

# *Prairie East Fifth Association*

## *Rules and Regulations*



Effective June 1, 2019

The Board of Directors will provide a minimum of 30 days notice of any changes in these Rules and Regulations to the members of the Association prior to their effective date.



## General Regulations

- All units will be used for residential purposes only.
- Homeowners must keep current contact information on file with the association. A homeowner contact sheet is included as Appendix B to the rules.
- The common area may not be used for any industry, business, trade, occupation, or profession.
- Harmful, destructive, or offensive activities are not allowed on the property. This includes willful or negligent actions, which may be an annoyance or nuisance to the other owners or occupants. Disturbing noises made by an owner or occupant's family or guests are not allowed on the property. TV's, radios, stereos, or other sound generating devices must not disturb neighbors in adjacent homes.
- Damage to the property and/or the property of others, including the common area, shall be paid for by the owner or occupant responsible, including damage caused by an owner's or occupant's guests.
- Owners or occupants will not interfere in any manner with any common equipment and systems on the property.
- Walkways, driveways, and other portions of the common area used for access to the Townhomes and parking areas will not be used for storage, be obstructed, or be used for any purpose other than ingress and egress.
- Any health or safety hazard will be cause for action by the Board of Directors to order an owner or occupant to move or remove the unsafe material.
- Garage doors must be closed at all times except when a person is working in the garage and when a vehicle is entering or exiting.
- Screen doors for patio doors must be properly hung. If the screen door detaches from the sliding glass doors, it must be immediately reinstalled or stored out of sight in the garage. Non-functioning (detached) screen doors may not be stored on patios or decks.
- Garbage will be placed in covered containers and placed off the grass at the end of the driveway near the street, in a manner that does not block access to the units. Containers will not be set out before 6 p.m. the night before pickup. Containers must be removed from the driveway no later than 9 p.m. the day of pickup.



## Motor Vehicles and Parking

- Cars or vehicles that do not run may only be stored in garages. They must not be stored outside in front of the garage, on the street, or anywhere in the driveway. All vehicles parked outside must have current, valid license tags.
- The garage and the two parking spots immediately in front of each garage are the only authorized parking areas for residents and guests on the property. All other parking is restricted to the street.

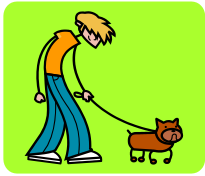
Parking is not allowed along the driveways. It is the responsibility of the homeowner to inform all residents, renters and guests of this rule.

- Vehicles parked in front of the garage must be parked so that the end of the vehicle does not extend into the common driveway area. Vehicles longer than 20 feet may not be parked in front of the garage.
- Vehicles parked in front of garages during winter must be moved during plowable conditions. If the snow removal contractor cannot plow in front of a garage due to a parked vehicle, the owner, or occupant is responsible for removing the snow within 24 hours of plowing and making sure the snow removed is not put on any plowed surfaces.
- Recreational vehicles, trucks, boats, boat trailers, other trailers, vans and other related vehicles may not be parked on the property except for short periods of time for loading and unloading.
- Vehicles of any kind may not be driven on or parked upon the grassy (non-pavement) areas anywhere on the property.
- Car washing is permitted on blacktop driveway surfaces in front of the garage.
- Major auto repair is not permitted. It is the responsibility of the homeowner to promptly clean up after minor auto repair or other similar projects. Oil spillage on the blacktop must be immediately removed.



## Recreation

- The common area may be used for quiet recreation. It is the responsibility of the individual(s) involved to remove all recreational equipment, toys or other items when activities cease.
- Small inflatable swimming or wading pools may be used and must be removed by the end of the day.
- Permanent fixtures or structures used for recreational equipment by the individual homeowner are not permitted. Holes resulting from the use of poles (badminton, volleyball, etc.) on the common ground will be refilled and covered when poles are removed.
- Tents of any size are not allowed to be pitched anywhere on the property without prior approval. Camping and sporting equipment must be stored indoors.
- Swing sets, play bars, basketball backboards, and tennis, volleyball, badminton, etc. nets shall not be attached to the exterior of the home, garage or deck or permanently erected on the common ground.
- Outdoor fireplaces, barbeque grills, or barbeque cooking structures shall not be permanently attached to the patio or the exterior of the home or garage or to the common grounds.
- Use of outdoor fire pits must be used in compliance with city ordinance and must be put away following its use.



## Pets

- Owners and occupants may have up to a total of three pets (two dogs maximum).
- A domestic dog that is a house pet is allowed by owners or occupants within the property, subject to the following:
  - Dogs must be quartered inside the owner's townhome or garage. Other quarters such as dog runs or doghouses outside of the townhomes are not permitted.
  - Dogs must be properly licensed with the City of Eden Prairie.
  - Dogs must be on a leash/chain and in control by their owners at all times when outside of the townhome and on the property. Dogs must not be chained outside, unattended.
  - Dog droppings are to be removed immediately from the property by the animal's owner, unit owner, or occupant.
  - Dog barking on the property is to be strictly controlled by the dog's owner, unit owner or occupant.
- Domestic cats, small birds, and fish are allowed to be kept by owners or occupants provided that they are housed and maintained within the owner's townhome, except when under the direct control of the owner. Cats may not roam free in the common area.
- Pet owners are responsible for reimbursing the Association or other offended parties for damage to lawns, landscaping, buildings, or property caused by their pets.
- Chaining of unattended pets is not allowed anywhere on the common area.
- Owners or occupants are prohibited from raising or breeding animals for any purposes.



## Additions or Alterations

- An Architectural Control form must be completed and submitted to the board prior to any exterior changes. Submitted forms will be reviewed by the board at the next scheduled board meeting after the form has been submitted. See Appendix A for the form.
- All changes to the common area by an individual homeowner can only be made with prior approval of the Board of Directors.
- Alterations of any kind to the outside of the unit are not permitted without the prior approval of the board.
- Energy saving devices, which can be seen from the exterior of the unit, may be installed only with the approval of the Board of Directors.
- No additional building, tents, shelters, additions, appurtenances, structures or landscaping of any kind shall be placed, erected, kept or maintained on the property without the prior written consent of the Board of Directors.

- No additional exterior lighting or alteration of existing fixtures on a permanent basis will be permitted without prior approval of the Board. Replacement of like kind exterior lighting fixtures is allowed.
- No window or wall air conditioners or fan units may be installed. Attic fan proposals may be submitted to the Board of Directors for approval. Central air conditioning units are permitted provided they conform to existing style and location
- Painting or staining of the siding of the home, trim, garage or deck by the individual homeowner is not permitted. Minor touchups of the trim are permitted, provided that the same paint color or stain as the original is used. Please contact the property manager for the brand and color number.
- Shade umbrellas, shades, awnings, exterior door or window coverings and screen houses shall not be attached to the exterior of the home, garage or deck.
- Antennas, weathervanes, pennants, signs, insignia or emblems shall not be attached to the home, garage, or deck.
- No sign of any kind shall be displayed to the public view on any lot, except one professional sign of not more than five square feet advertising the property for sale or rent.
- Clotheslines shall not be attached to the exterior of the home, garage, or deck. Collapsible clothes poles or racks are permitted, but only on the deck or patio. These must be removed immediately after use.



## Satellite Dishes/Cables

- Only one satellite dish may be installed on the unit and the installation must conform to the following rules.
  - No more than one satellite dish may be installed on any unit
  - Maximum size of satellite dish is one meter in diameter.
  - Satellite dish may not be mounted on any common area, privacy wall or any part of another unit.
  - Satellite dish may be installed on the roof or deck only. The mounting screws may not penetrate any siding, fascia or soffit material.
  - All cables must be installed to be hidden from view where possible
  - Owners are responsible for the repair of any damage caused by the installation or removal of any satellite dish.
  - The Association will not be responsible for repair or any damage, internal or external, which is caused by the installation of any satellite dish.
  - Any unused satellite dish and wires must be removed.
- Wires added to the outside of the structure are required to neatly fit the contour of the roof and/or structure.
- Wires must be appropriately secured and in the case of multiple wires or cables, they are to be wrapped to present a neat clean appearance.



## Exterior Plants

- Additions, such as trees, plants, shrubs, rocks, wood chips, etc. are not allowed without the prior approval by the Board of Directors
- All plants and planters must be maintained and kept neat and orderly in appearance.
- Vegetable gardens are not permitted in any of the common areas of the property
- Climbing plants and vines are not permitted on the exterior of the home or garage
- Each plant container must not exceed the volume of eight cubic feet. The location of the containers is restricted to the rocked areas, front steps, concrete patio, or the wooden deck surface of the unit.
- Hanging plants are permitted using planter or shepherd hooks only. Planter hooks are restricted to the underside frame of the deck, and must be removable for painting and repair. Planter hooks may not be attached to the side of the building.
- Collectively, a minimal number (five or less) of potted plants, decorative yard ornaments and shepherd hooks, can be located within the rocked areas of the unit and located such that they will not interfere with any maintenance work that needs to be performed such as trimming of shrubs and plants.
- No sod, soil, gravel or wood chips will be sold or removed from any lot, except as approved by the Board of Directors
- No items may be placed in trees or hanging from the limbs of the tree, except for Holiday lights.
- Holiday lighting is acceptable if codes and proper installations are followed. All Holiday lighting and decorations cannot be installed before November 1<sup>st</sup> and must be removed and stored inside by January 15<sup>th</sup>.



## Exterior Decorations/Storage

- Owners and occupants are urged to use their best efforts to prevent the common area from becoming unsightly. Vehicles, garbage containers, furniture, equipment, laundry or other personal property shall not be stored or otherwise left on the common area.
- Patios and decks can be used for storage of seasonal outdoor furniture and grills to comply with the city of Eden Prairie ordinances. All other items must be stored in the garage or inside the unit when not in use.
- Storing flammables of any kind is prohibited, except in approved containers, stored in a safe manner.
- Firewood must be stored in garages or adjacent to the patio and must not come in contact with any exterior walls. No more than 45 cu. ft. (approximately 1/3 cord) of firewood may be stored outside.
- Any seating in the patio area must be kept on the concrete slab of the patio area only. No additional seating or storage is allowed in the rocked areas.
- No structures or devices of any kind can be attached to the exterior of the building or deck except for utility purposes and use.



- One flag of not more than three feet by five feet in size may be displayed in an aluminum bracket attached to wood trim only on the exterior of the home in the vicinity of the front door.
- Birdhouses and birdfeeders or other such items are permitted on decks or patios. Birdhouses and bird feeders may not be larger than a combined size of one cubic foot (12 inches deep, 12 inches wide and 12 inches high) or a combination of dimensions that equals one cubic foot.



## Administration of the Rules

### Compliance with the Rules and Regulations

- Each owner and/or occupant is responsible for full compliance with the rules and regulations by all family members, guests, visitors, lessees, and anyone else who uses the property.

### Approval Process

- Certain actions, such as altering the exterior of a unit and any changes to landscaping require prior approval by the Board of Directors before any work begins. Approval, as required by the documents and rules and regulations, is given upon the completion of the following steps. In the event these steps are not completed, the request is considered denied.
  - The Board or its designee must receive a written request from the unit owner. Contact the property manager for the proper form to use to submit the written request. See Appendix A.
  - Within 60 days, either approval will be given in writing, or the objection will be noted in writing and returned to the applicant. The Board's approval or disapproval is noted in the minutes of the monthly Board of Director's meeting.
  - The Board of Directors, or its designee, reserves the right to hire professional personnel at the cost of the unit owner, to review the construction and finished product in accordance with the submitted plans and the right to monitor ongoing maintenance of approved changes.
- The homeowner has the right to set up a meeting with the Board to be heard if the request is denied.
- Any external building projects, if approved by the Board, will/may require a building permit from the City of Eden Prairie and must meet current building codes. Copies of all permits and inspections must be provided to the Association when received by the unit owner.

### Complaint Procedure

- Submit your complaint in writing to the Board of Directors through the Association's property manager.
- The Board of Directors will review the complaint and recommend action at its next regularly scheduled Board meeting or through a special hearing.
- If requested, the owner(s) will be allowed a hearing on the cause of the complaint and will be provided an opportunity to be heard by the Board. In the event the owner(s) does not respond or attend the

hearing, the Board will enforce the Rules and Regulations based on the information available. The Board's decision is final and binding.

## Assessment of Fines for Rules Violations

- Any owner or occupant who violates these, or any future regulations or restrictions, may be required to pay a fine in an amount determined by the Board.
  - First notice: Written warning only
  - Second notice: minimum \$50 fine
  - Third notice: minimum \$100 fine
  - Subsequent notices: minimum \$200 fine
- Fines will be assessed against the unit and collected in the same manner as other Association assessments.
- In addition to fines, vehicles in violation may be towed at the owner's expense. Neither the Board nor the Association will be responsible for damage to towed vehicles.

## Board's Authority

The declaration empowers the Board of Directors as follows:

- Authority to Regulate – The Board of Directors has full authority to review these regulations and make changes, alter, grant waivers, or delete any portion or section as it sees fit to further the administration and operations of the Association and the health, welfare, and safety of the owners and occupants.
- Authority to Enforce – Any owner or occupant who violates the Board of Directors directives and enforcement decisions will be subject to all legal remedies available to the Association, its Board of Directors, and all other residents, as provided for in the Governing Documents and by law.
- Authority to Require Mediation and/or Arbitration – The Board maintains the right to require the parties in a dispute to proceed with mediation or arbitration, and to equally bear the expense of such mediation or arbitration



## APPENDIX A

PRAIRIE EAST FIFTH ASSOCIATION  
ARCHITECTURAL CONTROL FORM  
P.O. Box 44356  
Eden Prairie, MN 55344  
(952) 513-4709      prairie\_east@q.com

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone # / Email Address: \_\_\_\_\_

Description of addition or alteration: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Material to be used: \_\_\_\_\_

Approximate cost: \_\_\_\_\_

Contractor/Builder/Vendor: \_\_\_\_\_

In addition to this form, please include detailed drawings and pictures. Anything you are required to submit to the city of Eden Prairie to apply for a building permit should be included with this form.

Please submit your application to the address above before any work is started. The board will review and respond to the application at the board meeting following receipt of application. Once the board approves the application, you will need to submit a copy of the building permit that is issued by the city before commencing construction. Upon completion of the project a final copy of the inspection approvals signed by the city inspectors must be submitted.

**APPENDIX B**  
**Prairie East Fifth Association**

**Homeowner Request for Information**

It is the Association's goal to keep all of the members informed of events that affect them. To accomplish this, the Association requires the following information. ***The information provided is for internal use only and will not be used for any purpose other than to keep residents informed of events that affect the Prairie East Fifth Association members and residents.***

Prairie East Fifth Address\*: \_\_\_\_\_

Name of Owner(s)\*: \_\_\_\_\_

Telephone Number\*: \_\_\_\_\_

Email Address\*: \_\_\_\_\_

Mailing address (only if different from address above):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Rental Units Only

Renter Names: \_\_\_\_\_

Telephone Number(s): \_\_\_\_\_

Email Address(es): \_\_\_\_\_

Lease end date: \_\_\_\_\_

Please return to:      Prairie East Fifth Association  
                                 P.O. Box 44356  
                                 Eden Prairie, MN 55344

or

[prairie\\_east@q.com](mailto:prairie_east@q.com)

\* Required Information