

I. RULES AND REGULATIONS FOR OWNERS (BOTH TOWNHOUSES AND ADJUNCT MEMBERS)

A. BYLAWS

1. Articles IX, X, and XI of the Declaration comprise the Bylaws of the Association.

B. CONTACT INFORMATION

1. Owners are responsible to ensure that the Association has on file the following information for the owner:
2. Valid e-mail address
3. Mailing address
4. Phone number
5. Primary residence address
6. This information is considered confidential and is maintained for the use of the Management Company and Board for official Association business.

C. DELINQUENT PAYMENTS ON ASSESSMENTS

1. Installments on an assessment that are not paid within the month due are considered delinquent.
2. A late fee of \$50 per month shall be assessed for delinquent dues, in addition to finance charges prescribed by the CC&Rs.
3. At 45 days after the billing date, a copy of the delinquent installment on the assessment may be sent.
4. At 60 days after the billing date an attorney's letter may be sent.
5. At 80 days after the billing date the Board may direct an attorney to file a lien on the unit.
6. At any time after 80 days the Board can foreclose on the unit.
7. These time lines can be shortened or extended at the Board's discretion.
8. Late fees and interest charges incurred by Association members may be credited at the discretion of the Board.
9. Monthly statements shall be delivered electronically. It is the responsibility of each homeowner to keep a valid email address on file with the association.
10. Failure to receive a monthly statement does not absolve a homeowner from making required payments to the association.

D. OWNER RESPONSIBILITY

1. Owners are responsible to advise their managers, agents, tenants and guests of the Declaration and Rules and Regulations of the Association.
2. Owners are responsible for the enforcement of these rules with their managers, agents, tenants and guests.
3. Owners are responsible for notifying the Association Liaison regarding the need for any repairs that are the obligation of the Association.

E. OWNER BOARD MEETING ATTENDANCE

1. Owners are always welcome to attend Board meetings.
2. The first 30 minutes of the meeting will be available for owners to express their concerns and or suggestions. Each unit will be allotted 5 minutes for the owner's discussion.
3. Owner concerns and suggestions must be submitted in writing to the Board five days prior to the meeting so that their topic can be added to the meeting agenda.
4. After the allotted time for owner's comments has expired, owners are welcome to stay for the rest of the meeting, however they will be unable to participate in the proceedings.
5. From time to time, after the meeting has been adjourned, the Board may continue in "Executive Session". Non-board member owners may not be present for Executive Sessions.
6. Owners who would like to participate more fully in Association business are always welcome to stand for election to the next vacant Board position.

F. PARKING

1. In general, overnight street parking is not allowed throughout the year.
2. Recreational vehicles (such as jet-skis, snowmobiles, boats, trailers, motor-homes and other oversized vehicles) may not be parked in driveways or stored around buildings.
3. All vehicles parked within common areas must be operable and currently registered.

G. PETS & ANIMALS

1. Pet owners are advised to review Section 6.06 “Animals and Pets” of The Declaration, the Park City Municipal Code Title 7 “Animal Control”, and the Park City Municipal Code Title 6-3-8 (E) “Animals”.
2. Dogs must be kept on-leash at all times when in the common areas.
3. Pets must be kept in owner control at all times when in the common areas.
4. Pets may not be tied up on improved grassy areas or unit porches nor may enclosures designed to house or exercise pets be placed or constructed on the exterior of any unit.
5. Owners must clean up all droppings made by their pets in the common areas.
6. Renters and guests of owners must comply with these rules and regulations.
7. Permission to keep a pet in the subdivision may be revoked by the Board for persistent barking or whining or for aggressive behavior.
8. Owners who wish to keep an animal other than a common household pet must apply in writing to the Association for permission.
9. Enforcement of animal control violations is deferred to the Park City Police Department. Owners may report violations by calling (435) 615-5500.

H. QUIET HOURS

1. Quiet hours must be observed from 10:00 pm to 7:00 am.
2. Quiet hours are defined as sound at a volume low enough to be inaudible in neighboring homes.
3. Owners are referred to The Park City Municipal Code (Title 6) “Health, Nuisance Abatement, Noise” for more information.

I. SPEED LIMIT

1. The speed limit in the subdivision is 15 miles per hour.

J. TRASH/RECYCLABLES

1. All trash and recyclables should be placed in approved containers.
2. Containers are to be placed on the street on trash and recyclables collection days.
3. Containers must be removed promptly (as soon as reasonable but not later than 7 AM the next morning) from the street after being emptied. Containers are to be stored inside garages (not left in front of garage doors, entries, etc.).
4. Directions and the calendar for trash and recyclables collection may be found at <http://www.co.summit.ut.us/>

II. RULES AND REGULATIONS FOR TOWNHOUSE OWNERS

A. AIR CONDITIONERS

1. Owners wishing to add a new or upgrade an air conditioner must submit an architectural change form for approval by the Board including construction drawings/descriptions. (Replacements that do not constitute a change in location or size of the air conditioner do not require a form.)
2. The air conditioner must be installed behind or to the side of the unit.
3. The air conditioner must meet Park City noise standards and must be installed in such a way as to not create a noise nuisance for neighbors.
4. If complaints are received from neighbors regarding the noise of the air conditioner, steps to mitigate the problem(s) must be taken by the owner.

B. ARCHITECTURAL CHANGES

1. Owners must submit an architectural change form for any and all changes that affect the exterior of the unit (including landscaping, statuary and yard ornamentation) and for any interior changes that alter the internal structure of the townhouse.
2. The architectural change form must specify the amount, type, and location of construction equipment (such as dumpsters and portable toilets) to be placed on-site and the length of time it will be in place.
3. The architectural change form must be approved by the Board prior to getting a Park City building permit and before the change is made.
4. Filling out the architectural change form by the owner does not guarantee that the change will be approved.
5. Failure to complete and properly submit the architectural change form and/or provide copies of building permits may result in a fine and/or requirement that the change be restored to its original state at the discretion of the Board.
6. Architectural change forms, properly completed with necessary information, will be acted on within 30 days of first presentation to the board at a board meeting.
7. During construction, the area must be kept clean of debris on a daily basis.
8. Any construction damage to common areas must be repaired/replaced at the owner's expense, and any necessary changes to the landscape sprinklers to maintain adequate irrigation of the lawn and landscape bed areas must be done at owner expense.
9. Dumpsters generally must be stored in the garage of the homeowner during renovation
10. Outdoor portable toilets are not permitted when the home contains one or more operable indoor toilets

C. DECKS AND RAILINGS

1. Owners are responsible to maintain the good condition of decks and railings.
2. Owners wishing to replace or extend and/or change their decks or railings must submit an architectural change form for approval by the Board before work begins.
3. When decking material and railings are replaced, owners' may, as an option, use a Trex type product to replace the redwood and or fir. If a "Trex" type product is used, adequate structural support must be made. i.e. additional deck joists installed as per the product specifications.
4. Owners must use a licensed contractor to do work on decks and/or railings and obtain a city building permit as required.

D. ELECTRIC FENCES

1. Electric pet fences may be installed only with permission of the board via architectural change request.

E. ENTRY WALKS TO UNITS

1. Owners wishing to add a new or replace an entry walk to the unit must submit an architectural change form for approval by the Board including construction drawings/descriptions.
2. Entry walks to units may be replaced with stamped concrete in a red stained color (red sandstone), brick pavers, or with a material consistent with the material being replaced.
3. Owners must use a licensed contractor to do work on entry walks and obtain a city building permit as required.

F. GARAGE DOORS

1. Garage door mechanical maintenance and replacement is the responsibility of the individual owner.
2. Owners wishing to replace their garage door must submit an architectural change form for approval by the Board before replacement of a garage door.

G. HOT TUBS

1. Owners wishing to add a new or replace a hot tub within any common area (deck, patio, etc.) must submit an architectural change form for approval by the Board including construction drawings/descriptions that describe:
 - i. The location of the hot tub with respect to the deck and building.
 - ii. Construction techniques to be used.
 - iii. Types of materials to be used on any deck support structures.
 - iv. Location of the power supply for the tub and how it will lead to the tub mechanism.
2. The hot tub must be recessed into the existing raised decking at least 24 inches. (This is intended to mitigate noise and reduce disturbance of neighbors.
3. The new deck, located around the hot tub, be adequately supported and conform to all City building standards and codes.
4. Owners must use a licensed contractor to do work on decks and/or railings and obtain a city building permit as required.
5. Adequate insulation must be placed around the mechanism to quiet the tub operation. Quiet is defined as a noise level that cannot be heard in neighboring homes.

H. INSURANCE

1. Each owner is strongly encouraged to maintain an owner's insurance policy that includes coverage of the Association's master policy deductible of \$10,000.
2. In addition, each owner is advised to maintain an owner's insurance policy which covers personal contents, scheduled items, personal liability protection, loss of use/additional living expenses or loss of rents, loss of assessment coverage, or any other additional coverage not provided by the association – all items not covered by the Association's master policy.
3. If a claim is submitted against the owner association's master policy, the owner will be responsible for paying the Association's master policy deductible of \$10,000.
4. Owners are responsible for reporting to management any improvements or upgrades that have been made to the unit that may impact the coverage necessary on the Association's master policy. Failure to do so may impact the coverage available.

I. INTERIOR IMPROVEMENTS WITH NO STRUCTURAL CHANGES

1. Owners are advised to hire licensed contractors and to obtain appropriate building permits.
2. If the construction project requires extended parking of portable toilets or dumpsters or other construction vehicles outside of the home, the owner must submit an architectural change form for approval by the board.
3. Dumpsters generally must be stored in the garage of the homeowner during renovation
4. Outdoor portable toilets are not permitted when the home contains one or more operable indoor toilets

J. LANDSCAPED BED MAINTENANCE

1. The Association will maintain a contract for periodic mulching, edging and weeding of beds.
2. Owners who wish to assist with maintaining their own flowerbeds, including weeding, mulching, edging and planting of ground cover or other plants, are encouraged to do so.
3. Owners who desire to have Mugo Pines and/or Junipers removed from bed areas around their home may submit an architectural change form to the Board that includes plans for the re-vegetation of the bed/area at the owner's expense. Upon approval, the Association will arrange for the removal of the Pines/Junipers.
4. The Association is not responsible for replacement of annual type plantings (flowers that only last one year).
5. The Association will periodically, at the discretion of the Board, replant perennials, shrubs and trees as needed in the common areas.

K. MAIN ENTRY DOORS AND DECK SLIDING GLASS DOORS

1. Owners wishing to replace their main entry doors or deck sliding glass doors must submit an architectural change form for approval by the Board before replacement.

2. Living room sliding glass doors may be replaced with a metal frame in a bronze color similar to what has been used on other units. The door may be either a three- or four-panel configuration.
3. Main entry doors may be replaced only with a solid core, stain-grade wood door. New doors must be of the same height and width as the door that was replaced. Glass panes may be included at owner discretion.

L. SATELLITE TV DISHES

1. Basic cable TV service is provided as a part of the monthly Association dues.
2. Owners wishing to add a new or replace a satellite TV dish must submit an architectural change form for approval by the Board including construction drawings/descriptions.
3. The dish must be installed so that it is not within view of other units and any cabling must be hidden from view.

M. SKYLIGHTS

1. Owners wishing to add a new or replace a skylight must submit an architectural change form for approval by the Board including construction drawings/descriptions.
2. Skylights are installed and maintained at the owner's expense.
3. Owners must use a licensed contractor to do work on skylights and obtain a city building permit as required.
4. The roof structure must not be compromised by the installation and all roofing material, flashing, etc. must be restored to the proper condition.
5. The skylight frame must be made of steel in a bronze color.

N. ATRIUM DECKING

1. "Atrium decking" exists in the entry areas to odd numbered townhouses on the upper block of Fairway Village Drive. Atrium decking is considered to extend from the top of the steps at sidewalk level to the front doors, inclusive of all contiguous decked space.
2. Where decking has been replaced with an alternate material such as paver stones or brick, the area shall still be considered "atrium decking" for the purposes of Fairway Village rules.
3. Areas of atrium decking separated by a physical divider shall be considered limited common area appurtenant to the individual units on respective sides of the divider. As upkeep of limited common areas is the responsibility of individual owners, upkeep of this decking is the responsibility of individual owners.
4. Maintenance of atrium decking not separated by a physical divider – including entryway steps – is considered the shared responsibility of both neighboring townhomes.
5. At no time shall any owner make alterations to any part of the atrium decking that causes a disharmonic appearance among all parts of atrium decking. For example, no owner shall make an improvement to limited common area decking without making corresponding improvements to shared areas.
6. Any alteration to atrium decking must be approved by the Board. Alterations to one part of atrium decking that pose an undesirable contrast to other parts of atrium decking will not be approved.
7. Where atrium decking is of poor appearance, in the sole judgment of the board, one or both owners "sharing" the atrium area may be assessed by the Board for the cost of improvements.

O. EXTERIOR STRUCTURAL CHANGES

1. Architectural changes that alter the "envelope", or physical boundaries, of townhouses generally are not permitted. Alterations that fall into this category include expansion of the physical walls of townhouses, and changes to townhouse rooflines.

P. OTHER COMMON AREA RESTRICTIONS

1. As the common area exists for the enjoyment of all owners, items such as lawn ornamentation, furniture, lighting, athletic equipment, and compost bins may not be permanently placed or stored in common area.
2. Storage of firewood is restricted to non-street-facing limited common areas such as back or side decks. No more than a half-cord of firewood may be stored outside a townhouse at any time.
3. Usage of both common area and limited common area, including storage of items, may be restricted at the discretion of the board.

Q. RENTALS

1. No owner shall market a unit for sale or rent for any purpose prohibited by the association, including but not limited to occupancy by more than two persons per bedroom, or any use in violation of the law.

III. FINE AND HEARING PROCESS FOR OWNER (ADJUNCT AND TOWNHOUSE) VIOLATIONS OF THE DECLARATION, BYLAWS, AND/OR THE RULES AND REGULATIONS

A. FINES FOR VIOLATIONS OF THE DECLARATION AND/OR RULES AND REGULATIONS

Any violation of the Declaration and/or rules and regulations shall be subject to a fine according to this schedule:

1. 1st Violation: \$0.00
2. 2nd Violation or failure to cure after 1st Violation: \$50.00
3. 3rd Violation or failure to cure after 2nd Violation: \$100.00
4. 4th violation and all subsequent violations or failure to cure after 3rd violation or subsequent violations: \$200.00 not to exceed \$500.00 per month additional for fines or legal action.

B. ENFORCEMENT

Enforcement remedies are cumulative; accordingly, the Board reserves its right to pursue any enforcement action authorized by law or the Declaration at any time during the fining process.

C. STEPS TO BE FOLLOWED PRIOR TO LEVYING A FINE

1. Notice of Violation: All owners will be given a written notice of violation describing the violation and stating a time to cure the violation prior to a fine being levied.
2. Time to Cure: All owners will be given a minimum of forty-eight (48) hours to cure a violation before a fine will be levied. The Board in its discretion may grant a cure period exceeding forty-eight (48) hours if the Board determines that forty-eight (48) hours is an unreasonable time period to cure the violation in question.
3. Hearing: If a fine is levied, the offending Owner shall have the right to request an informal hearing with the Board to protest or dispute the fine. A request for hearing must be made in writing within fourteen (14) days from the date the fine is levied. Notice shall be deemed to have been received three (3) days after mailing via USPS first-class mail, postage prepaid, to the owner at the mailing address on file as provided by the owner. If a request for hearing is not received by the Board, or their designated agent, within seventeen (17) days from the date the fine is levied, the fine shall be deemed to be uncontested and the Owner forfeits their right to hearing. A request for hearing shall be delivered to the Fairway Village HOA, PO Box 2938, Park City, UT 84060. The hearing shall be conducted in accordance with the procedures adopted by the Board.
4. Collection of Fines: Fines shall be collected as authorized by the Declaration and law. However, interest and late fees shall not accrue on fines until after the time for hearing has passed, or, if a hearing is conducted, after a final decision has been rendered.

D. INFORMAL HEARING PROCEDURES

1. Scheduling a Hearing/Continuances/Failure to Appear: The hearing shall, within reason, be conducted at the next regularly scheduled Board meeting. The Board shall give notice of the date, time, and location of the hearing to the requesting Owner. Notice of the hearing shall be delivered to the requesting Owner by USPS first-class mail, postage prepaid, by hand delivery, or by electronic means. No other Owners or parties shall be entitled to notice of the hearing. If the hearing date is unacceptable to the requesting Owner, they shall be entitled to one (1) continuance of the hearing date. To receive a continuance, the requesting Owner shall deliver a written request for continuance to the Association. The request must be received by the Association prior to the original hearing date. The continued hearing shall, within reason, take place at the second Board meeting after the receipt of the original request for hearing. Failure by a requesting Owner to appear at a hearing or continued hearing shall result in a waiver of the requesting Owner's right to hearing and the fine shall be deemed uncontested.
2. Hearing Procedures/Decision: The hearing shall be conducted by a minimum of three (3) Board members. The requesting Owner shall be given fifteen (15) minutes to dispute the fine. The requesting Owner may present documentation or witnesses to dispute the fine. The Board may question the requesting Owner or witnesses during the hearing. After hearing the requesting Owner's position and evidence, the Board may either render its decision at the hearing or take the evidence and argument under advisement. If the Board takes the evidence under advisement, they shall render a final decision within seven (7) days of the hearing. Once a decision is rendered, the Board shall give written notice of their decision to the requesting owner. As part of the decision, the Board shall state that payment of the fine is due within fourteen (14) days or interest and late fees will accrue. All decisions of the Board are final.