

Wescott Hills Building Association Rules

Effective 12/03/2019

These rules apply to all owners, tenants, and guests of Wescott Hills Building Association, Wescott Hills Revised Building Association and Eagan Hills Condominium Association

Change Log

Date	Change
09/24/2013	Updated Pets, 3.d, to match American Family Insurance restricted breed language.
03/18/2014	Updated vehicle rules, added rules passed in previous Board meetings.
08/18/2015	Updated vehicle rules regarding maintenance
12/03/2019	Updated deck weight limit rules

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Preamble

- In order to preserve and improve the quality of life for our Owners and Renter customers (Residents), and preserve the property of the Owners, we are establishing rules of good and constructive conduct.
- The rules hereby established are for the benefit of the Residents and are intended to enhance their quiet enjoyment of their rental homes.
- The rules hereby established are intended to secure and preserve the property of the Property Owners and Residents. The rules herein identify and prohibit behavior that may lead to the damage of real and personal property.
- The rules hereby established are intended to reduce the legal liability of the Owners by prohibiting behavior that may be perceived as undesirable, or even negligent, and thereby lead to unnecessary personal injury, harm, damage and possibly litigation.

1. General

- a. All persons shall comply with all applicable laws, ordinances, and regulations and shall save the Association and other persons harmless from all fines, penalties, costs and prosecutions for any violation thereof Unit Owners are responsible for the conduct of their family, guests and tenants while on the condominium property.
- b. No business activity, sale or profession of any kind, commercial, religious, educational or otherwise, designed for profit or otherwise, shall be permitted in or on the Property. Home occupation within the unit is allowed as long as there is no signage and the occupation is mainly by telephone, fax or computer. Home Occupation cannot involve additional vehicle traffic or foot traffic or increase in mail deliveries to the building. Should a problem arise, the Board of Directors has the authority to terminate such occupation.
- c. Smoking is prohibited in all interior common areas.
- d. No persons shall do or permit anything to be done that will interfere with the rights, comforts or convenience of other persons.

2. Exterior Building Rules

- a. No basketball hoops, pitching nets, golf nets, or other equipment may be set up outside the residence.
- b. Skateboards and skateboard ramps are prohibited from the driveways and streets of the complex.
- c. No grills, bicycles, pools, athletic equipment or other 'equipment' may be stored outside. Grills may be stored outside until they cool off, and then must be put away.
- d. No outside canopies, tents, storage sheds, animal shelters, screen houses, hot tubs, gazebos, etc. may be set up.

- e. All garbage cans must be put away by 6 AM the day after trash pickup. They may be placed outside after 6 PM the day prior to trash pickup. A \$25 fine will be assessed for each container left outside.
- f. All garbage must be put inside the garbage container, unless other arrangements have been made.
- g. Each owner must pick up the litter around their own building.
- h. All windows must have mini-blinds or drapes or other covering designed for windows. All windows for the building should have a similar color scheme. No tin foil, paper, bed linen or other items not designed for a window covering is permitted.
- i. All windows must have working screens.
- j. No clothes, sheets, blankets, laundry or other kind of articles shall be shaken or hung out of a Unit, balcony or patio. Clotheslines are prohibited.
- k. No items of personal property visible from the street shall be placed or stored on the balconies except seasonal furniture and seasonal flower containers. Patios and decks shall not be used as storage areas.
- l. No shades, awnings, hammocks or window guards shall be used on the balconies except as shall be approved by the Association.
- m. All draperies visible from the exterior of the Building shall be a light neutral color or lined with a light neutral color. The use of blankets, sheets, etc., is prohibited even as a temporary window covering.
- n. There is a weight limit of 500 lbs. on any deck with a cantilever (no posts to the ground) design. This 500 lb. weight limit includes people, plants, furniture and all other items on the deck.

3. Pets

- a. All residents must pick up after their dogs.
- b. All shots must be kept current.

- c. Bird Baths, bird feeders or any other feeder that have seeds or other food that falls to the ground are not allowed. Throwing food on the ground for animals is not permitted.
- d. Dog Breeds. No one who lives at Wescott (Owner or tenant) may harbor (permanent or visiting) any of the following breeds of dogs, or any dogs that are a mix containing any of these breeds. Akita, American pit bull terrier, also known as an American Staffordshire or Staffordshire terrier, Chow, Rottweiler, Wolf Hybrid (wolf mixed with any breed).

4. Vehicle Rules

- a. All vehicles on the property must be properly registered and insured, as required by the State of Minnesota.
- b. No vehicle may have expired tabs. Cars with expired tabs are subject to being towed on the 11th of the month following tab expiration.
- c. No Inoperable cars are allowed (i.e. able to move under the power of their engines). Any car that is deemed inoperable for longer than 24 hours is subject to being towed.

For the purpose of this rule, good operating condition shall mean that all parts of the vehicles such as tires, wheels, engine, brakes, windows, top, lights, exhaust systems, bumpers, etc. shall be maintained in working order at all times. Vehicles that leak any fluid other than water condensation from the air conditioner shall not be parked on the property until it is repaired. Any vehicle in violation hereof shall be deemed junk, derelict, or a nuisance and subject to immediate towing away from the property.

- d. Cars that leak oil or fluids will be deemed hazardous and are subject to being towed.
- e. Vehicle fluids such as gas, anti-freeze or oil must be properly disposed of and not put in the garbage containers.
- f. Eagan Hills has a Snow Removal Policy. After the plows come through, move your vehicle to a plowed area until the plows come through again. If the owner of

the vehicle cannot move it, we will tow it at the vehicle owner's expense. This includes all parking areas, including streets and driveways.

- g. All vehicles must be moved from streets, parking lots and driveways if there is a snowfall of 2" or more.
- h. Cars should not block access to trash containers for the trash removal company. Cars that are blocking access will be towed without notification.
- i. Vehicles parked within 10 feet of any mailbox will be towed immediately.
- j. The speed limit in the complex is 10 MPH.
- k. No motorized unlicensed vehicles (i.e. go carts), trail bikes and snowmobiles are allowed to be operated anywhere in the complex.
- l. Parking of boats, trailers, trucks, buses, motor homes and other over-sized or non-motorized vehicles is prohibited in the parking lots, streets and driveways of the Complex.
- m. Parking on any grassed or lawn area is prohibited.
- n. The parking limit on the street (Wescott Trail) and all parking lots is 24 hours. Any vehicle not moved within 24 hours will be deemed inoperable and is subject to being towed.
- o. The Association reserves the right to remove any vehicles parked in an unauthorized place or manner at the expense of the respective owners thereof.
- p. No vehicle maintenance or repairs may be performed on the property with the exception of changing a tire or battery. There is a one hour limit for the repair.

5. Noise Rules (Quiet Enjoyment Expectations)

- a. All noise should be kept to a minimum. If another resident can hear you in their apartment, you are too loud and are in violation of the noise policy.
- b. No outside parties are permitted without first obtaining approval from the Association Management. This also includes gatherings of neighboring residents. A Party is defined as having any number of residents, from more than one household; or an outside gathering of more than six (6) people from one household, or more than two people from one or more households. An

immediate \$100 fine will be assessed for violating this rule, no warning will be given.

- c. Quiet hours are Wescott are 9 PM Sunday through Thursday, or 10 PM on Friday and Saturday. No outside gatherings are permitted without first obtaining approval from the Association Management. An immediate \$100 fine will be assessed for violating this rule, no warning will be given.
- d. Car stereos should not be able to be heard from inside any resident's household.
- e. No horns shall be blown except as may be necessary for safe vehicle operation.
- f. No wind chimes are permitted.
- g. No games may be played in the common areas, in driveways, or adjacent to any buildings, that has any flying object. This includes, but is not limited to, footballs, baseballs, basketballs, Frisbees, tennis balls, golf balls, Jarts, etc.
- h. Disturbing the "Quiet Enjoyment" of other residents, or creates a nuisance, is prohibited. When there is a disagreement of whether or not an activity is disturbing the quiet enjoyment, the Board of Directors will make the final decision.

6. Crime Prevention and Security Rules

- a. All garage doors must be kept closed and locked when not in the immediate area. Simply closing the garage door is not enough, it must be locked. Immediate area is defined as being able to hear someone call out "Who left this garage door open". If a garage door has an opener, closing it will be considered locked.
- b. Controlled access doors must be closed and locked. They cannot be propped open unless the resident is in the immediate area. Immediate area is defined as being able to hear someone call out "Who propped this door open".
- c. All exterior intercom panels must have apartment numbers clearly marked.
- d. Controlled access door keys should be distributed with a distinct "Do Not Duplicate" marked on the key.

- e. All controlled access door locks must be keyed to the Wescott Association Master Key.
- f. All interior apartment doors must be marked with the apartment number.
- g. All owners must provide any requested lease(s) and all addendums to the Board of Directors when asked to do so, within 7 days.
- h. Overnight guests staying in excess of seven (7) days in any 12-month period will require a criminal background check.

7. Personal Behavior Rules

- a. No loitering in the complex after dark. Loitering is defined as “Standing or waiting around idly or without apparent purpose.”
- b. All residents and guests must stay on their own leased property, or the complex common area property, unless they are invited to another resident’s leased property. Running/playing behind and around buildings that you do not live in, or lease, is not allowed.
- c. No person shall harm or litter any of the landscaping on the Property, including grass, trees, shrubs, hedges, flowers or flowerbeds.
- d. Saggy Pants Policy. Any attire that exposes your undergarments in the outdoor areas at Wescott is not permitted.
- e. All children aged 10 and under, must be supervised by an adult or guardian when outside.
- f. Curfew Hours. Parents are expected to have their children comply with the curfew hours. Eagan Hills has adopted the same curfew hours as Dakota County. If your children are of the ages specified, they must be off the streets or accompanied by a legal guardian. Failure to do so will result in penalties up to, and including, eviction. Curfew hours are there for a reason, please abide by them. In general, Wescott should be fairly quiet after 9:00 PM.

Under 12:

Sunday – Thursday 9:00 p.m. – 5:00 a.m.

Friday & Saturday 10:00 p.m. – 5:00 a.m.

Age 12-14 years:

Sunday – Thursday 10:00 p.m. – 5:00 a.m.

Friday & Saturday 11:00 p.m. – 5:00 a.m.

Age 15-17 years:

Sunday – Thursday 11:00 p.m. – 5:00 a.m.

Friday & Saturday Midnight – 5:00 a.m.

8. Other Rules

- a. All City Ordinances and laws are enforced at Wescott. Any violation of the law is a violation of these rules, and subject to a fine.
- b. Garage sales, yard sales, estate sales, etc. are not allowed without first obtaining approval from the Association Management.

9. Fines and Enforcement

- a. A rule violation, that by the determination of the Board affects the rights of others or their property, may result in immediate legal action.
- b. The entire cost of effectuating a legal remedy to impose rule compliance, including attorney fees, shall be added to the account of the violating unit owner.
- c. The Management Company, in most instances, will contact the alleged violator by voice, posting, phone, email, USPS mail, hand delivered notice or other method deemed to be effective by the Association Board of Directors after receipt of each complaint, and a reasonable effort will be made to gain the violator's agreement to cease the violation.
- d. If reasonable efforts to gain compliance are unsuccessful, the unit owner will be subject to a sanction in accordance with the penalty provisions contained hereunder. It is up to the Owner to make sure they check for, and receive,

Association notices. Daily penalties will begin to accrue, whether or not the notification is acknowledged.

- e. Unless otherwise stated, on the first violation of the policy, a warning will be given and 7-days will be given to correct the violation. Second and subsequent notifications will incur a \$50 fine for every day the violation remains.
- f. Unless otherwise stated, if the violation is a “Quiet Enjoyment” or “Personal Behavior” issue, immediate correction of the violation is mandated. “Quiet Enjoyment” or “Personal Behavior” issues not immediately resolved will result fine of up to \$50. Second and subsequent notifications will incur a fine of up to \$50 for every day the violation remains.
- g. Eagan Hills Condominium Association, Wescott Hills Building Association, Wescott Hills Revised Building Association are all included in these rules. Buildings under the governance of the Eagan Hills Condominium Association may also have stricter rules.

10. Amendments to Rules and Regulations

- a. The Wescott Hills Board of Directors, by a majority vote, reserves the right to amend, alter, or cancel any of the Rules and Regulations, and make such other Rules and Regulations from time to time as may be deemed necessary for the safety, care, and cleanliness of the premises and for securing the comfort and convenience of all residents of the complex.
- b. If these rules conflict with any Owner’s lease, these rules prevail. If these rules conflict with other Association document, MN statutes that set document precedence will apply. In absence of a statute to determine which rule prevails, the Board of Directors will make the final decision.

11. Homeowner's Right to a Hearing

- c. Homeowners have the right to contest a fine and may request a hearing by submitting said request in writing to the Board of Directors within 10 working days of receipt of a warning letter or fine.
- d. If a request for a hearing is received by the Board within 10 working days after the notice letter is delivered to the violator, the Board of Directors will give written notice of the date, time, and place the hearing will take place. At the hearing, the unit owner is entitled to present all evidence, including testimony from witnesses, in support of his/her position. The Board of Directors will consider all evidence and render its decision within 5 working days.
- e. This decision is binding.