

**(Revised 2011)**  
**PROJECT RULES**  
**OF**  
**DEER CREEK HOMEOWNER'S INC.**

**GENERAL**

The Board of Administration of the Council of Co-Owners for Deer Creek Homeowner's Inc. (herein after referred to as the "Board") under authority conferred by both the Master Deed for Deer Creek and the By-Laws of Deer Creek Homeowner's Inc. hereby adopts the following Project Rules (hereinafter referred to as the "Rules" for Deer Creek (hereinafter referred to as the "Project)).

1. Wherever in these Rules there is reference to "Unit Owners", such term shall be intended to apply to the Unit Owner of any Condominium Unit, to his tenants in residence, and to any guests, invitees or licensees of such Unit Owner, or tenant of such Unit Owner. Wherever in these Rules reference is made to the "Board" such reference shall include the Board and the Management agent where such authority is delegated by the Board to such Management Agent.
2. Nothing shall be done or maintained in any Condominium or upon any common elements which would be in violation of any law.
3. No noxious or offensive activity shall be carried on within or outside any Condominium Unit nor shall anything be done or be permitted to remain in any Condominium Unit or on the common elements which may be or become a nuisance or annoyance to the other Unit Owners.
4. Unit Owners shall not make or permit to be made any disturbing noises which will unreasonably interfere with the rights, comforts or conveniences of any other Unit Owners. All unit owners shall keep the volume of any radio, amplifier, stereo, television or musical instrument in their Condominium Unit sufficiently reduced at all times so as not to disturb other Unit Owners in any building.
5. Unit Owners shall not permit any act or thing deemed extra-hazardous on account of fire or that will increase the rate of insurance on the premises, Unit owners shall not keep any gasoline or other explosives or highly inflammable material in said premises or storage area.
6. No burning of any trash and any unreasonable, unsightly or offensive smelling accumulation or storage of litter, new or used building materials, garbage or trash of any other kind shall be permitted within any condominium Unit or upon any common element except where authorized by the Board. Trash and garbage containers shall not be permitted to remain in public view except at garbage pickup points on schedule pickup days.
7. There shall be no obstruction of any common elements. Nothing shall be stored upon any common elements without the prior approval of the Board.
8. No baby carriages, velocipedes, motorcycles, bicycles or other articles of personal property shall be left unattended on the grounds of the common elements.
9. The entrances, doorways and approaches thereto shall be kept free of any item(s) that could impede emergency access.

10. No structure of a temporary character, trailer, tent, shack, barn or other outbuilding shall be maintained upon any common elements at any time
11. No clothing, laundry, rugs, wash or any other items shall be hung from or spread upon any window or exterior portion of a Condominium Unit or in or upon a general common element.
12. All personal property placed in any portion of a Condominium Unit or any place appurtenant thereto shall be at the sole risk of the Unit Owner and the Board shall in no event be liable for the loss, destruction, theft or damage to such property.
13. No person property shall be left unattended on the grounds of the common elements. This includes all personal property such as cooking grills, bicycles, patio or lawn furniture, etc. These items shall be kept either in the unit or in the garage.
14. All persons shall be properly attired when present on any of the common elements.
15. Solicitors are not permitted on the Project without consent of the Board. If you are contacted by one, please notify the Management Company's office immediately.
16. A) The common elements designated as parking areas are for automobiles only (this includes pickup trucks, SUV's, RV's and conversion vans). Automobiles must have current license plates and be in operating condition. No automobile repair shall be permitted on the parking areas.  
B) All allowed vehicles shall be kept in the owner's garage or driveway, except that guests may use common parking areas for a reasonable time (not to exceed seven (7) days).
17. All Unit Owners must observe and abide by all parking and traffic regulations as adopted by the Board or local authorities. Vehicles parked in violation will be towed away at the owner's sole risk and expense with the cost of moving or towing be added as part of the responsible unit owner's maintenance charge. Violators of traffic regulations committed with Deer Creek may be subject to the levy of a fine of up to \$25.00 per incident by the Association.
18. No buses, trucks, motor homes, trailers or commercial vehicles shall be parked in the parking areas or in driveways, except for vehicles utilized for moving the contents of a units and other deliveries not to exceed six (6) hours in duration per one visit).
19. No boats, motorcycles or campers shall be parked or stored in parking areas
20. Parking so as to block sidewalks or driveways shall not be permitted. Each unit owner expressly agrees that if he shall illegally park or abandon any vehicle, he will hold the Council of Co-Owners of the project harmless for any and all damages or losses that may ensure.
21. Any damage to the equipment, facilities or grounds of the common elements caused by a Unit Owner, his family or pets shall be repaired at the expense of the Unit Owner.
22. In compliance with Section N of the Master deed of Deer Creek, each Unit Owner shall provide the board of Administration with a certificate of insurance from his insurer, showing that he has the required property and comprehensive personal liability insurance in effect, said certificate to provide thirty (30) days notice to the Board prior to cancellation of insurance.
23. Homeowners may plant live flowers in the mulched areas adjacent to their unit and where applicable in the mulched areas along retaining walls. If they elect to do so, the homeowner shall accept all responsibility for maintenance including but not limited to removal of dead plants, trimming of plants so as not to impede safe passage along walkways, weeding in the mulched areas, etc. Nothing may be planted or placed in the grassy areas with the prior written approval of the board of Directors. No agricultural plants/crops may be planted anywhere. Yard

ornaments, limited to (5) in number may be placed in the mulched areas (between the outside wall of the unit and the sidewalk only). A yard ornament is defined as an individual piece, name a family of the same type and includes gardens signs, gardens flags, bird feeders and hanging baskets. Flowers in pots and plants may be placed at doorways or along walks as long as they do not constitute a hazard to unit entrances and must be counted as part of the limit on yard ornaments. The Council of Co-Owners shall have the authority to maintain neglected areas. The cost of such maintenance after notice to the owner shall become a special assessment against the affected unit owner.

24. The Unit owner shall comply with all the Project Rules hereinabove set forth and with any other Project Rules which the Board in its discretion may herein adopt.
25. Monthly maintenance fees are due on the first of every month following date of deed. There shall be a 10% late payment penalty assessed on any payment made on or after the 16<sup>th</sup> day of each month and 10% penalty assessed each thirty (30) days there-after. Monthly fees are not subject to credit or set-off without prior approval of the Council of Co-Owners.
26. Landscaping lights being a safety factor are permitted within the mulched area along the entry walk. Any other outside lights must have prior written approval from the Board.
27. The water closets and other water and sewer apparatus shall not be used for purposes other than those for which they were designed; and no sweepings, matches, rags, ashes or other improper articles shall be thrown therein. The cost of repairing any damage resulting from misuse of any of the same shall be borne by the Unit Owner causing such damage.
28. Should an employee of the Board, upon the request of a Unit Owner, handle, move park or drive any automobile placed in the parking area then, and in every such case, such employee shall be deemed the agent of the Unit Owner. The Board shall not be liable for any loss, damage or expense that may be suffered or sustained in connection therewith.
29. Any damage to the equipment or grounds of the common elements caused by a Unit Owner, his family or pets shall be repaired at the expense of the Unit Owner.

#### PETS

1. The maintenance, keeping, breeding, boarding and raising of animals, livestock or poultry of any kind, regardless of number, shall be and is hereby prohibited within any Condominium Unit or upon any common elements, except that this shall not prohibit the keeping of domestic pets provided they are not kept or maintained for commercial purposes or for breeding. Each owner shall be responsible for cleaning up and removing animal feces from any area of the Project. A fine of \$10.00 per incident is hereby imposed upon the offending owner. In no event shall any animal be permitted in any of the common elements of the Project unless carried or on a leash. The owner of such animal shall indemnify the Council of Co-Owners of the Project and hold it harmless against any loss or liability of any kind or character whatsoever arising from or growing out of having any animal in the Project. If a dog or other animal becomes obnoxious to other Unit owners, the owners thereof must cause the problem to be corrected, or if not correct, the

unit owner, upon written notice by the Board, shall be required to removed the animal from the property.

2. Pets may not be tethered in any of the common areas, including driveways, or grass areas adjacent to any unit, unless the Owners is physically present with the pet al all times
3. No pets are allowed in the Clubhouse or swimming pool area.

### **COMMUNITY CENTER**

#### **1. USAGE:**

- (a) The Community Center at Deer Creek is a private facility owned and regulated by Deer Creek. Only members and their guests are allowed to use the facility. Your safety and enjoyment are the primary concerns in establishing these guidelines. The interior of the Community Center shall be a smoke-free area, without exception.
- (b) The Center will be open every day for general use by the residents and their guests during the following hours: 10 AM – 9 PM.
- (c) Each homeowner will be issued their owner set of keys to the Community Center and Pool Gate. Keys are not to be duplicated or given to guests i.e. children, grandchildren and friends. Owners must be present with their guests when using the facility.
- (d) The center can be reserved by any resident for special events. The Community Social Committee must approve all requests for the scheduling of all events. Special events will be posted on the bulletin board each week and a calendar of events covering the month will be maintained.

### **GUEST POLICY**

Your guests are welcome at the Center. However, to main certain equity and maintain safety in the use of the facility, the following guidelines will be enforced:

- a. Each resident can schedule the center for private parties. The party must be scheduled at least a week but not more than four (4) months in advance with the Social Committee. A rental fee of \$60.00 will be charged to cover the use of the facility, plus a \$100.00 Security Deposit which will be returned after the party if there are no damages. The fee must be paid and the Agreement of Community Room Reservation must be signed at the time the reservation is made. If damage exceeds the \$100.00 deposit, the remaining amount will be assessed to the resident owner reserving the facility.
- b. The Center will not be scheduled by the residents for private parties when events of the community have been scheduled.
- c. The resident making the reservation is responsible for adding the information on the calendar on the bulletin board. Owners must be present at the pool and community room with their guests at all times.
- d. Each resident is responsible for the action of their guests while they are using the facility. Please inform your guests of the following rules:
  1. Guests must be familiar with and follow all rules relative to the Community Center.

2. Guests must respect the privileges of resident members in the use of the Center facilities, honoring rules for scheduling and use of the Center.
- e. All children must be accompanied by an adult while using the Center facilities.
- f. Smoking is permitted only on the pool deck outside the Community Center. **NO SMOKING** will be allowed in the Community Center.
- g. No skateboarding or roller skating is allowed around the Community Center area.
- h. The Association assumes no responsibility for lost or stolen articles. It is the responsibility of each resident and guest to properly secure their valuables.

#### **MEMBERSHIP STATUS**

All resident homeowners of Deer Creek are automatically members of the Community Center as membership is paid as part of their monthly maintenance fee. The Community Center will be available to non residents when they are guests and accompanied by a resident.

#### **CONDUCT**

Please be respectful of the right of all members to enjoy the facilities in an atmosphere free of profanity, loud noises and offensive conduct.

#### **EXERCISE ROOM**

Use of the exercise room is included with each membership. The exercise room is for the exclusive use of Residents. Please familiarize yourself with the proper use and operation of the equipment. The following rules govern the use of this room.

1. You must be 14 years of age to enter the exercise room
2. Proper workout clothing and shoes must be worn at all times
3. Please bring a towel to wipe down equipment after each use
4. There is a 30 minute time limit on each piece of equipment if some else is waiting to use the equipment.
5. Food and drinks are not allowed in the exercise room. Water bottles that feature a squirt tube are permitted.

#### **SWIMMING POOL**

Use of the pool is included with each membership. Health & Safety Rules have been adopted for the protection of the residents and the HOA Violation of the rules may result in citation and fine levied by the Metro Health Department or the HOA. The homeowner or his guest cited for the violation will be responsible for any fine.

1. The homeowner must be in attendance at all times with their guests . Non-residents without a homeowner present will be considered a trespasser and will be treated accordingly.

2. Pool keys and Community Room keys are not to be duplicated.
3. No more than five (5) persons are allowed in the pool at the same time. The Health Department defines "in the pool" as having ANY part of the body in the water.
4. There is a 30 minute time limit in the pool if someone else is waiting.
5. Pool hours are from 9 AM to 9 PM.
6. Children who are 16 of age or under MUST be under the direct supervision of parents or guardians, or be in the company of a person 17 years of age or older AL ALL TIMES.
7. Swimming in cut offs, tennis short or exercise apparel is **NOT** prohibited. Swimmers must be dry off thoroughly before entering the community room. Shoes and shirts must be worn in the center.
8. Infants should wear diapers designed for swimming, not regular diapers.
9. Absolutely no sweaty or wet clothing is allowed in the Center. If you would like to enter after swimming or exercising, please bring a warm-up suit or other appropriate cover-up.
10. The Association assumes no responsibility for lost articles.
11. No food or drink, gum or tobacco is allowed other than in specifically designated and controlled sections. All food shall be consumed at the provided tables and all waste must be removed to trash cans provided, when leaving the eating area.
12. No diving or jumping into the water is permitted.
13. No running, pushing or horseplay is permitted in and around the pool. Personal conduct must be such that the safety of self and others is not jeopardized.
14. No spitting, spitting of water, blowing through the noise, or otherwise introducing contaminants into the water is allowed.
15. No glass, soap or other materials which might create hazardous conditions are permitted in the pool area.
16. Person in street shoes except those engaged in official duties or child supervision are allowed within four feet of the water's edge.
17. Use of the pool by any person having a contagious disease or infectious condition such as boils, inflamed eyes, ear discharge, or any other condition which has the appearance of being infectious, is not permitted.
18. Use of the pool by any person with excessive sunburn abrasion which have not healed, corn plaster, bunion pads, adhesive tape, rubber bandages or other bandages of any kind is not permitted.
19. Persons under the influence of alcohol, drugs or exhibiting erratic behavior will not be admitted to the pool area and will be asked to leave.
20. No oils or lotions are allowed in the pool. Please use outdoor shower to rinse off before entering the pool.
21. The swimming pool may not be reserved for private parties or used in conjunction with rental of the Community for a private party.

**Certificate of Adoption**

The undersigned Present of Deer Creek Condominium hereby states the forgoing as the newly adopted Project Rules of the Council of Co-Owners .

BY: Robert Buckheim  
President