carpeting is not allowed. No carpeting will be approved for installation on the front steps, any patio, or any other concrete surface.
- 9) Privacy Fence:
As per site plan, most units (on the exterior of the development with exclusion of the units on the boulevard) are required to have a privacy fence at the rear of the

property. All exterior privacy fencing materials must match existing materials. No privacy fence may be installed between units without Board approval.

10) Outside Window Covering:

The following window coverings are not allowed: awnings, outside electric shades, outside decorative burglar bars. Homeowners may install non-reflective film to the windows with Board approval. Homeowners may not install plastic sheeting on the outside of the windows or doors. Reflective foil or aluminum foil is not allowed as a window covering.

11) Utility Meter Covers:

Meter covers are to be approved by the Board.

Miscellaneous Architectural Guidelines

The following miscellaneous guidelines have been established. All changes mentioned require Board application and approval unless it is stated that specific Board approval is not required.

1) Storm Doors:

Storm doors of the full view type will be approved. They may have both removable glass and screens or be self-storing type. Half-view doors will not be approved. Materials may be wood, aluminum, steel or vinyl. Metal and vinyl doors must have a baked enamel finish that matches the door color. Wood doors must be painted to match the front door. Paint information is available from the Board.

2) Storm Windows:

Storm windows and storm patio doors will be approved if they do not change the exterior appearance of the Unit.

3) Exterior Light Fixtures:

Replacing broken glass fixtures is the responsibility of each homeowner. Broken glass should be replaced promptly since it detracts from the appearance and is a safety hazard in wet weather. If broken glass is not replaced in a reasonable time, the Board will replace it and charge the homeowner. Light bulbs may only be white. The installation of any additional outside lighting, both on the Unit or in the yard, or the replacement of the current fixtures with a different style must be approved by the Board.

4) Clotheslines:

Outdoor clotheslines are only allowed in privacy fenced backyards (all sides of yard must be privacy fenced).

- 5) **Animal Kennels:**
Kennels, cages, animal houses or runs may be constructed or placed only within a backyard that is surrounded by a privacy fence (all sides of the backyard must be privacy fenced). Kennels, cages, animal houses or runs shall not be constructed or placed on any deck or patio.
- 6) **Storage Sheds:**
Storage sheds, attached or detached, temporary or permanent, are not allowed. You may only have these items in your backyard if there is a privacy fence around your backyard (all sides of yard must be privacy fenced).
- 7) **Flower Pots and Flower Boxes:**
Flower pots are permitted on the steps, decks, and patios as long as they are maintained. The variety of potted plants and flower boxes are subject to Board approval and must not exceed the five allotted objects in front/side/back of the property. Flower boxes that are temporarily hung on the inside of deck railings do not require Board approval and must not exceed the five allotted objects in front/side/back of the property. Flower boxes that are to be hung permanently on the exterior of the Unit including on the outside of the deck railings, require approval from the Board. Flower boxes that are temporarily installed may not be hung anywhere but on the inside of the deck railings.
- 8) **Ornamental Objects, Flags, Flower Pots and Flower Boxes:**
Any combination totaling five objects of the above variety (ornamental objects, flags, flower pots and flower boxes) will be allowed per Unit in the front/side/back yards. Portions of the Unit enclosed by a privacy fence are excluded from this limitation.
- 9) **Air Conditioners:**
Installation of a central air conditioning Unit must be done by a licensed installer. It may not be done by the homeowner. Window air conditioners and window fans are prohibited.
- 10) **Fireplaces:**
Adding a fireplace requires Board approval. Plans must be submitted in the normal fashion. Building permits are required.
- 11) **Solar Panel or Sky Lights:**
Solar panels and sky lights must be approved by the Board.
- 12) **Antennas or Satellite Dishes:**
No antennas or satellite dishes including television, radio, cb or ham radio may be attached to the exterior of the roof, garage or any portion of the yard without Board consent, which approval shall be governed by applicable federal and state laws and regulations. Weathervanes may not be attached to the roof or exterior of the house.

13) Yard Furniture:

Yard furniture is allowed on decks and patio areas. Portable yard furniture that may be easily removed, such as lawn chairs, may be used on grass areas; however, any damage caused to the lawns is the responsibility of the homeowner. Heavy furniture such as picnic tables must be kept off grass and located in the backyard only (all sides of yard must be privacy fenced).

14) Painting:

All painting of the exterior of the home or garage by a homeowner must be approved by Board.

15) Recreation Equipment:

No permanent recreational equipment may be erected upon or affixed to any portion of the home or yard. This includes, but is not limited to, basketball hoops, volleyball net standards, and similar equipment. All damage to landscaping resulting from recreational activities is the responsibility of the homeowner as outlined elsewhere in the guidelines. Swing sets or gym sets are permitted in backyard only (all sides of yard must be privacy fenced).

16) Wading Pools:

Small portable wading pools may be used in the backyard only (all sides of yard must be privacy fenced). Damage to lawns caused by presence of wading pools is the responsibility of the homeowner.

17) Signs:

One sign offering a Unit for sale is allowed per Unit. This sign may not be larger than five square feet. The Realtor representing the seller is responsible for removing the sign and filling any hole left in the ground. Temporary open house signs may be put out but must be removed each night. No other signs are allowed, including garage sale or sample sale signs unless approved by Board. Political signs will be allowed with a three sign maximum. Political signs may be installed one month prior to election and must be taken down one week after election.

18) Holiday Decorations and Lights:

Holiday decorations and lights may be installed one month prior to the holiday and must be taken down two weeks after the holiday.

Part II - Additional Rules and Regulations

In addition to the architectural controls established by the Declaration, the Declaration also authorizes the Board to adopt rules and regulations which permit the Board to prohibit activities within a Unit which may constitute a nuisance or hazard to other members of the Association. The Board has adopted the following rules and regulations:

- 1) Outside Storage:
Personal property may not be stored outside of your home or garage, or on or beneath your deck, or on your patio. This includes, but is not limited to, yard waste, garbage and recycle containers, bicycles, motorcycles, and snowmobiles, all of which must be stored in your home or garage. Notwithstanding the foregoing, lawn furniture and/or grills may be stored on decks or patios through the winter months. Yard waste, garbage and recycle containers may be stored in side or back yards if screened by a privacy fence (all sides of yard must be privacy fenced).
- 2) Garbage Pick-up:
Garbage may not be placed outside before 6:00 p.m. on the evening prior to the morning pick-up, and cans should be put back in the garage or fenced yard by midnight of the pick-up day. All garbage must be bagged, canned, or boxed to prevent it from blowing about and to prevent animals from gaining access to it.
- 3) Garages:
The Declaration states that garages must be kept as a storage facility for your cars. They may not be converted to any other use, such as family rooms or bedrooms.

Each owner has control and use of his or her garage, except for the following limitations which are imposed for the safety and welfare of all the residents:
 - a) Storage of flammable fluid is not allowed, except in approved containers.
 - b) Overhead garage doors are to be closed and locked when not in immediate use for safety as well as appearance.
- 4) Snowplowing:
Per the Board's contract with its contractor: if any vehicle is parked in any driveway when the snowplows arrive to clear the driveways, the contractor is not obligated to clean any driveway contiguous to it. All drives and the turn-around spaces must be free of vehicles to facilitate the movements of the snowplow. The Board is authorized to have any offending vehicle towed at its owner's expense.
- 5) Pets:
Up to four household pets are allowed per Unit, with no weight limit. Pets may not be kept or bred for commercial purposes.

The Board has adopted the following rules relating to pets. ALL PETS MUST BE PROPERLY CONTROLLED IN ACCORDANCE WITH CITY OF COON RAPIDS LEASH LAWS. While outside of the home, all pets must be leashed or under strict voice control at all times. Attended pets may be tethered on your lawn or on a line which restricts the travel of the animal to your own property. Pets may not be left tethered in your yard unattended.

The owner of the pet is solely responsible for cleaning up after the pet on a daily basis. This includes both soiling in the pet owner's yard and in any other yards or the street. Any damage to the landscaping or to the exterior of the home by a pet must be repaired at the pet owner's expense. Animal owners shall repair all animal damage to lawns, structures, trees and shrubs when requested to do so by the Board. Repairs and replacements will use materials of equal quality to those damaged. In the event the pet owner fails to make the repairs, the Board shall have the right to hire a contractor to repair the damage, and the bill for same will be assessed to the pet owner. The Board has the right to require such repairs be performed at any time of the year. The Board will inform the pet owner of its desire to have such repairs it deems necessary made, and allow the pet owner ample time to complete them. Damage covered by this policy includes, but is not limited to, lawn burn-out from animal wastes, holes dug into lawns, and damage from chewing or scratching on walls, shrubs and trees.

6) Auto Maintenance:

Vehicles shall not be left standing anywhere on the property in a non-operative condition. All vehicles must have current license tags. No vehicle repairs will be permitted on the Association property. Any oil or gasoline spilled on the driveway must be cleaned by the owner or the Board will hire a contractor to do so, and the cost will be assessed to the vehicle's owner.

7) Miscellaneous Vehicles:

Motorized vehicles of any type shall not be allowed on the property except on designated driveways and garages. All-terrain vehicles or snowmobiles may not be operated on the property.

Recreational vehicles, trucks and other vehicles (other than automobiles) rated at more than three-quarter ton will not be allowed to be parked on the property, except for short periods of time for loading and unloading.

Except for the foregoing, boats and/or recreational equipment of any kind including, without limitation, trailers of all types, recreational vehicles, motor homes, bicycles, motorcycles, boats, all-terrain vehicles and snowmobiles are not allowed to be parked or stored outside garages at any time.

8) Towing on Violation:

The Board maintains the authority to remove vehicles or recreation equipment not in compliance with these rules and regulations by towing at the expense of the owner of the vehicle or equipment.

9) Maintenance of Landscaping/Architectural Changes:

The Declaration states the Board is responsible for the care of trees, shrubs, and grass in the front yards only. The Board annually hires a landscaping firm to maintain all lawns through the warm weather season. The Board also contracts for pruning of trees and shrubs once in the spring and once in the fall to allow for pruning in the

appropriate season for each plant. The Board will notify residents of the date, residents must request pruning if they wish it. Homeowners may do their own pruning instead if they wish; Association pruning will not be done unless requested. However, if in the view of the Board, a unit's plants require pruning which is not being done, the Board will give the homeowner written notice to do it or the pruning will be done at the next pruning visit. Any item deemed unsightly must be removed per request from Board.

Owners are responsible for the maintenance of any flowers and beds within their Unit, including weeding.

The Declaration states that in the event that the need for maintenance or repair is caused by willful or negligent acts of the owners and/or renters or any family member or guest, the cost of such maintenance or repairs may be charged to the owner responsible.

10) Rental of units:

The following regulations have been adopted for any owner leasing their Unit. These regulations are in addition to the leasing restrictions outlined in the Declaration.

- a) The Unit and its garage must be leased together, in their entirety and cannot be subleased.
- b) Owners must inform the Board with written notice to the Secretary of the Board whenever they lease/rent their Unit. Information is to be supplied to the Board no later than the commencement of the lease. This must include:
 - i. The name and telephone number of the renter and all occupants of the home.
 - ii. The term of the rental agreement.
 - iii. Any other information deemed necessary by the Board which relates to the operation of the Association.
- c) The lease must state that the renters must abide by all provisions contained in the Governing Documents, the Rules and Regulations and the Minnesota Common Interest Ownership Act and that failure to do so would be a default of the lease.
- d) The term of any lease must be for a period of not less than one month. Any lease for a period of less than one month shall be deemed to be for transient purposes and is prohibited.
- e) It is the owner's responsibility to handle all maintenance and repairs to the Unit that are not the responsibility of the Board, and to make sure the renter understands that all matters regarding maintenance and repair of the Unit are to be handled with the owner and NOT the Board.
- f) It is the owner's responsibility to supply a copy of the rules and regulations to the renter, and the owner is to ensure that the renter and occupants comply with all of the rules and regulations.

- g) The Board may bring to the attention of the owner of a Unit any violation of the rules and regulations or governing documents by a renter/occupant or their guests.

11) Business Use Restricted:

Section 7.4 of the Declaration provides that no business, trade, occupation or profession of any kind, whether carried on for profit or otherwise shall be conducted, maintained or permitted in any Unit or the Common Elements; except (i) an Owner or Occupant residing in a Unit may keep and maintain his or her business or professional records in such Unit and handle matters relating to such business by telephone or correspondence therefrom, provided that such uses are not incidental to the residential use, do not involve physical alteration of the Unit and do not involve any observable business activity such as signs, advertising displays, bulk mailings, deliveries, or visitation or use of the Unit by customers or employees and (ii) the Association may maintain offices on the Property for management and related purposes.

12) Sale of Units:

The Board will, upon request in writing to the Secretary, provide Association documents, a statement of unpaid Association fees or assessments, and other information, as required by the governing documents and state law. A reasonable charge will be made for the issuance of the same. Within thirty days after the purchase of a Unit, the new owner must register with the Secretary of the Association, in writing, and shall provide the following:

- a) Names of all occupants and owners of the residence address and the address at which the owner desires to receive notices.
- b) Business and home telephone numbers.
- c) The nature of the owner's interest in the lot.
- d) A copy of the recorded deed or contract for deed for the unit(s)
- e) Any other information deemed necessary by the Board which relates to the operation of the Association.

13) Parking:

No parking on private streets is permitted. Only parking in garages, driveways or guest parking spots is permitted.

Part III – Sanctions and Remedies

Each owner and occupant of a Unit is governed by and must comply with the provisions of the Declaration, the Bylaws and the Rules and Regulations, and such amendments thereto as may be made from time to time. A failure to comply shall entitle the Association to the relief set forth in **Section 14 of the Declaration**, in addition to the rights and remedies authorized elsewhere by the Governing Documents and the Minnesota Common Interest Ownership Act. Such sanctions and remedies include, but are not limited to, commencing a lawsuit, imposing late charges, interest, fines, and penalties, suspending rights to use Common Elements, foreclosing liens against the Owner's Unit and assessing legal fees and costs of enforcement.

