

**Trail Creek West Home Owners Association (TCWHOA)**  
**Db a Ptarmigan Condos**  
**Rules and Regulations**  
**Effective:**

WHEREAS, article VIII, section 8.5 “Rules and Regulations” gives the Board of Directors the authority to establish reasonable rules and regulations governing the use of the units and of the common area. It is the intent of the Board of Directors to provide reasonable guidelines governing activities that may be offensive to members of the TCWHOA, their guests, lessees, or renters.

The Board of Directors feels there is a need to establish rules to maintain the general and limited common areas in a standard appreciated by all owners, and provide guidelines necessary in a community living environment equal and fair to all residents.

The following rules and regulations will apply to all owners, lessees, renters, and guests. Rules will be mailed to the last known address of owners. Owners are ultimately responsible for informing lessees, renters, and their guests of the rules, and will be ultimately responsible for any fines for violations. Unit owners are responsible to see that their private management companies supply the rules to guests, when reservations are being made, so one is aware of the rules and fines prior to arrival.

1. **CONDO USAGE:**
  - a. Condominium units shall be used for lodging or residential purposes only. No trade or business shall be conducted within any unit.
2. **APPROVAL OF DESIGN:**
  - a. Outside design and appearance changes must be submitted to the Board of Directors for review and approval. Any unauthorized changes may result in removal and return to original design at owner’s expense.
3. **DESTRUCTIVE ACTIVITY:**
  - a. No noxious destructive activity shall be carried on nor shall any activity which is an annoyance or nuisance to other occupants be allowed.
4. **STORAGE:**
  - a. No part of the common area shall be used for unsightly or personal storage. Items stored in common areas, without permission from the manger, will be disposed of by the property manager as they see fit. The mezzanine, garage, driveway, and pools are common areas.
5. **PETS AND FINES:**
  - a. Only owners may have outside pets.
  - b. There shall be only one outside pet per unit.
  - c. Lessees, renters, or their guests may not have outside pets at any time.
  - d. Lessees, renters, or guests who arrive with an outside pet, will be: subject to a fine of \$25.00 per day payable to the Association.
6. **OWNERS WITH PETS WILL ABIDE BY THE FOLLOWING:**
  - a. Pets shall not be tethered outside at any time.
  - b. Unattended roaming of pets in the common areas is not allowed.
  - c. Incessant barking/meowing by a dog or cat will be considered a violation of the **NOISE** regulation (See #12 below.)
  - d. Owners will be held responsible for any damage caused by their pets.
  - e. Pets are not to relieve themselves on the roof of the garage (area in front of the mezzanine), any walkway, deck, or immediately around any entrance door. Pets should be taken through the garage to side or back of the complex.

- f. Full time residential home owners with outside pets will be charged \$25.00 per month to cover additional fees the Association accrues for maintenance of property and clean up due to animals.
- g. Visiting owners with animals, or owners having house guests with outside pets, will be addressed as follows: There will be no charge for a weekend (three day) visit. There will be a \$10.00 per week charge for any visit over three (3) days. Visiting owners are to notify TCW property management when they, or their guests, are going to have a pet for more than three days. If a lack of notification a set fine of \$25 will be billed to owner of unit.
- h. TCW's Board of Directors and/or Home Owners Association reserves the right to enforce the leash law (Ordinance No. 114) and to evict any animal they deem to be aggressive, destructive, or, in some other manner, unacceptable to live at TCW.
- i. When one observes a violation of the no-outside pet rule, one is encouraged to call TCW's management company or the offending unit's private management company.

#### **7. DECKS AND FRONT ENTRANCES:**

- a. Emergency access is mandatory and clutter cannot prohibit this.
- b. Items such as chairs, tables, flower boxes, (when properly maintained), and decorations are permitted on decks, subject to such controls and limitations, with respect to specific situations as the Board may, from time to time, determine as necessary or advisable to prevent unsightly or unsafe conditions.
- c. If any unit occupant fails or refuses to correct such a violation within a reasonable time after written demand to do so, the Association will have the right to cause the removal and storage of any unsightly or unsafe material at the expense of the unit occupant or owner.
- d. Firewood may be neatly stored on an individual unit's deck.
- e. Front entrances may have door wreaths, plants, and other decorations subject to Board and Association approval.

#### **8. TRASH/GARBAGE:**

- a. All waste must be placed in the Dumpster, not left next to it or in the garage.
- b. Fireplace ashes are to be placed in the metal garbage can by the recycle bins.
- c. Never put ashes into the Dumpster. This is a fire hazard.
- d. Owners who are remodeling their units, or in some other way generating a lot of refuse, must arrange with the manager for a special pick up for which they are responsible for payment to the Association.

Please Remember the Dumpster is shared with Trail Creek Place.

#### **9. PARKING GARAGE:**

- a. The parking garage is for parking vehicles and shall not be converted for any reason so as to prevent the parking of any automobile.
- b. Each unit is allowed two vehicles unless otherwise authorized by management or the Board.
- c. Only vehicles having to do with lodging at TCW will be allowed in the TCW parking garage.
- d. Non-operative vehicles belonging to lessees or renters shall not be left in the garage if the unit is taking more than two parking spaces. Owner's with non-operational vehicles, not taking up more than two spaces, may be given a designated parking place assigned by management or the Board.
- e. Major vehicle repair is not allowed in the garage.

- f. Boats, other recreation vehicles, or trailers may not be stored in the garage if the unit is taking more than two spaces, unless authorized by the Board.
- g. Construction shall not be carried on in the garage unless approved by management or the Board, where upon the unit owner will see to it that the garage is restored to a clean condition after completion of the project. If the unit owner does not restore area to a clean condition, management will arrange for cleanup and the unit owner will be billed payable to the Association.
- h. Extra parking spaces needed by long-term rentals with more than two vehicles will be handled on a case-by-case basis. There could be a charge for this payable to the Association.
- i. Items of any kind are not to be stored in any open area in the garage. One is to use the wood storage or ski locker belonging to their particular unit for their personal storage.
- j. Vehicles are not to block the driveway of TCW. Residents should ask their guests to park in the garage. Cleaning personnel shall be informed by their management agency to park to the far left of the driveway.
- k. The first space in the garage is designated for RV's, vans, or other vehicles that will not fit under the ceiling beams. Please be considerate of those who need this space. Thirty minute unloading is acceptable. If one feels they need to park in this space for other reasons, please discuss it with property management.
- l. Violation of these parking rules may result in the vehicle being towed at the owner's expense and/or a fine payable to the Association. Towing for Trail Creek West is done by: Advanced Towing 578-5230

**10. NOISE:**

- a. Noise will be kept at a minimum between the hours of 10:00 p.m. and 9:00 a.m. inside of units and in the common areas. This includes, but is not limited to, noise from such items as: vacuum cleaners, construction noise, loud talking, loud vehicle mufflers, stereos/televisions, instrumental music, use of major appliances, (washing machines, clothes dryers, dishwashers), barking dogs, bathroom fans, etc.
- b. No one will be permitted to play on the walkways, stairways, or on the roof of the garage.
- c. There is no skateboarding, rollerblading, (Idaho code # 18-7008), or scooter riding, etc. allowed anywhere in the complex.
- d. Residents will not violate any state or national law nor permit in or about said premises any disorderly conduct which disturbs the peace.

**11. OCCUPANCY LIMITS:**

- a. There shall be not more than six (6) persons per unit in a timeshare or short-term rental. All long-term rental leases must specify the number of people renting the unit--limited to four (4) persons.

**12. SAFETY AND SMOKING:**

- a. Owners are expected to ensure that units are maintained so they are safe.
- b. Residents and guests shall take particular caution against cigarettes and other fire hazards. One will be held responsible for all damage caused by their negligence.
- c. Smoking is not permitted on the private decks of units, and can only be done outside of a 30 foot radius of the buildings. Fines for violations will be made immediately to owner for \$50 per occurrence.

**13. LATE DUES:**

- a. Home Owners' Association dues are due the first day of the month. There is a ten (10) day grace period. If dues are not paid by the 10<sup>th</sup>, there is a \$25.00 late fee. Late dues are accumulative and will be assessed as follows:

First month late=\$25.00

Second =\$75.00 (\$50.00 late fee plus the previous \$25.00 owed)

Third=\$150.00 (\$75.00 late fee plus the previous \$75.00 owed)

Fourth=\$250.00 (\$100.00 late fee plus the previous \$150.00 owed)

Simply stated: there is a \$25.00 per month late fee on all unpaid balances.

**15. COMPLIANCE WITH THE RULES:**

Compliance to these rules will be done in accordance to Idaho State code: Section 55-115

Each unit owner or resident is encouraged to report infractions of the rules to TCW property management, or any member of the Board of Directors, for appropriate action. It will first be the responsibility of the manager of the unit to collect fines from the offender, payable to the Association. If this is not successful, payment of the fine becomes the responsibility of the unit owner, payable to Association.

**16. SPECIAL PROJECTS:**

Any project requiring the Board of Directors' or Home Owners Association's approval must first be presented to the Board for consideration prior to its initiation. The Board respectfully requests that owners do not begin projects on their own and then refer them to the Board.

*Thank you for your cooperation and consideration in making Trail Creek West a great place to live.*

Sincerely,  
The Board of Directors-TCWFOA