



Orchard Villa Townhomes
P.O. Box 1409 - Moab, Utah 84532

Orchard Villa Townhomes Homeowners Association
Rules and Regulations

(Adopted – November 1994; Updated -- December, 2006)

The following rules and regulations are designed to provide a cohesive and enjoyable living environment for all who live at Orchard Villa. When interpreting these rules and considering matters not covered, please use common sense and courtesy toward your neighbors.

RULES AND REGULATIONS DOCUMENT

New owners should receive a copy of the Rules and Regulations via request from the Seller/Realtor or from the Association Secretary/Treasurer prior to or at closing.

Renters should receive a copy of the Rules and Regulations from owners or leasing agents with a full and thorough explanation.

HOMEOWNERS ASSESSMENTS

All assessments are due on the first day of each month and will be deemed delinquent if not received by the tenth (10) day. Homeowners may pay their assessments monthly.

All Homeowners with a balance remaining on previously levied assessments after the Tenth (10) of the month will be assessed a late charge of \$10. Interest will be levied at a rate of 15 percent APR on accounts 30 days past due. (Amended August 12, 2006 to make consistent with Covenants, Conditions & Restrictions Article IV)

All assessment payments are to be mailed directly to the Association's mailbox so they can be processed correctly and in a timely manner. Checks are not to be handed to Board members, property managers or neighbors to be passed along to the Treasurer.

INSURANCE

All Homeowners must provide proof of hazard and liability insurance on their units once a year to the HOA. The certificate of insurance should be mailed to Orchard Villa Townhomes Association, P.O. Box 1409, Moab, UT 84532. Each unit should carry enough hazard insurance to replace the interior of the unit and personal belongings and we recommend at least \$300,000 of Personal Liability on a form HO-6 homeowners insurance policy. The proof must be on either a "Certificate of Liability" or "Evidence of Personal Property" Insurance form. The "certificate holder" box must contain the following: Orchard Villa Townhomes Homeowners Association, P.O. Box 1409, Moab, and UT 84532. The cancellation wording should stipulate that the insurer will give the Orchard Villa Townhomes Homeowners Association, no less than 10 days written notice if the policy is canceled (Covenants, Conditions & Restrictions Article VII Section 2 and the recommendations of the HOA insurance agency)

After consultation with our insurance agent, we ask that you do not allow any of your major appliances, with the exception of refrigerator/freezer, to run unattended. Your dishwasher, stove, clothes washer/dryer and exhaust fans should not be in operation when there is no one present in your unit. They present a potential fire and /or plumbing hazard that is compounded in a multi-unit dwelling. Also you may want to have your dryer's vent blown out every two years or so, to minimize any chance of fire.

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COMMON AREA

All homeowners own the common area and share the right to its use. No one has a front or back yard in the Orchard Villa complex. The Board is responsible for managing and maintaining the common area and by the CCR's of the HOA cannot allow any partition or encroachment into the common area. Any change you may want to make in the common area adjoining your unit requires prior approval from the Board

No one is allowed to plant trees in the common area except the Board. Also climbing vines on the exterior of the buildings are not allowed, because they interfere with building maintenance and deteriorate the stucco. Homeowners are not allowed to tap into the HOA's sprinkler system. (Covenants, Conditions & Restrictions Article II Section 5, 6)

COURTYARDS & GARAGES

Courtyards are to be maintained and kept weed free. Trees planted within courtyards must be kept trimmed and pruned so they do not damage the exterior of the building nor exceed the height of the roof eaves. Also, garden hoses should be rolled up when not in use and stored out of sight during the winter months.

Garages are to be kept in a neat and orderly manner. No disassembled vehicles will be permitted outside of garages, on driveways or in front of buildings on the street.

EXTERIOR & INTERIOR OF BUILDINGS

No decorative items may be attached to exterior walls or fences (i.e. planter boxes, awnings, wall hanging, wind chimes, bird feeders etc.). Drilling into the stucco allows moisture to enter and cracks to spread causing it to deteriorate, increasing maintenance costs.

NO EXTERIOR OR INTERIOR ARCHITECTURAL OR STRUCTURAL CHANGES ARE PERMITTED WITHOUT WRITTEN PERMISSION OF THE BOARD OF DIRECTORS. All remodeling projects will require compliance with the City of Moab Building Department regulations and building code, including a Building Permit. Electrical, plumbing, or natural gas installations or modifications will also require the appropriate state permit and inspections, even if a licensed contractor does the work. An exception to this is the replacement of carpet or tile.

There are specific approved designs for Orchard Villa Townhomes to maintain a uniform building appearance. Before installing exterior doors, windows, screen/storm doors you must receive written approval of the Board of Directors. (Covenants, Conditions, & Restrictions Article II Section 6)

ANTENNAS/AIR CONDITIONER UNITS

No exterior antennas of any type shall be allowed on any portion of the project. No external air conditioner units are permitted within the complex.

SATELLITE DISHES

Satellite dishes are to be mounted on a pole in the rear of the units next to the building. The height of the pole cannot exceed the height of the roof eave.

PETS

All pets shall be under control of the owner at all times. Dogs must be kept on a lease in compliance with the Moab City ordinance.

Pets shall not be permitted to damage lawns, trees or shrubs or any property owned by the HOA, by urinating or dropping stools. The pet's owner shall immediately clean up and remove any stools deposited on our property.

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PETS cont.

Pets are not to be left unattended in courtyards when the unit is unoccupied. The owner is responsible for restraining their dogs from excessive barking. EXCESSIVE DOG BARKING will not be permitted. Pets are not to be left out overnight on town home property. Homeowners are limited to two pets per unit. (Covenants, Conditions & Restrictions Article 2, Section 6e)

TRASH

Trash is to be deposited in the covered trash receptacles provided with your unit and placed on the curbside on trash pick-up days only. Receptacles are to be kept out of sight at all other times. Pick-up days are on Fridays.

The trash bins in the RV parking lot are for grass cuttings, leaves and tree branches. Household trash is not to be placed in them.

GRILLS

Electric and gas grill are permitted. Charcoal grills or any smoker units are not permitted.

BICYCLE RIDING/ SKATEBOARDING/ROLLERBLADING

The above are not permitted on interior concrete walkways or lawns within the complex.

PARKING AND MOTOR VEHICLE LIMITATIONS

The Speed limit within Orchard Villa is 15 mph. (not stated in current rules) Parking on all property in the project is reserved for residents and subject to the following rules. Parking on the Association property is limited to two (2) vehicles per unit parked in the resident owners garages. Roadways within the complex shall not be used for parking except for visiting guests for limited time periods. No parking on the streets at night. Also do not park on the sidewalks and curb or lawns.

No unused vehicle shall be stored or parked upon any property in the project, except for registered vehicles properly parked in the RV storage yard. In the event that the HOA Board determines a vehicle is an unused vehicle, a written notice describing the unused vehicle will be personally delivered to the owner or will be conspicuously placed on the unused vehicle. If the unused vehicle is not removed within 72 hours, the Association will remove the unused vehicle at the expense of the owner. An unused vehicle is any licensed vehicle, which has not been driven under its own propulsion or has not been moved for a period of one week or longer.

No vehicles larger than ¾ ton truck belonging to a resident owner or their guests shall be parked on property within the project, unless approved by the HOA Board.

Vehicles shall NOT be driven on lawn areas. Any damage caused will be charged to the owner of the unit. This includes vehicles used for moving or deliveries. (Covenants, Conditions & Restrictions Section 6p)

RV PARKING LOT

The RV Parking lot is for the benefit of homeowners and is on a first come first serve basis. The lot is for the parking of all camping and hauling trailers, ATV's, boats, and trucks or pickups or camper vans in excess of three-quarter (3/4) tons. Units in the RV parking lot must be sitting on tires and operational. Owners are asked to label their property with their name and phone number, in case they need to be contacted to move it. (Covenants, Conditions & Restrictions Article II Section 6p)

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SOCIAL GATHERING

If you are planning a large social gathering, please have the courtesy to inform your neighbors. Loud music or gatherings that are disturbing other residents shall cease upon request. If not remedied, police will be called. Residents are responsible for the conduct of their guests. Quiet hours in Orchard Villa are from 10 pm until 7 am.

SWIMMING POOL

The HOA Board determines the months and hours of operation for the swimming pool each year. Please abide by pool rules. Homeowners must accompany guests at the pool. Also by state law children under the age of 14 must be accompanied by an adult and you are not allowed to swim alone. Also State law requires the gate to the swimming pool must be kept closed.

RENTAL LEASES

All rental leases shall be subject to the provisions of the Articles of Incorporation; Covenants, Conditions and Restrictions; By-laws and Rules of Orchard Villa Townhomes Homeowners Association and Ordinances of the City of Moab. Our town homes are located in a residential zone and no rentals are allowed for less than 30 days (a month). Any failure to comply with the above will be a default under the lease. Owners and leasing agents are responsible for notifying the Secretary/Treasurer of the names and phone number of new tenants and providing a copy of the lease. Owners are also encouraged to require their renters to carry renter's insurance. (Covenants, Conditions & Restrictions Article II Section 6c)

ENFORCEMENT OF RULES

Anyone violating any of these rules may be fined by the Homeowner's Association in an amount of \$50.00 per offense. Any owner, his family, lessee or guest who violates the project rules and it results in damage to any part of the Common area or its improvements, the Association has the right to assess the cost of repairing the damages to the responsible owner. Residents are also reminded that enforcement through legal action may be pursued where appropriate. (Covenants, Conditions & Restrictions Article II Section 6K; Article 4, Section 7-9)

REMEMBER SAFETY IS A SHARED RESPONSIBILITY IN A TOWN HOME COMPLEX!!