

# RULES AND REGULATIONS

## HARRODS CREEK OVERLOOK CONDOMINIUMS

Revised and adopted by the Board of Directors July 16, 2024

### Quick Guide to Major Topics

	<u>Section(s)</u>
Contracted workers	II-B-3 thru 7; II-B-10; II-C-3; II-C-7 thru 10; II-E-3; II-I-4 & 5
Damage assessment	II-B-10; II-C-3
Fees and fines	II-K-All
Insurance certificates	II-C-7
Lobbies	II-A-10
Moving in/out	II-B-All
Noise	II-A-5
Parking areas	II-B-1 & 3; II-C-4; II-E-1, 3, 4, 5 & 7
Pets	II-F-All
Realtor duties	II-A-11; II-B-9; II-I-6
Renovations/repairs	II-C-All
Signs	II-A-10
Smoking	II-G-All
Storage	II-A-9; II-D-3; II-J-2
Trash	II-B-8; II-C-10; II-F-4; II-G-2; II-H-All
Use of grounds	II-A-4, 6, 8 & 9; II-D-10
Winter precautions	II-D-6; II-J-7 & 8

### I. Guiding Principles

- A. Harrods Creek Overlook (HCO) is a community of homeowners who care about the safety and welfare of their neighbors, and who work to promote the enjoyment of their mutual property and individual homes.
- B. The overarching rule is that each unit owner (“owner”) and, by extension, each owner’s family members and guests, will demonstrate respect and consideration for all other owners and their property.
- C. Beyond that, HCO shall stipulate as few rules as possible to ensure compliance with local ordinances; access to and maintenance of common amenities; and the promotion of a thriving, caring, secure community.
- D. Owners who are experiencing a problem with a neighbor are encouraged to discuss the problem with that neighbor and to make every effort to reach a mutually agreeable resolution before asking that the HCO Board of Directors address the situation.

## II. Rules

### A. Restrictions on Use

1. No unit may be used for any unlawful purpose and no owner may do or permit any unlawful act in his/her unit.
2. Each owner shall occupy and use the unit as a single-family private dwelling.
3. No trade or business—whether commercial, religious, educational, or otherwise and whether for profit or otherwise—may be conducted within a unit if such business involves (a) visits by clients, customers, or patients, or (b) more than one delivery a day, and then only by a standard home delivery vehicle.
4. Garage, yard, moving, and estate sales are not permitted within the boundaries of Harrods Creek Overlook.
5. Owners should refrain from noises and activities that interfere with the rights and comfort of other unit owners, e.g., loud musical instruments, televisions or other electronic devices. This rule extends to balconies and decks. Be aware that jumping or thumping on wood floors—including fast or heavy walking—transfers sounds and vibrations to the units below and above. Particularly in open areas with limited support walls, large area rugs over pads are encouraged. As a courtesy, owners are asked to give advance notice to neighbors when loud repair work (e.g., hammering, drain cleaning) is anticipated.
6. Permanent sports or recreational fixtures are not permitted on the grounds or in the common areas of the buildings. Portable or temporary fixtures may be placed in the grass, but not on the paved surfaces and may not be left in place overnight. Fixtures covered by this subsection include but are not limited to basketball backboards, street hockey nets, volleyball and badminton nets, etc.
7. Potted plants, lawn ornaments, lawn furniture, etc. may be placed on each unit's balconies, decks and patios, but may not be set in the grass or landscaped areas.
8. Outdoor water can be accessed via multiple in-ground and wall-mounted spigots located throughout the property. After using, owners are responsible for fully turning off the water flow and for replacing the cover of any in-ground spigot. Hoses used for personal reasons should be properly rewound and stored in the garage when not in use.
9. All lobbies and tiled exterior entry areas are common elements and may not be used for temporary placement or long-term storage of personal belongings (e.g., tools, toys, shoes, towels, clothing, supplies, tables and chairs). Owners are welcome to place appropriate furnishings and accessories on their side of the indoor lobby on their floor; however, chairs and other furnishings may not impede access to the EXIT door in the event of a lights-out emergency. The central portion of each lobby may be furnished in a manner that is agreeable to both owners on that floor. Any live plant placed in a lobby should have a waterproof tray beneath it. An owner who places a live plant in a lobby is liable for the cost of repairing any damage caused by that plant or its maintenance, including water damage.
10. No signs may be placed on the grounds or displayed in unit windows by realtors/owners with the exception of one For Sale sign per unit along U.S. 42 and one For Sale sign per unit placed in front of the appropriate building. In addition, one Open House sign may be posted along U.S. 42

the day of the Open House event and one Open House sign may be placed that day in the grass in front of the unit. Open House signs must be removed immediately after the hours of the Open House.

**B. Moving Into or Out of a Building When a Unit Is Sold**

1. To avoid parking lot bottlenecks and scheduling conflicts with other planned work, both the current and the prospective owner of a unit must schedule their move-in or move-out with the HCO president a minimum of one week in advance of the moves.
2. Moves may be conducted any day of the week, but only between the hours of 8:00 a.m. and 8:00 p.m.
3. Owners should instruct the drivers of trucks/vans to not block the sidewalk into the building and to leave a space of at least five feet on each side of the sidewalk.
4. Owners moving in or out are required to take measures to protect lobby floors (front door to elevator and elevator to unit door), lobby doors and walls, and elevator walls and floor. Moving pads, drop cloths, taped cardboard and/or taped heavy brown paper (moving company may furnish) are recommended.
5. Two elevator pads are stored in the garage of each building. If any items are to be moved between floors, including the garage level, these pads must be hung in the elevator prior to the move and returned to their storage location after use. The owner is responsible for cautioning the workers against scratching any uncovered elevator surfaces and may choose to cover those areas with heavy brown paper as well.
6. The two front doors of each building can be propped open as necessary during the move but should be closed once the movement of items is completed. Ensure that the sliding locks on the stationary door are returned to their locked position at top and bottom of door. The owner is responsible for cautioning the workers against scratching the wood or cracking the glass.
7. Use care when transporting large items/carts in the elevator as pressure or bumping against the doors can move them out of alignment and make the elevator inoperable. Contractors/owners must never prop the elevator door open. Such action causes the elevator to malfunction and necessitates a service call that is billable to the owner.
8. Owners should remove trash, debris, crating, or boxes related to their move-in or move-out and should vacuum or broom sweep any debris in the elevator, lobbies, stairwells, or exterior entry as needed. Empty boxes should be flattened and placed in the GREEN recycling carts available in the garage and trash corral. The garage bay should be cleared of all belongings and swept upon move-out.
9. An owner who sells their unit is responsible for providing their realtor with a printed copy of the HCO Rules and Regulations, which is to be handed on to the buyer's realtor prior to the new owner's move-in date. This task can be handled at the real estate closing or earlier. The seller should also advise their realtor to include information about—or a link to—the Rules in the MLS listing. A copy of the HCO Rules is available on the property management company's website under the Communities tab.

*NOTE: HCO's property management company is Mulloy Properties, P.O. Box 436989, Louisville, KY 40253. The website is mulloyproperties.com.*

10. Any damage to common property caused by a departing owner, an entering owner, or their movers will result in a damage assessment of a minimum of \$500 up to the actual cost of the repair. Any owner moving in or out is advised to schedule a walk-around inspection of the common property, in the company of the building's Maintenance Committee representative or the HCO president, 48 hours prior to the move to identify any existing damage; if not identified in advance, any damage found post-move will be assumed to be the owner's responsibility and will result in a damage assessment. The HOA Board reserves the right to hire someone to make the repair satisfactorily.

### **C. Renovations and Repairs of Existing Units**

1. An owner who is undertaking a renovation project should notify the HCO president of the actual start date. This notice must be tendered at least three days in advance of the start to ensure that steps are taken to minimize inconvenience to neighbors.
2. Many of the rules cited in Section B also apply to renovations and repairs. The owner is responsible for ensuring that contract workers comply with the rules and restrictions in Sections B and C.
3. Any damage to common property caused by an owner undertaking repairs or renovations, or by any contractor the owner hires, will result in a damage assessment of a minimum of \$500 up to the actual cost of the repair. Any owner planning a renovation or major repair is advised to schedule a walk-around inspection of the common property, in the company of the building's Maintenance Committee representative or the HCO president, 48 hours prior to the start of the repair/renovation to identify any existing damage; if not identified in advance, any damage found post-repair/renovation will be assumed to be the owner's responsibility and will result in a damage assessment. The HOA Board reserves the right to hire someone to make the repair satisfactorily.
4. Parking at the entrance to the building is permitted for delivery of an appliance or other heavy item whose delivery can be completed in less than an hour.
5. Owners planning a repair or renovation that will require more than one day should notify the HCO president about the dates and scope of the planned work. This notification will enable the president to advise the owner of any potential scheduling conflicts.
6. An owner wishing to make any change to the structure, appearance, or function of a common or limited common element (e.g., roof, common pipes, loadbearing wall or column, the outside appearance of an exterior wall) must obtain prior approval from the Board of Directors. A form called Application to Modify Common or Limited Common Elements is available from the president of the Board.
7. From each company the owner intends to contract with, the owner is to obtain a certificate of liability insurance and a certificate of worker's compensation insurance, both of which must be currently in force. The owner provides these certificates to their building's maintenance committee representative before any work is initiated. Failure to provide these certificates in

advance may result in delay or stoppage of the work. These certificates are required in order to protect the HOA from liability claims.

8. If the project requires that workers set up tools (such as table saws or tile saws) outdoors, the owner should advise the workers to choose a location that does not impede use of the front doors and does not risk damage to sod or landscape. Tools should not be set on the tiled area in front of the building, on the grass, or on the brick sidewalk. Workers should be advised to not allow dust or debris from their work to enter the building or settle on windows, nor should extension cords be run through the flowerbeds.
9. Elevator pads must be hung when receiving any large delivery that requires use of the elevator, or when service workers are carrying large tools or materials in the elevator. Pads should be returned to original location after their use. Care must be used when transporting large items/carts in the elevator as pressure or bumping against the doors can move them out of alignment and make the elevator inoperable. Whenever possible, tools and materials should be transported by way of the stairs, not the elevators.
10. At the end of each day, all tools and debris should be removed from common areas. No construction debris may be placed in the HCO trash corrals.

#### **D. Balconies and Other Exterior Elements**

1. Although balconies are limited common elements, owners of third-floor units are responsible for clearing the gutters that adjoin their balcony floors of leaves or twigs that could impede water flow.
2. Owners of third-floor balconies shall grant reasonable access to maintenance workers contracted by HCO for cleaning of the roofline gutters, usually on an annual basis.
3. Decks, unenclosed balconies, and areas beneath first-floor decks and balconies shall not be used for storage.
4. Clothes, bedding, laundry, or the like shall not be hung, aired, or dried from windows or on patios, decks, or balconies.
5. Owners should avoid sweeping water and debris off the edge of the second- and third-floor balconies. When a major cleaning or sealing of surfaces must be done, upper-floor residents should give advance notice to lower-level neighbors. If water or debris is likely to or does intrude on lower-level balconies (open or enclosed), the upper-floor neighbor should negotiate in advance a way to restore the former condition.
6. To prevent pipes from freezing and bursting, water supply to spigots on unenclosed/unheated balconies must be turned off by November 1 and the spigots drained. Owners of units 8500-101, 8501-101, and 8505-102 have control within their units of the shut-off valves for the spigots on the exterior brick wall of their units; these owners are responsible for this same turnoff/draining process on those spigots each fall and for turning the water back on each May 1.
7. Nothing may be installed, placed, or hung that extends beyond the structural borders of decks or balconies, whether enclosed or unenclosed, except flowers and standard American flags, which may be flown on national holidays.

8. Air conditioners may not be installed in windows facing Harrods Bridge Way or in windows on the ends of the buildings.
9. Screens may not be installed in windows facing Harrods Bridge Way.
10. Electrical wires and conduit may not be strung/attached to the exterior of the building.
11. The areas of HCO that have been left in a natural state are designated by deed as Woodland Protection areas and are to be permanently preserved in their natural state. These areas are primarily the wooded section between the buildings and the creek, plus the wooded area along U.S. 42. Nothing may be installed or erected in the Woodland Protection areas.

**E. Vehicles**

1. Outdoor overnight parking of (a) commercial trucks, defined as any trucks with commercial license plates and/or with business-related lettering on their bodies, (b) vehicles with ladder racks, ladders, toolboxes, or snowplows, or (c) boats, campers, snowmobiles, all-terrain vehicles, and trailers is not permitted. Exceptions may be made on an occasional basis for movers' vans or other vehicles operated by service providers engaged in projects that cannot be completed in one day.
2. There shall be no repair or maintenance of vehicles in the garages or on the paved surfaces with the exception of adjustment or replacement of head lamps and wiper blades, replacement of flat tires, jump starting, interior cleaning and vacuuming, and fluid replenishing; however, changing the oil and flushing the cooling system are prohibited.
3. To facilitate access to each building's entrance, particularly in the event of an emergency, vehicles may not be parked directly in front of the sidewalks or within five feet on either side of the sidewalks. Owners are responsible for alerting service providers to this rule and for asking them to move their vehicles as needed to be in compliance.
4. Each unit is assigned two underground parking spaces. An owner who has more than two vehicles may make arrangements with another owner who has only one vehicle and wishes to rent their unused parking space.
5. To allow adequate parking space for guests and service providers, as well as maneuvering space for emergency and delivery vehicles, residents should routinely park inside the garage, both day and night.
6. Garage doors are operated by means of a hand-held sending unit and/or a sending unit that is pre-installed in the vehicle. Each garage has a receiving unit that can accommodate a limited number of sending unit codes. **IMPORTANT:** Any change in the sending unit (e.g., upon purchase of a new vehicle) must be handled by a member of the maintenance committee.

*NOTE: The hand-held sending unit that works with HCO garage doors is Chamberlain #953EV.*

7. Vehicles with "For Sale" signs may not be parked on the property at any time.

8. Motor vehicles should be operated in a safe and respectful manner. Given the frequent presence of pedestrians and pets, driving speed on the property should be maintained at or below the posted limit of 15 mph and care should be taken to hug the right-hand side of the driveway on the curves.
9. Given the speed of traffic in both directions on U.S. 42, owners and guests are strongly encouraged to always turn right when leaving the property.

**F. Pets and Other Animals**

1. Animals may not be bred or raised in any unit or common element. Dogs, cats, or caged birds may be kept in a unit provided they are not intended for commercial purposes or breeding. Exotic animals, including reptiles, are not permitted.
2. Except for fish in an aquarium, no unit may house more than two pets, regardless of the ownership of the pets.
3. When outside a unit, pets must at all times be supervised and controlled by a leash. Pets are not to be allowed to run loose anywhere outside a unit. Pets shall not be permitted to be a nuisance whether by way of noise, behavior, fleas, or other circumstances.
4. Owners and their guests must immediately pick up their pet's droppings anywhere on the property and dispose of them properly. Cat litter is not to be dropped down the trash chutes; it must be securely bagged and tied and then placed in the BROWN carts in the trash corrals.
5. Pets may be walked anywhere on the property; however, they are not to be allowed to relieve themselves (feces or urine) on any grassy areas that are adjacent to the front of a building. Pet owners are encouraged to take advantage of the large grassy area between U.S. 42 and the 8503 building for walking their pets, and to train their pets to head toward that area. (An exception will be made whenever there is snow/ice on the ground. During these times, owners may take their pets to the garage and exit through the back doors to access the grass on the back of the building.)
6. Pets shall be registered and inoculated as required by law.
7. Bird feeders are not permitted.
8. It is against City of Prospect ordinances to feed deer or other wild animals.

**G. Smoking/Vaping**

1. Smoking/vaping is not permitted in any interior common areas, including lobbies, stairwells, elevators, clubhouse, garages, and cars in the garages. Smoke inside an individual unit may not be permitted to infiltrate into common areas.
2. If an owner, guest, or employee chooses to smoke/vape on the common grounds or on a balcony, all residue (cartridges, butts, matches, paper) is to be safely and properly disposed of, not discarded on the grounds, dropped down a trash chute, or placed in a trash cart.

## **H. Trash and Recycling**

1. Garbage or trash must be securely bagged and tied. It may then be dropped down the unit's trash chute or taken to the trash corral outside the garage and placed in a BROWN cart with the lid down. Heavy bags should be double-bagged and/or carried to the corral to avoid breakage/spillage.
2. **IMPORTANT:** Each trash chute contains a wall-mounted sprinkler head that is susceptible to being broken if hit by a heavy object, which in turn floods the garage. Owners are advised to **DROP** trash bags (not toss them) down the **CENTER** of the chute.
3. No trash may be placed on the floor of the trash corrals. To prevent ransacking of trash bins by feral animals, doors to the corrals should be secured with the pole mechanisms. Regular trash pick-up is provided by Rumpke, generally before 8 a.m. each Tuesday and Friday.
4. Rumpke's recycling pick-up is generally before 8 a.m. every other Thursday. Wheeled GREEN recycling carts are in each building's garage. To assist our property's appearance, please make every effort to leave carts sitting outside no longer than necessary before and after the scheduled pick-up times. An updated list of items that may be recycled is available on the Rumpke website: [www.rumpke.com](http://www.rumpke.com).
5. Cardboard boxes should be flattened and placed in the GREEN recycling carts. Cardboard boxes (including pizza boxes) are not to be dropped down the chute—even though they fit through the trash door on the balcony—nor are they to be left on the floor of the trash corrals.
6. Glass bottles, jars, and other glass items should not be dropped down trash chutes. They should either be bagged and carried to a BROWN trash cart in the corral or placed in a GREEN recycling cart in the garage.
7. To avoid costly plumbing repairs (at the owner's expense), do not flush purportedly "flushable" pre-moistened/disinfecting/baby wipes—regardless of what the packaging says; instead, place them in the trash.

## **I. Security**

1. Lobby windows are to remain locked.
2. Exterior doors, including main lobby and all garage doors, are not to be propped open or left unlocked, except for short periods when an owner is present and supervising the movement of items through those doors. On the advice of Prospect police, owners of first-floor units who have stairs leading to the ground must have secure locks on doors leading to those stairs and keep them locked whenever the owners are outside their units and beyond view of the doors for *any* length of time.
3. Overhead garage doors should be kept closed except when entering or exiting. Owners entering or exiting the parking garages should always close the garage doors behind them to prevent intruders, mice, etc. from entering. Do not rely on the automatic timer to close the overhead door.



4. Garage codes are for use only by residents who park in the garage and store personal possessions there. Codes are not to be given to contract workers (e.g., painters, carpenters, plumbers, repair technicians).
5. Owners must be present whenever a contract worker whom they have engaged to provide a specific service is on Harrods Creek Overlook property. The owner must also provide adequate supervision of such worker, including oversight of access to any part of the building or grounds. If an owner is unable to be present to supervise a contract worker, the owner shall arrange for supervision by a family member or friend, unrelated to the contractor, and shall notify other residents of the building of the name of the person responsible for supervision.

*NOTE: The term "contract worker" encompasses anyone who is hired on an occasional or one-time-only basis to do maintenance, repair, or remodeling work on the owner's unit (e.g., window washing, furnace cleaning, painting, carpet cleaning, plumbing, or electrical repair). This rule does not apply to housekeepers or personal assistance workers who provide service within the unit on a regularly scheduled basis over an extended period of time and thus have an opportunity to become recognized by other owners.*

6. Any owner (or realtor) who is showing a unit for sale or holding an open house must accompany any prospect who wishes to see the common areas (e.g., garage, lobbies, surrounding property) and must show each prospect out the front door. Potential buyers are not permitted to wander the buildings or property unattended. Owners are responsible for ensuring that realtors are aware of and adhere to this rule.
7. Owners planning to be away for more than a day are advised to arrange for neighbors to collect any packages left for them by the mailboxes or by the unit doors.
8. Owners are encouraged to collect any packages for neighbors left outside the building by delivery services and place them either by the mailbox or next to the unit door.
9. Plastic key cards and key fobs are available for purchase by owners to provide building access through the lobby doors. To safeguard security, extreme discretion should be used when considering the purchase of an entry device for anyone other than a resident. Please contact the HCO president for assistance.

## **J. Safety**

1. Access to exits must be kept clear at all times. Corridors, elevators, lobbies, and exit doors must be kept free of obstructions, and all exit doors must be able to open fully.
2. Storage of articles on the stairwell landings must be in compliance with local fire department safety regulations and the terms of HCO's property and liability insurance policies. Small recycling bins are permitted (no more than two per unit). All doors leading to stairwells must be able to open fully.
3. Gasoline, diesel fuel, kerosene, turpentine, propane, butane, or solvents that are flammable or that emit offensive odors may not be stored in residential units or in the garage; however, storage of latex or water-based paints is permitted.
4. Vehicle engines should not be run in the garage any longer than necessary.

5. National fire codes related to multi-level/multi-family residences:
  - a. Permit the use of electric grills on balconies or decks at any level.
  - b. Permit the use of gas or charcoal grills on the grass/ground only if they are at least 10 feet away from any combustible patio, stairway, or building.
  - c. Prohibit the use of gas or charcoal grills on balconies or decks at any level.
  - d. Prohibit the storage or transport of gas cylinders in the garage, elevator, or any interior stairway.
6. To avoid possible water damage, it is strongly recommended that owners planning to be away for several days or longer shut off the main water supply to their unit during their absence.

*NOTE: It is advisable to simultaneously turn off the circuit breaker to the hot water heater to avoid damage to the heating element.*

7. To ensure an adequate supply of heat to water pipes throughout the building (house water as well as fire suppression system), owners who are absent during the winter months must set their thermostats no lower than 55° F. This precaution is to deter the freezing/bursting of pipes. In addition, all owners must either provide a direct source of heat into their unit's storage closet or must leave the doors to that closet open during the winter months.
8. Snow and ice removal are scheduled as conditions warrant. Heat mats and/or Magic Salt are used to facilitate safe walking on the brick sidewalk in front of each building. The driveway and parking areas are cleared to enable safe driving and are not maintained for the purpose of walking. All residents are advised to park in the garages during inclement winter weather and to confine their exercise walks to grassy areas.

#### **K. Fees, Assessments and Fines**

1. Monthly maintenance fees (as well as any special assessments unless prepaid for the year) are due at the HCO property management company by the first day of each month. Owners are encouraged to authorize automatic bank deductions to avoid late payment of maintenance fees and any special assessments. Late payment will result in the automatic application of late fees. Continuing non-payment of maintenance fees and late fees will result in a lien being placed on the unit.
2. The preceding Rules and Regulations are intended to maintain the value of each owner's investment in HCO and to support a desirable quality of life. Purchase of a home in HCO indicates a willingness to adhere to these rules out of respect for other owners. Owners are responsible for being knowledgeable of these rules from the point of purchase. Violation of a rule will result in a letter of notification from the Board and the potential levy of a fine, at the discretion of the Board. The amount of any fine will be determined by the HCO Board of Directors. Non-payment of fines will result in the automatic application of late fees.