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Rules and Regulations of Oak Creek Homeowners Association  
12/01/2023

It is important that we preserve and hopefully increase the property values of our homes at Oak Creek Townhomes. The living and architectural style that Oak Creek represents should also be preserved. The goal of these Rules and Regulations is to provide reasonable, practical guidelines for the operation of Oak Creek. Residents and guests are obligated to comply with these Rules and Regulations and the Association's Governing Documents. The Board of Directors of the Association has approved this document and, in accordance with Section 5.6 of the Declaration, reserves the right to revise and or add rules and regulations as deemed necessary. The terms used in the Rules and Regulations have the same meanings as set forth in Section 1 of the Declaration. References to the Association mean the Board acting for and on behalf of the Association.

Any requests for exceptions to the following Rules and Regulations must be submitted in writing in advance for review by the Association.

Any complaints regarding a resident's violations of the Rules and Regulations should be submitted in writing for review by the Association.

**The preferred method is to contact us online. Visit our support landing page at [mnsupport.fsresidential.com](https://mnsupport.fsresidential.com) and click on “Submit a Request”**

Violations to the Rules and Regulations will be subject to fines

being imposed by the Association as per Section 14.2d of the Declaration of Oak Creek Homeowners Association.  
See Pg 15.

(See Exhibit A: Information/Services Request)

## GENERAL REGULATIONS

1. Residents must comply with laws, ordinances and regulations of any governmental authority. If charged with a violation by a governmental authority the residents shall indemnify and hold the Association, other Owners and Residents harmless from all fines, penalties, costs, attorney's fees or prosecution resulting from the violation.
2. Owners and Residents are responsible for the behavior, welfare and safety of their families, guests and tenants while at Oak Creek Townhomes. In Particular, Owners and Residents should be aware of children's welfare and safety in relation to garage areas, driveways and vehicular traffic in general.
3. Speed limits are restricted to **15 MHP** within the development.
4. Be Considerate of your neighbors. Conduct that disturbs other residents is prohibited regardless of the time of day or night.
5. Any damage to the property of Oak Creek Townhomes resulting from misuse shall be paid for by the responsible Owner or Resident.
6. Those employed by the Association are to take direction only from the Board of Directors. Owners and Residents may not send any employee of the Association on any personal business or direct an employee with respect to any matter relating to Oak Creek Townhomes.
7. No one may conduct business or commercial activity at Oak Creek Townhomes, except as detailed in the Declaration Section 7, Restrictions on Use of Property item 7.4.
8. Sanitation procedures are especially important due to the close proximity of each residence. Garbage and refuse should be sealed in leak proof trash bags and placed in your brown receptacle and recyclable items should be placed in your blue receptacle. Items

placed outside of the provided receptacles **will not** be picked up. To maintain a neat and clean appearance within our Association, trash

### General Regulations (continued)

9. Receptacles and recycle containers may not be placed around any unit and must be kept in the garage except on garbage pickup day.
10. Flammable substances may not be kept on the property except in safe containers. No inherently dangerous items such as explosives may be kept at Oak Creek Townhomes at any time.

## **USE OF COMMON ELEMENTS**

1. You are required to use your best efforts to prevent the Common Elements from becoming cluttered and unsightly.
2. Personal property may not be stored, displayed or otherwise left on the Common Elements (including Limited Common Elements).
3. Walkways, stairs and driveways and other portions of the Common Elements used for access to and from the Townhomes or parking areas, may not be obstructed or used for storage of Trailers, Boats, Recreational Vehicles and any other recreational items.
4. Residents and their guests may not interfere in any manner with the common utilities, equipment, systems or structures on the Oak Creek Townhomes property.
5. In order to preserve the aesthetic character and beauty of the property, all originally installed plants, trees, landscaping and topsoil should be left undisturbed.
6. Firearms or air guns or other devices capable of hurling dangerous projectile may not be used on the Townhome Property.
7. All Residents are required to refrain from loud and boisterous activity or equipment use, in deference to other residents. The use of shop vacuums, leaf blowers, snow blowers, saws, etc. is restricted to 8AM to 9PM.

## **USE OF DECKS AND PATIOS**

1. Decks and patios are intended for the quiet use and enjoyment of the Owners and Residents of the Units on which they are located. Loud or otherwise disturbing activities on the decks and terraces are prohibited.
2. Decks and patios are intended for personal recreational use, and may not be used for storage or other purposes except for seasonal furniture and approved grills. Seasonal plants may be kept on decks or patios in season in leak proof containers.
3. No person shall kindle or permit a fire or open flame on a balcony of any apartment, condominium or other similar structure or within ten feet of such structure in a portable device used for heating, lighting or food preparation; nor shall any person leave or otherwise store such a device on or in a balcony of any such aforementioned structure, except as follows:
4. Exception: Approved electric or gas fired barbeque grills that are permanently mounted and wired, or plumbed to the structure's gas supply or electrical system and that maintain a minimum clearance of 18 inches on all sides. Approved appliances of lesser clearances may be installed based on the manufacture's recommendation for use on balconies and patios.
5. Decks are not to be used for laundry purposes. No clothing is to be placed on the deck railings in view of others, for any purpose.

## **EXTERIOR ALTERATIONS/ DISPLAYS**

1. Radio, CB, television antennae or any other electronic devices, may not be installed on the exterior of a Townhome or anywhere else on the Common Elements, or under circumstances that involve physical alteration of any structure or building at Oak Creek Townhomes.
2. Satellite TV dishes allowed if installed as per the "Rules and Guidelines for Satellite Dish Installation at Oak Creek Townhomes". See Exhibit C attached)
3. Identification, signs or displays of any kind may not be placed anywhere at Oak Creek Townhomes except as follows: A small self contained "For Sale" sign (approximately 2' x 2') placed in front of the Townhome is allowed. For Sale signs hung on a post are not allowed.
4. Residents of Oak Creek Townhomes may not alter, impair, or remove any part of the Common Elements, nor alter, paint stain or otherwise change the color, structure or appearance of any portion of the Common Elements or any Townhome.
5. No additional buildings, tents, awnings, shelters, additions, enclosures or structures of any kind, temporary or permanent, can be placed, erected, kept or maintained at Oak Creek Townhomes.
6. No stakes or poles are to be placed on any part of the Common Elements, for the purpose of attaching birdhouses, feeders, dog restraints or hanging baskets. Potted plants are permitted on your steps and in the rock areas around your Townhome.
7. Owners and Residents are not to add any exterior fixtures or make any other exterior changes to their Units. If any such changes are made without prior approval the Association, the Association has the right, but not the obligation, to implement any of the remedial actions contained in Section 12.2 of the Declaration, which includes a lawsuit to enjoin or remove the unapproved exterior fixtures by the Association or the Owner.

## **UTILITIES**

1. Each Owner is responsible for the maintenance, repair, replacement and charges relating to public utilities or other similar services metered solely to his/her Unit.

## **WINDOW TREATMENTS**

1. Appropriate window treatments such as curtains, drapes or blinds are to be in place within sixty (60) days of occupancy. Sheets, blankets, towels etc. are not permitted.

## **SEASONAL DECORATIONS**

1. Seasonal decorations (holiday lights, flags etc.) are allowed on the outside of the buildings provided they do not cause any damage to the structure of the building. All holiday items must be removed within 30 days after the holiday.

## **HOMEOWNER'S MONTHLY ASSESSMENTS**

1. Monthly assessment payments are due the 1<sup>st</sup> of each month. A late fee of \$20 will be assessed if payment is not received by the 15<sup>th</sup> of the month.

## **RENTAL POLICIES**

1. Rentals at Oak Creek townhomes shall be allowed in accordance with and subject to the conditions of the Declaration.
2. A unit is not considered a rental if it is the primary residence of at least one of the owners.
3. No resident shall rent a townhome unit without Tenant Screening from the management company. A copy of the written lease and a signed rules agreement statement must be provided to the management prior to the renter taking possession.
4. Failure to provide required rental documents (lease, renter signatures accepting rules, addresses, phone numbers, pet information, and car information) and/or failure to follow policies (e.g. background checks) shall obligate the unit owner to pay up to \$500.00 in penalties. The HOA Board reserves the right to use all legal remedies available to the HOA as provided in the Declaration and By-Laws.
5. Owners will be **REQUIRED** to evict tenants who repeatedly violate the Oak Creek HOA rules and regulations, or who cause repeated problems, complaints, and/or create police activity.

### **Background Check and Application Procedures (if rental approved by HOA Board)**

- I. The townhome owner will provide all potential renters over 18 years old with an application provided by the management company. Please note that relatives of an owner are **NOT** excluded from background checks. When the application is completed and signed, it will be given to the management company along with the applicant's photo ID.
2. Each potential tenant will complete the online Tenant Screening Application and pay an application fee of \$78 per person at the time of their application.

3. Once they have completed the online application, the applicant will receive a confirmation email which they can forward to the Homeowner to show that they have completed the online application. When the application has been processed, the management company will provide the townhome owner with an approval or denial letter. Denial will result with any of the following convictions:
  - Felony within the past 10 years
  - Crime against a person within the last 7 years
  - Crime against property within the last 7 years
  - Drug offenses within the last 7 years
  - Multiple arrests within the last 7 years
  
4. Each lease shall include:
  - A provision restricting the total number of vehicles to not more than four (4) with first two (2) required to be parked in the garage (per rules).
  - A provision that the renter(s) shall abide by all rules and regulations of Oak Creek Homeowners Association.
  - A provision that any breach of the rules and regulations of Oak Creek Homeowners Association is a breach of the lease/rental agreement.
  - A provision acknowledging that that a townhome is limited to four (4) adults or less in a unit.
  
5. All rules, regulations, and restrictions of Oak Creek Homeowners Association apply to all renters/occupants. The management company shall provide a current copy of the Rules and Regulations, and renters must sign that they have read the rules. This document will be required.
  
6. Owners who choose to lease their townhome unit shall provide the following documents and submit an annual fee of \$100 to the management company prior to occupancy by new tenants. The documents shall include:
  - A copy of the signed lease and the signed renters' rules agreement.
  - The current address and phone number of the owner.
  - The name(s) and telephone number(s) of the renter and all occupants.
  - The number, type and description of pets, if any, residing in the unit.
  - The make, model, and license number of each motor vehicle owned or used by the renter/occupants.

## **MOTOR VEHICLES AND PARKING REGULATIONS**

1. For the Safety of all residents and guests, please drive slowly and carefully on Oak Creek streets. The speed limit is **15 MPH**.
2. Garages and parking areas on the property shall be used only for parking of vehicles owned or leased by Owners and Residents and their guests.
3. Garages shall not be converted for other uses or used for storage or other purposes which would prevent the parking of two automobiles in a garage or one automobile for one automobile Resident(s).
4. Residents with more than two automobiles may park the additional automobiles (over two) on the driveway.
5. Common element parking areas are to be utilized for guest parking only, and are not to be used by residents.
6. When utilizing the driveway or common element parking areas, Residents are responsible for clearing the snow from these areas within 24 hours of any snowfall. Failure to remove the snow will result in the Association contracting for the snow removal at the owner's expense.
7. Inoperative vehicles may not be left anywhere at Oak Creek Townhomes, except in their owner's garage. All vehicles parked in the Association must have current registration and license tags.
8. The parking of recreational vehicles, boats, snowmobiles, trailers, etc. on driveways and common element parking areas is prohibited. Small boats may be parked in your garage between April 1 thru October 1, with Board approval as long as these do not prevent parking all autos in your driveway and not guest parking.
9. Overnight parking is prohibited on the streets within Oak Creek Townhomes.

Motor Vehicles and Parking Regulations - (continued)

10. As per Section 7.7 of the Declaration, the use of garages, driveways and other parking areas on the property, and the types of vehicles and personal property permitted thereon, shall be subject to regulation by the Association, including without limitation the right of the Association to tow illegally parked vehicles or to remove unauthorized personal property

## ANIMALS

Following are the only animals permitted at Oak Creek Townhomes.

1. Domesticated cats, fish or birds may be kept by the Owner or Resident in your own Townhome, subject to these rules and regulations. Birds and fish shall be kept **in** appropriate cages or tanks in the Townhome.
2. Domesticated dogs are permitted, but must be registered with the Association as of the date of purchase of the Townhome, or subsequent acquisition of the dog, on the attached form (Exhibit B).
3. The Board has authority to further regulate dogs and other animals and to change these Rules and Regulations to prohibit dogs in future situations subject to the rights of existing dog owners and to rights of handicapped persons with respect to qualified "service animals".
4. **Each Townhome is limited to a maximum of two (2) domesticated dogs or cats, to wit: two dogs, or two cats, or one dog and one cat.**
5. Any permitted animal must be housed and maintained exclusively within the Owners/Residents Townhome, except when under the direct control of the owner.
6. Owners are responsible to pay for any damage to Oak Creek Townhomes property caused by their animal, and to hold harmless and indemnify the Association and its members against any loss, claims or liability arising out of any act of the animal.
7. Permitted pets may be walked on the Property only in accordance with local leash laws. The pet's owner shall immediately retrieve and dispose of solid waste left anywhere on the property.
8. Any repeated or prolonged disturbance by an animal, such as noise, odor, waste or threatening or nuisance activity, will be cause for imposition of a fine on the animal's owner and/or the removal of the offending animal from Oak Creek Townhomes.

## Animals - (continued)

9. Decisions concerning the removal of an animal shall upon written request of the animal's owner, be made by the vote of the Owners at a meeting of the Association called and held at the animal owner's expense.
  
10. Animals may be walked in areas of Oak Creek Townhome, and leash laws must be observed. No Animal may be tied, leashed or otherwise left unattended outdoors at any time.

## **ADMINISTRATION**

We solicit your input regarding the operation of our community. Comments and complaints regarding the operation of Oak Creek Townhomes, or violations of our governing rules, should be made in writing to ACT Management, Inc utilizing the attached form (Exhibit A). Complaints will be regularly and uniformly processed by the Association.

1. Waivers from the provisions of these Rules and Regulations for specific situations may be granted by the Association for good cause shown if, in the judgment of the Board of Directors, such waiver will not violate the Governing Documents or Rules and Regulations, or interfere with the rights of other Owners or Residents. Waivers will not be granted unless emergency or highly extenuating circumstances exist.
  
2. The Board of Directors has the authority to amend these Rules and Regulations, and make such other Rules and Regulations from time to time as it deems necessary for the use, safety, care and cleanliness of Oak Creek Townhomes and for securing the common comfort and convenience of all residents.

## VIOLATIONS

1. To carry out the purpose and goal of these Rules and Regulations, and to provide for continuity in enforcing these Rules and Regulations and the Governing Documents, we must recognize the need for certain controls, and for voluntary compliance with the Rules and Regulations and the Governing Documents by the Owners and Residents.
2. The Board of Directors is authorized to take various remedial measures. Those remedies include, but are not limited to, commencement of legal action for damages or an Injunction in court, imposition of late charges for past due assessments, imposition of reasonable fines for each violation, and the suspension of the use of any Common Element amenities by any Owner and Resident or their guests. Please refer to Section 14.2 of the Declaration for the remedies available to the Board of Directors for violations. The offending party may also be assessed for attorneys' fees and costs incurred by the Association for enforcement.
3. In accordance with the above, violations will be addressed as follows:
  - 1<sup>st</sup> Violation - Warning notice
  - 2<sup>nd</sup> Violation - \$25.00 fine
  - 3<sup>rd</sup> Violation - \$50.00 fine
  - Continuing Violations - the amount of the last fine +\$25.00
4. Prior to the Board of Directors imposing a fine for any violation, the Board of Directors shall, upon written request from the offending Owner, grant the Owner a fair hearing. Notice of the nature of the violation and right to a hearing will be given and the offender will have at least ten (10) days within which to request a hearing before the Board of Directors or a hearing committee. The hearing will be scheduled by the Board of Directors and held within thirty (30) days of receipt of a hearing request by the Board, and with at least ten (10) days prior written notice to the offender. Please refer to Section 14.3 of the Declaration for a complete discussion on the rights of an Owner prior to the imposition of a fine.

Violations (continued)

5. Any fine imposed by the Board of Directors for violation of these Rules and Regulations shall be a lien against the Townhome of the offending Owner and the personal obligation of such Owner, in the same manner as a lien for common expense assessments.

**REFERENCES TO THE DECLARATION**

Page 2 - Section 14.2d	Sanctions and Remedies, Fines
Page 3 - Section 7.4	Business Use Restricted
Page 7 - Section 14.2f	Sanctions and Remedies, assess costs
Page 9 - Section 7.7	Parking
Page 14 - Section 14.2	Sanctions and Remedies
Page 14 - Section 14.3	Rights to a Hearing

**Exhibit A**  
Rules and Regulations of the Oak Creek Homeowners Association

**Oak Creek Homeowners Association**

**Information/Services Request**

**Visit our support landing page at [mnsupport.fsresidential.com](https://mnsupport.fsresidential.com) and click on “Submit a Request”**

You may also reach us by calling our Customer Care Center at **952-277-2700**.

**After Hours Emergency: 952-277-2700 (Press 9 for emergency)**

**Medical/Fire Emergency: 911**

**Exhibit B**  
Rules and Regulations of Oak Creek Homeowners Association

**Oak Creek Homeowners Association**  
**Dog Registration Form**

Please return to [info.mn@fsresidential.com](mailto:info.mn@fsresidential.com)

Please use this form to register your dog(s) according to the Association's Rules and Regulations.

Owner/Occupant: \_\_\_\_\_

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

\_\_\_\_\_

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

Number of Dogs: \_\_\_\_\_

Name of Dog(s): \_\_\_\_\_

\_\_\_\_\_

Breed of Dog(s): \_\_\_\_\_

\_\_\_\_\_

## Rules and Guidelines for Satellite Dish Installation at Oak Creek Townhomes

The purpose of this document is to set rules and guidelines that must be followed to install a satellite dish to the exterior of any Oak Creek Townhome. These rules apply to both homeowners, and to individuals that lease. If the rules are not followed, the responsible individual will be expected to pay for the damages occurred, and the satellite dish will be removed.

- The homeowner or lessee must get approval from the Board of Directors before a dish can be installed. This is in the Rules and Regulations document (Exterior Alterations/Displays #1).
- Satellite dishes may not exceed 24" in diameter.
- The preferred method of installation is to put the dish close to the peak of the roofline, and to run the cables through a roof vent into the attic of the unit.
- The mounting must be waterproof to the roof. Any water damage is the responsibility of the homeowner/lessee.
- If the dish has to be mounted lower on the roofline, the cables must be concealed and fastened running down the side of the building.
- The cables must enter one spot into the building close to the other utility cables.
- Under no circumstances will holes be drilled on the exterior of the building for individual lines to be brought to receptacles inside the building.
- All cables must be concealed and fastened to the building. No cables can be left on the ground or any area next to the building.
- Any splitter or distribution box must be inside the building, not fastened to the exterior of the building.

