

Melody Commons Condo Association, Inc. House Rules

The following Rules have been developed by the Board, here after referred to as the Board, to ensure a friendly and cooperative living environment among the members living within the Melody Commons Condo Association (MCCA). In addition, the House Rules will ensure the appearances of the homes are standardized and the values of the homes are protected. All present, future owners, tenants, occupants and/or guest of any lot within the MCCA are subject to the House Rules. These rules are derived from the Declaration for Melody Commons Condominiums and the Bylaws you received at the time you purchased your condo. Please refer to the Declaration and Bylaws for complete details and specifics. Since it is not possible to cover every issue in the House Rules, the Board reserves the right to clarify the rules as they might affect individual circumstances. The decision of the Board in all cases is final.

A. OWNER'S OBLIGATIONS

Owners and occupants are required to comply with the Municipal Code of Anchorage, and the laws and statutes of the State of Alaska. Reminder: Owners are responsible for the actions of their guests and tenants to comply with MCCA rules, municipal codes and Alaska State statutes.

1. PARKING: Each owner/occupant has 3 parking spaces for that unit's use. Do not use another owner's parking spaces without their permission. No vehicle of any type may be parked on a non-paved surface i.e., lawn within the MCCA. All vehicles must be kept in your driveway and no vehicles can be parked at right angles behind other vehicle in the driveway. No parking or storage of any vehicles by condo owners, tenants or their guests is permitted in the common areas excluding designated guest parking areas. Guest Parking will be for the temporary use by guests on a non-permanent basis and will be limited to 7 days at a time. No repair, oil changes, storage, or restoration of any automobile, boat, trailer, aircraft or other vehicle shall be permitted on any portion of any lot or upon the common area except for emergency repairs thereto, and then only to the extent necessary to enable movement to a proper repair facility, except any such repairs or restorations may be done entirely within the confines of your garage. No vehicles may obstruct the common driveway when parked in the condo's driveway. No immobile vehicles will be stored in public view and must either be removed or placed in the garage.

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2. BOATS, CAMPERS, RV'S, ETC.: No boat, trailer, recreational vehicle, aircraft, camper, snow machine, 4 wheeler, or other similar vehicle, similar object, or any part thereof, shall be stored or permitted to remain on any lot or any part of the owner's property unless the same is placed in the garage or behind a fences and hidden completely from view of the street or from another other lot. None of the above will be operated within the MCCA except for loading and unloading operations. Trailers and free-standing campers are prohibited in the driveways or parking spaces in excess of 8 hours.

3. COMMERCIAL VEHICLES: One commercial vehicle such as a company van, pickup or car used in conjunction with an owner's employment may be parked overnight at their residence. This vehicle must be driven daily in the course of the owner's employment. Storage of commercial vehicles and equipment on any lot or any part of the owner's property is not allowed unless the same is placed in a fully enclosed garage or a structure or area totally fenced from and hidden completely from view of the streets used by the public, or from another lot. No parking or storage is permitted in the common areas.

4. NUISANCES / QUIET HOURS: At all times, no noxious or offensive activities shall be carried on upon any lot or common area, nor shall anything be done thereon which may be, or may become a nuisance, or cause unreasonable embarrassment, disturbance or annoyance to other owners in the enjoyment of common areas or their own properties. Unreasonable noise such as engine noises, loud stereos, noisy outdoor pets or noisy outdoor activities (i.e. parties, sports, etc.) will not be allowed during quiet hours. Quiet hours are between 9:00 pm and 8:00 am on weekdays, and between 11:00 pm and 9:00 am on weekends. Outside the above hours, do not leave vehicles with noisy engines running unnecessarily during warm weather, or engage in unreasonable loud and boisterous behavior outdoors.

5. LAND USE AND BUILDING TYPE: No lot shall be occupied or used for any purpose other than a single family residence except that professional or business uses may be conducted in a dwelling provided that said uses must be incidental to the use of the dwelling for residential purposes. Further, non-residential activities must comply with governmental regulations addressing Home Occupations. No signs may be displayed in any way that indicate that a non-residential activity is being conducted, and no increase in street traffic, substantial or insubstantial, is permissible. No out building of any kind, tent, shed, trailer, or any other temporary dwelling shall be erected or maintained on any lot to be used for living purposes, nor shall any garage be used for living purposes.

No permanent building or structure shall be erected, placed or permitted to remain on any lot other than:

- a. Fences, gates and associated structures.
- b. Ground level deck or paving stones.

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Greenhouses, garden tool sheds, storage sheds, children's playhouse, cabana, gazebos or any like structure must be approved by the Board. Prior to construction, a copy of the design will be submitted to the Board for approval. The maximum height of the above structures will be 7 feet above ground grade and must conform to the limitations for fences outlined in the Declarations. Any fence constructed must conform to the restrictions outlined in the Declaration. Fences closer than 31' must be approved by the Board prior to construction and are limited based on Municipal Codes. Small railings, no taller than 3 feet may be constructed from the front door to the end of the concrete, along the edge and above the concrete walkway. I must also conform to the color and construction limitations of fences.

6. GARBAGE AND REFUSE DISPOSAL: Trash, yard clippings, etc. shall be deposited in secure, sanitary containers and stored out of sight; either in the garage or in the yard behind a fence. These containers may be placed out by the curb for pick-up no earlier than twenty-four (24) hours prior to pick-up. All containers must be removed and placed in garage or fenced yard no later than the evening after trash pick-up. No lot or common area shall be used or maintained as a dumping ground for rubbish, trash, lawn clippings or other waste. Such materials may not be disposed of by incineration.

7. PETS, LIVESTOCK AND POULTRY: No animals, livestock or poultry of any kind shall be raised, bred or kept on any property other than a reasonable number of dogs, cats or other common household pets which may be kept, provided they are not kept, bred or maintained for commercial purposes. No more than three (3) dogs and/or cats over the age of 4 months may be kept in or upon any lot. Pets are not permitted to run at large. All pets shall be chained, fenced, on leash or otherwise restrained at all times. Owners are responsible for regularly cleaning up pet droppings on their property and as they walk their pets throughout MCCA so as to not create a health hazard to others. Owners are not to let their pets urinate or defecate in the common areas or another owner's lot without cleaning up after them. The Board shall have the right to prohibit maintenance of any pet which constitutes, in the opinion of the Board, a nuisance to any other homeowner. Within three (3) days of receipt of written notice from the Board or their Management Agent, all offending pets shall be permanently removed from the property. The Municipality of Anchorage Animal Control will also be notified. All animal must be licensed with the Municipality and have current vaccines.

8. SIGNS: A reasonable number of political signs may be placed on your property within 30 days prior to elections and taken down one day after the election. One sign of not more than five square feet advertising the property for sale or rent may be displayed. One sign by a building renovator may be displayed during the period of renovation. No other signs will be permitted. One security sign may be displayed in the front yard. Beware of (type of animal) signs may be attached to the fencing.

9. HOLIDAY DECORATIONS: Holiday lights shall be allowed to be displayed during the winter months in accordance with the Municipality of Anchorage City of Lights program. Holiday decorations such as those specific to Halloween, Thanksgiving, Christmas or other religious holidays, etc. may be displayed during that holiday season,

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and must be removed not more than one week after the specific holiday. The Board may make exceptions due to weather, snowfall, etc.

10. NATURAL RESOURCE EXTRACTION: No natural resource extraction of any nature shall be permitted upon or in any lot or common area. Wells, tanks, tunnels, mineral excavations or shafts are also prohibited. No derrick or other structure for use in drilling shall be erected, maintained or permitted on any lot.

11. SNOW REMOVAL: Snow removal from the driveways and walkways of the condos shall be accomplished by the owners or tenants. All snow will be removed from the walkways and driveways immediately after the snow falls and shall be deposited on the side or rear yards. During heavy periods of snow the MCCA will attempt to make arrangements to allow owners to push the snow into the road for removal or have the snow removed from the side yards. The common area at the east end shall be the primary snow dump area if condo owners or tenants desire to remove their own snow. Owners with a fire hydrant are responsible for keeping the fire hydrant clear of snow. The snow shall be removed down to the ground level in a three foot radius of the fire hydrant.

12. PERSONAL ITEMS: No personal items will be stored in the common areas or on condo owner's property visible from the street. Personal items must either be stored inside the units or in the fenced yards. For example bikes, strollers, toys, dog crates, garden tools, tires, etc. must not be stored in the front yards or on porches, and must be stored behind the fence. Temporary building or yard material is permitted but must be removed as soon as the project is completed or 30 days whichever occurs first. Small, unobtrusive ornaments will be allowed as well as outside lawn or sidewalk lighting as long as the lighting does not exceed 18 inches.

13. SPEED LIMITS IN MCCA: Do not speed while in the common areas, for the safety of pedestrians and children playing. Use 5 MPH or walking speed as a rule.

B. ARCHITECTURAL CONTROL

1. ARCHITECTURAL CONTROL: No modifications to the outside of the structure shall be accomplished without the permission of the Board. Approvals will be based on the Declarations.

2. MAINTENANCE, REPAIR and REPLACEMENT: Each owner shall maintain, repair and replace, at his or her expense, all portions of his or her Unit, which includes and structure(s) built within the Unit and any fences constructed along Unit boundaries. Rights and responsibilities pertaining to maintenance and repair of Party Walls, roofs, and fences are contained in Article XXVII. If the Unit Owner fails to maintain and repair his or her Unit, including the yard, fences, pavement, and any other structure therein, to a standard established by the rules of the Association, the Association may, after Notice of Hearing, repair or maintain the Unit as needed to bring it up to the Association standards and access the Unit Owner therefore as a Common Expense.

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3. LANDSCAPING/YARD/DRIVEWAY: All lawns, trees, shrubs and other landscaping features shall be maintained properly in keeping with the neighborhood's general character, and in keeping with the goal of a well-maintained, neat neighborhood scheme. Driveways must be kept free of unsightly oil stains, spots/stains and will be resealed when the main road is resealed (approximately every 3 years). Specifically prohibited are desert or artificial landscapes (e.g. AstroTurf, etc.). All exterior statuary in the front yard area is also prohibited unless prior written approval by the Board has been obtained. Small statuary, no more than two items, and less than 24 inches high, are allowed on the concrete walkway. All statuary will be unobtrusive, neutral in color and not obscene. If any owner/tenant fails to maintain the premises in a manner consistent with the surrounding lots (i.e., watering, weed control, resealing, etc.), the MCCA Board pursue action in accordance with Article VII, Section 7.2 of the Declaration.

4. WATER AND SEWER: No individual well or water systems, or sewage disposal systems shall be installed or maintained on any lot.

5. FENCES: All fences will be constructed in accordance with the Declarations with the following exceptions: Fences can be constructed of wood like material, compressed wood or plastic but the finished product's appearance must conform to the Declarations and shall be natural wood, wood tone stain, or painted to matches the two exterior colors of the condominium. No chain link, hurricane wire, or other metal fences will be allowed unless they are entirely enclosed and hidden from view by an approved wood or wood substitute fence. No fence shall exceed six feet in height except as necessary to conform to the lot's topography. The fence framework must face the interior of the homeowner's lot when viewed from the street. Any fence constructed closer than 31 feet from the road must have Board approval except for side yard fences on end units.

6. EXTERIOR COLORS: No owner shall change or alter the exterior color(s) of any structure situated within or forming part of such lot or living unit unless written application is submitted to and approved by written endorsement thereon by the Board. Color samples must be submitted with the original request for approval.

NOTE: Repainting the house in the same colors does not require Board approval. All rain gutters will be painted the same color as the paint scheme of the building.

7. REPAIRS: All exterior repairs should match the material and colors of the original design or other previously approved modifications to the extent that is possible. Any repairs that change the original design or other previously approved modifications require approval by the Board.

8. EXTERIOR CHANGES: In addition to exterior color changes, no other exterior change of any kind, including but not limited to additions or alterations to any structure, wall or approved fence shall be commenced, erected or maintained upon any lot or living unit until the plans and specifications stating the nature, kind, shape, height, materials and location of the same shall have been submitted to and approved, as to conformity and harmony of exterior design and location with existing structures, by endorsement thereon,

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by the Board. The addition of outside security lights, security systems components or any temporary flags, plant hangars or ornament as allowed as long as they are maintained and in good taste.

9. SIGHT LINES: No fence, wall, hedge or shrub planting which obstructs sight lines at elevations between two and six feet above the roadways shall be placed or permitted to remain on any corner lot. "Sight line" is defined as the viewing angle required to clearly view oncoming traffic in both directions when approaching the east and west end of the MCCA. No trees shall be permitted to remain within such distances of intersections unless the foliage line is maintained at sufficient height to prevent obstruction of sight lines. Trees planted in the front yard are allowed but the owner must be aware that this may prevent snow removal from their yard and may cause damage to the driveway and road. Owners are responsible for maintaining all grass, shrubs, plants, trees, etc. in a neat and orderly appearance. Any damage to the driveway or road will be the owner's responsibility to repair.

11. NEWSPAPER BOXES AND TUBES: No newspaper boxes or tubes are allowed.

12. BUILDING PERMITS: It is the owner's responsibility to obtain any and all building permits and clearances that may be required by the Municipality of Anchorage or local utility companies.

13. BASKETBALL HOOPS: Garage hoops and/or permanently mounted hoops are prohibited. Free-standing hoops are permitted during the snow free months provided they are well-maintained and their use does not constitute a nuisance with respect to the quiet hours specified in paragraph A-4 of these House Rules. Free-standing hoops must be removed and stored so as to be completely hidden from view from a public street during the winter months.

C. COMMON AREAS

The MCCA Common Areas are owned by the Association for the common use and enjoyment of the owners and tenants. Our goal is to provide a safe, clean and nice area for your enjoyment. Every MCCA owner shall have a right of easement and enjoyment in and to the Common Areas. The MCCA shall establish and enforce reasonable rules and regulations for the use of the Common Areas.

The following rules and regulations have been adopted for the use of the Common Areas:

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- 1. STRUCTURES:** No fencing, outbuilding of any kind, tent, shed, trailer, or other temporary or permanent building or structure may be erected or maintained on any Common Area unless approved by the Board. The only exception shall be certain park type improvements, or for security reasons, for the use and enjoyment of all owners as may be determined by the Board.
- 2. GARDENS:** No gardens may be built or maintained in the Common Areas.
- 3. STORAGE:** No storage of owner's property of any kind, to include vehicles, is permitted in the Common Areas. Storage of MCCA property is allowed.
- 4. DEBRIS:** No grass clippings, leaves, pruning, garbage or other trash may be deposited in any Common Area. Members using the common are required to clean and remove any and all matter in which they brought into the common area to include garbage, toys, bicycles, etc. Any garbage produced will be deposited in the trash receptacles of the homeowner using the facilities
- 5. ALTERATIONS:** No alterations of any landscaping or plantings, including tree thinning, may be done in the Common Areas without approval of the Board.
- 6. VEHICLE ACCESS:** No vehicle may access a lot by traversing across any Common Area without prior permission of the Board. Permission may be granted subject to indemnification by the owner for any required repairs to the grass and landscaping.
- 7. FORBIDDEN VEHICLES:** Snow machines, ATV's, and all other off-road motorized vehicles are strictly forbidden from operating in the Common Areas. Any vehicle parked on the Common Area may be removed at the owner's expense, per the guidelines in this article
- 8. RECREATIONAL EQUIPMENT:** No permanent or seasonal recreational equipment may be installed or set up in the Common Areas without approval of the Board.
- 9. PETS:** Pet owners are advised the Common Areas are to be for the enjoyment of all owners. Animals must be trained and under the control of their owners at all times. Animals should be trained not to defecate or urinate on the Common Areas or on any other homeowner's lot. Pet excrement is to be promptly removed by the animal's owner.
- 10. NUISANCES:** No noxious or offensive activities shall be carried on within any Common Area, nor shall anything be done thereon which may be, or may become, a nuisance or cause unreasonable embarrassment, disturbance or annoyance to other owners in the enjoyment of the Common Areas or their own lots.
- 11. FIRE LANE:** The entire length of melody Commons Court is considered a fire lane. Keep the road clear at all times. The paved area may be used for activities like skating, biking, walking, etc.

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D. VIOLATIONS AND ENFORCEMENT

1. Any homeowner or tenant may report a perceived violation directly to the Board either through the US mail or verbally to a Board Member. Please ensure all details are factual and provide specifics like dates, times, condo address, names, and/or license plate numbers.
2. In the event that an owner is out of compliance with the Declaration and/or House Rules of the association, the following actions will be taken at the discretion of the Board.
 - a. The homeowner will be sent a letter stating the violation with a request that the issue be resolved. If time is of the essence, verbal notification by a Board member will suffice as notification.
 - b. If the violation is uncorrected after (3) days, a MCCA Notice of Violation will be sent via certified mail to the violating owner. If owner is attempting to resolve the issue and needs additional time the owner needs to inform (verbally or in writing) a member of the Board.
 - c. If the issue is not resolved within (5) days from the date of the Notice of Violation being received, the owner will be asked to attend a hearing. The date and time of the hearing will be on the MCCA Notice of Violation.
 - d. If the owner fails to attend the hearing, or a solution is not reached, a MCCA Notice of Assessment may then be sent via certified mail to the violating owner assessing that homeowner a fine.
 - e. A fine of \$100.00 per violation of the Declarations and/or House Rules of the association may be levied against the owner at the discretion of the board. Failure to pay this fine or correct the violation within 30 days will result in a second fine of \$100.00 and fines will continue every 30 days until the issue is resolved. The Board reserves the right to increase the fines substantially for any violations that are continually repeated which is defined as occurring more than twice in a one month period. Fines of up to \$500.00 may be levied. Any additional costs to management or legal fees will be the responsibility of the homeowner. Failure to pay is also outlined in the declaration and may result in foreclosure on the unit by the MCCA.

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3. Exceptions to the above prolonged process. Any issue that imposes a danger, is illegal, or causes a disturbance or an unsanitary situation will be dealt with by the Board immediately. A director will attempt to contact the owner by phone but if the owner is unavailable or will not take immediate action, the Director will solve the situation immediately and any cost will be born by the condo owner(s). Examples are: leaving garbage outside for a prolonged period, parking vehicles in the fire lane or on MCCA property or in the fire lane, loud noises such as stereos or parties. Per the fire department, any vehicles parked on the fire lane are subject to immediate towing without any notification.

E. LATE FEE POLICY

1. A late fee of \$25.00 will be imposed if the MCCA or the current management company fails to receive the payment by the end of the month. The bills are sent out on the 1st of each month and are due by the end of the month in which the bill is sent.

F. GENERAL ADMINISTRATIVE RULES :

The goal of the Board is to work with the homeowners to resolve all violations in an expeditious and amenable manner. These rules can be modified based on input and requests from homeowners and shall be reviewed annually. These House Rules were adopted by the Board of Melody Commons Condominium Association on September 12th, 2006

