

2025

Fenway Park Townhomes Homeowners Association Rules and Regulations Handbook



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1. INTRODUCTION

The Fenway Park community is diverse, composed of homeowners, tenants, professionals, students, and families. This variety of lifestyles makes Fenway Park a unique community. A neighborhood, situated in a townhome development requires cooperation. Consideration for the community as a whole is very important. In order to assist residents in living together peacefully, the Fenway Park Townhomes Homeowners Association (Board of Directors) has compiled this handbook.

This handbook contains Rules and Regulations which govern living in our townhome community along with procedures residents should follow in the event of a problem. Rules and Regulations contained in this handbook are based on local town ordinances and the Declaration of Covenants, Conditions, and Restrictions, Articles of Incorporation, and Bylaws for Fenway Park and have been adopted by the Board of Directors as the Rules and Regulations for Fenway Park. These Rules and Regulations are not intended to replace the above mentioned documents but serve only to enhance them. These Rules and Regulations were adopted to further assist with the mandate of the Declaration to provide "for the efficient preservation of the values and amenities" in Fenway Park. Compliance with these Rules and Regulations are not voluntary.

1.1 Authority Article X Section 4 of the Declaration of Covenants and Restrictions states: "The Board of Directors shall have the authority to adopt rules for the use of the Common Properties and shall furnish a written copy of said rules to the owners. Any violation of such rules shall be punishable by fine and/or suspension of the voting rights. "

Article X Section 1 states that the power and duty of the Board of Directors includes: "(D) To adopt and publish rules and regulations governing the use of the common properties and facilities and the personal conduct of the members and their guests thereon."

1.2 Adoption The Board of Directors hereby adopts this handbook and future amendments hereto, including the rules and regulations herein, as the Rules and Regulations of the Fenway Park Homeowners Association.

1.3 Compliance As specified in the Declaration and enumerated above, compliance with these Rules and Regulations is not voluntary. Unless specified otherwise, the penalty for violation of these Rules and Regulations shall be the suspension of voting rights for a period of not less than thirty days or a fine of \$50.00, or both. In addition, the Association may pursue an action in equity or at law for compliance with these Rules and Regulations.

2. GENERAL INFORMATION

MANAGEMENT COMPANY:
Community Focus of NC, Inc.
P.O. Box 52395
Durham, NC 27717

Josh Lindgren
Phone: 919-564-9134
Web: www.communityfocusnc.com

BOARD OF DIRECTORS:
Board of Directors are elected each fall at the Annual Meeting based on their term.
Carla Sauer, President – sauer3154@bellsouth.net
Monica Richard, Secretary/Treasurer – fenway4289@yahoo.com

EMERGENCY NUMBERS:
POLICE (NON EMERGENCY) 919-918-7397
POLICE/AMBULANCE EMERGENCY 911

OTHER NUMBERS:
This information is provided to assist homeowners/residents in locating essential services.
It is not a complete listing of all service providers in the area.

Animal Control	919-942-7387
Spectrum Cable Sales Support	855-243-8892 855-707-7328
Drivers Licenses (Division of Motor Vehicles) Address must be changed within thirty days.	919-715-2000
Duke Energy (Electric) 24 hour Customer Service	800-POWERON 800-777-9898
Enbridge North Carolina (Gas) – Dominion Energy	866-366-4357
DMV License/Plate Agency 104 W NC 54, Suite D, Carrboro, NC 27510	919-521-8600
Orange County Government Offices (Hillsborough)	919-732-8181
Orange Water and Sewer Authority (OWASA)	919-968-4421
US Post Office (Carrboro)	919-968-4573
AT&T	800-331-0500
Town of Carrboro	919-942-8541

Frequently Asked Questions

Are we condominiums?

No, you own the land under as well as the part of the building that is your unit, so it is considered a townhome and not a condominium.

How do I contact the Board?

Write the Board of Directors c/o Community Focus of NC, Inc., P.O. Box 52395, Durham, NC 27717.

What if I have a question or issue with my account balance?

For balance information you can call, make request on management website, email info@communityfocusnc.com or call the Management Company at (919) 564-9134.

If you need a copy of your account ledger you may make a request at the above phone number. All other questions must be in writing to the Board.

Unit Sales

What do I need to do if I decide to sell my unit?

Gather all pertinent information, typically:

- Copy of latest budget information mailed to your previously
- Copy of any recent letters/notices from the Association
- Copy of Fenway Park Rules and Regulations Handbook
- Copy of the Governing documents (Articles of Incorporation, Declaration, By-Laws). If you have misplaced the set of documents that you received at your closing, your listing agent or you can obtain a set at the Register of Deeds.
Note: It is the responsibility of the buyer's closing attorney to provide the official set of governing documents to the buyer.
- Provide all pertinent information to your real estate agent.
- Do not refer agents or prospective buyers to the Board or Management Company.
- The Association charges a transfer fee of \$100 for all unit sales.

What if a buyer needs a "lender form" filled out?

If the buyer needs to have a lender form filled out, have the lender call and mail the form to the Management Company along with a check for \$50. The Association will return the form directly to the lender – not a third party.
Note: The Association charges a \$50 fee for refinance assistance to current owners.

Does the Association have an annual termite inspection?

Yes. If a buyer wants a statement of responsibility from the Association they must submit a written request to the management company.

Note: Do provide the phone number of the Management Company (919) 564-9134 for use by the closing attorney. The attorney will call a few days prior to closing for a statement on any outstanding assessments and fees.

3. GENERAL HOMEOWNER ASSOCIATION INFORMATION

The Fenway Park Homeowners Association, Inc. is a legal entity comprised of the property owners within the Fenway Park Community. The Association has been in existence since March 25, 1986 for the purpose of enhancing and protecting the value, desirability, and attractiveness of the property. Including maintenance of the exterior of the buildings, the Association also maintains the parking area, common areas and grounds.

Policies and procedures of the Association are set forth in the Declaration of Covenants, Articles of Incorporation, and Bylaws. The Board of Directors, relying upon these documents, makes rules and regulations and provides for the operation of the Association. Committees of homeowners and residents are appointed by the Board of Directors to work with specific areas of concern. A management company is retained to provide the day to day administrative duties for the Association. The management company reports directly to the Board of Directors.

3.1 Legal Documents Several legal documents provide for the existence of the Fenway Park Homeowners Association. In addition to existing statutory provisions regulating administrative requirements of not-for-profit corporations, the following documents provide the legal standing of the Association. Amendments to these documents are voted on by the Membership.

- 3.1.1 Declaration of Covenants and Restriction. This document, and its amendments, are on file in the Orange County Register of Deeds office and are a binding covenant against each individual Lot.
- 3.1.2 Articles of Incorporation. This document creates the legal entity known as the Fenway Park Homeowners Association. It is on file in the Office of the North Carolina Secretary of State.
- 3.1.3 Bylaws. This document provides for the operation of the Homeowners Association.
- 3.1.4 Copies of Documents. In addition to other sources, copies of these documents referenced above may be obtained from the Management Company.

3.2 Membership Membership in the Association is afforded to any person who is an Owner of a Lot subject to an assessment by the Association. Membership is mandatory.

- 3.2.1 Meetings of Members. The membership of the Association meets each fall. Each Member receives advanced notification of this meeting.

3.3 Board of Directors The Association is governed by a three member Board of Directors. The Board Members are volunteers. They contribute their personal talents and expertise and illustrate commitment to a quality standard of living in our community. Please contact the Management Company to express interest in becoming a Board Member.

3.3.1 Election. New Directors are elected by the Association Membership each year at the Annual Meeting of Members.

3.3.2 Meetings of Directors. Meetings of the Directors are held on a regular basis and are open to the Membership. Please contact the Management Agent for a schedule of meetings. Members wishing to address the Board of Directors may do so prior to each meeting. Advanced notification is required.

3.4 Committees Committees are established by the Board of Directors to manage ongoing procedures and address specific issues.

3.5 Management Company The Board of Directors has selected a community association management company to provide the day to day administrative operation of the Association. The Management Company carries out the decisions of the Board of Directors. In addition to other duties, the Management Company collects the monthly assessments, pays bills, oversees contractors used by the Association, and facilitates correspondence. All suggestions, comments, complaints, or other business of the Association should be communicated directly to the Management Agent. As necessary and appropriate, communication is made to individual homeowners, the Board of Directors, the Membership at large, contractors, etc.

If for some reason a homeowner is dissatisfied with any action of the Management Agent, the homeowner should express his or her concerns, in writing, to the Board of Directors. Please address your comments to the Board of Directors, in care-of the Management Company. You will receive immediate response indicating receipt of the correspondence.

Fenway Park Board of Directors
c/o Community Focus of NC, Inc.
P.O. Box 52395
Durham, NC 27717

4. MONTHLY ASSESSMENTS

As provided by the legal documents, assessments are collected in the following manner:

- 4.1 Due Date** Monthly assessments are due on the first of each month.
- 4.2 Form of Payment** Personal checks are accepted at the discretion of the Management Company. Checks should be made payable directly to the Fenway Park Homeowners Association at P.O. Box 52395, Durham, NC 27717. You can also pay at the Management Company's website www.communityfocusnc.com
- 4.3 Delinquency** Assessment payments are delinquent if not received by the last day of each month. To encourage payment, the following delinquency policy has been implemented.
- 4.3.1 Assessment payments are due by the first of month.
 - 4.3.2 Homeowners delinquent in their assessments shall be assessed a \$20.00 late fee each month the monthly assessment amount is not paid by the end of the month.
 - 4.3.3 All accounts that exceed 60 days overdue are subject to litigation. A judgment may be sought against the owner.

5. MAINTENANCE

- 5.1 Common Areas** Property owned by the Association is maintained by the Association. This includes roofs, vinyl siding, parking areas, signs, and the lawn areas. Homeowners should not provide maintenance to these areas or make improvements or changes without prior approval of the Association.
- 5.2 Exterior Building Surfaces** The Association will clean gutters and blow off debris from roofs. The individual unit owner is responsible for maintenance and/or replacement of and not limited to: painting shutters and front doors, wood porch railings, decks, windows, glass, doors, light fixtures, hose bibs, gutters and downspouts, dryer vents, ac and heating units and lines, condensation lines, drain lines, window screens, moisture in crawl spaces, fallen insulation etc. Debris, leaves, etc. on decks and porches should be removed and kept clean by the owner or tenant.

- 5.3 Interior Maintenance** All interior maintenance is the responsibility of the homeowner. This includes doors, post lights, doorbell systems, door knobs, ceilings etc. except when such items are damaged as the result of work of contractor's obtained by the association.
- 5.4 Termite Protection** The Association provides an annual termite inspection and treatment. Homeowners must provide access to the crawlspace beneath their townhome for this inspection and treatment. A notice will be sent prior to the inspection.
- 5.5 Mailboxes** The exterior of the mailboxes are maintained by the Association. If the mailbox units are replaced, homeowners will be provided with the keys to the new lock.
- 5.6 Keys** The Association and the Management Company will not provide storage for spare or extra keys or maintenance to locks to individual units.

6. INSURANCE

- 6.1 Association Provided** The Association provides the following insurance:
- 6.1.1 Public Liability This coverage is for injury caused on the Common Property or in some other way as a direct result of the negligence of the Association or its agents.
 - 6.1.2 Property This coverage is for damage caused to improvements to real property owned by the Association. It does not cover damage to the buildings.
 - 6.1.3 Directors and Officers D&O coverage protects the Board of Directors and Committee Members in the case of an error or omission on their part while performing in their capacity as a Director or Committee Member.
- 6.2 Homeowner Provided** Each homeowner must maintain proper "homeowner coverage." This includes coverage of the structure and contents and protection in the event of a liability on the part of an Owner.
- 6.3 Tenant Provided** Although not required, tenants are strongly encouraged to obtain renters insurance so that their personal possessions are protected. Neither the Association's nor most Owners insurance will protect tenant's possessions.

7. LEASING

Leasing is defined as the use of the townhome by children, relatives of the owner, or any individual who is not the owner, when the owner is not a permanent resident within the townhome.

- 7.1 Leases** In all cases, landlords are encouraged to have a property drawn lease. Although the Association has no preapproved restriction for leases, owners should include a provision that the tenant(s) must abide by all conditions of the Declaration and Rules and Regulations.
- 7.2 Enforcement** Tenant(s) and their guests must abide by all regulations of the Association. Damage to the properties caused by tenants and their guests will be charged to the assessment to be paid by the owner of the property.

8. PARKING & TOWING

- 8.1 Assignment of Spaces** One space is assigned for each townhouse. If you have a second car you are required to park in an unassigned parking space or in the Visitor's Lot near the front of the property.
- 8.2 Visitors** Please inform your visitors and/or guests to park in the spaces designated for visitors (Visitor's parking lot) or an unassigned parking space.
- 8.3 No Parking Areas** Parking is restricted to spaces properly marked by the Association. Parking is specifically prohibited in these areas.
- 8.3.1 Adjacent to curbs
 - 8.3.2 In driveways
 - 8.3.3 On sidewalks
 - 8.3.4 On lawns
 - 8.3.5 In front of mailboxes
 - 8.3.6 In front of the dumpster
 - 8.3.7 Any area not properly marked by the Association as a parking space
 - 8.3.8 "No parking" zones
- 8.4 Allowable Vehicle Size** Vehicles should not be taller than 10 feet. All vehicles, cars, trucks, vans, etc. must fit within the lines demarcating the parking spaces, which are at least 8.5 feet wide and 18 feet long. Or vehicles that otherwise cause safety concerns or a nuisance as determined by the board.
- 8.5 No Work on Vehicles** No vehicle or other equipment may be dismantled, repaired, or serviced on any lot. Leaks from vehicles in parking spaces must be cleaned up immediately.
- 8.6 Signage on Vehicles** Signage on any vehicle, commercial or otherwise shall not be unobtrusive and inoffensive as determined by the Board.

- 8.7 Abandoned Vehicles** Any vehicle parked on the property (whether in a marked space or not) must be operational, properly licensed, inspected, and insured.
- 8.8 Angled/double parking** Angled or double parking is not permitted. Vehicles must, at all times, be parked within the confines of a single parking space.
- 8.9 Damage to Property Caused by Vehicles.** Homeowners will be held responsible for all damage to the property including lawns, trees, shrubbery, underground pipes, curbs, etc. caused by illegally parked cars owned by the property owner, their tenant(s), or guest(s).
- 8.10 Commerical Moving Trucks, Cargo and Utility Trailers, and Portable Moving Containers.** Commercial moving trucks, cargo and utility trailers, and portable moving containers shall not be parked on the property for longer than three (3) days without prior written approval of the HOA Board of Directors.
- 8.11 Trailers, Boats and other Recreational Vehicles.** Trailers, boats, and recreational type vehicles shall not be parked upon the property unless prior written approval is obtained from the Board of Directors.
- 8.12 Enforcement** All vehicles parked in violation of these Rules and Regulations will be towed at the expense of the owner.
- 8.13 Towing** Vehicles are towed at the discretion of the towing contractor. The property is regularly patrolled and illegally parked cars will be tagged or towed.
- 8.12.1 **Assigned Spaces** Vehicles parked in assigned spaces will be towed when a request is made by the owner or tenant of the unit the space is assigned. The individual making the complaint will be required to show proof of identification and have proper documentation indicating their ownership, or assignment of the right to have vehicles towed from the designated space. A signature on the complaint will be required. You should contact the towing company directly.
- 8.12.2 **Disputes** Disputes over towing should be addressed to the towing agent. If a suitable agreement cannot be made, the Management Company should be contacted.

9. ARCHITECTURAL MODIFICATION

For the protection of all homeowners and to maintain property values, exterior changes to the buildings or ground requires the approval of the Board of Directors.

- 9.1 Prior Approval** Any change or exterior alteration whatsoever, including but not limited to fences, concrete pads, sheds, plantings, decks, etc., must first have approval from the Board of Directors as set out in the Declaration of Covenants, Conditions, and Restrictions.
- 9.2 Procedure** The following procedure has been established to review architectural change requests.

- 9.2.1 Form Request An Application for Architectural Review must be obtained from the Management Company website at www.communityfocusnc.com under Owner Resources, ACC Request.
- 9.2.2 Completion of Form The Application for Architectural Review form must be completed and signed by the owner of the property. Tenants, other residents, children, assignees, and other such individuals may not sign the Application for Architectural Review form.
- 9.2.3 Submittance of Form Application for Architectural Review form is to be submitted to the Management Company who will review the form and; if necessary, request additional information. Once the completed form and any additional information has been received, the Management Company will notify the homeowner of the date of receipt of the completed form.
- 9.2.4 Review by Board of Directors Completed forms will be reviewed by the Board of Directors within 30 days of the date the form is received.
- 9.2.5 Notification to Owner The property owner will be notified by the Management Company, in writing, of the decision by the Board of Directors.
- 9.2.6 Denials When requests are denied, homeowners may submit alternative proposals or additional information to the Board of Directors by submitting the information to the Management Company.
- 9.2.7 Project Progress and Completion Projects must be completed within a reasonable time following approval, but in no case more than 90 days, unless an exception is granted in writing by the Board of Directors.
- 9.2.8 Inspection During construction and upon completion, the work may be inspected by the Management Company and/or Board of Directors to determine compliance with the initial application.
- 9.2.9 Permits/Licenses/Insurance Homeowners are required to obtain all appropriate permits, licenses, and insurance that may be required by the Association or by local, state, or federal government agencies.
- 9.2.10 Enforcement Upon notification to the owner, a request must be submitted for any unapproved alterations. Upon review by the Board of Directors, any unapproved alterations must be removed or altered as determined by the Board of Directors. If any owner fails to comply with the decision of the Board of Directors, the Association may take legal action at the discretion of the Association, remove the alteration. Alterations on the Common Property will be removed without notification.

10. GROUNDS MAINTENANCE

10.1 Lawns The Association provides lawn care to the common areas and the front and back lawns of the townhomes.

10.2 Gardens Approved gardens are the responsibility of the homeowner. Any approved garden which is not maintained by the owner in a neat and productive condition may be removed at the discretion of the Association. The cost of such removal will be at the homeowner's expense.

10.3 Bicycles, toys, lawn chairs, hoses, etc. Bicycles, toys, lawn chairs, hoses, and other such items should not be stored on the lawn. Grounds maintenance staff are not responsible for moving these items in order to mow and take care of landscaping.

11. PETS

In order to provide a harmonious neighborhood, residents should recognize the need to maintain only indoor pets. All laws, ordinances, rules and regulations pertaining to dogs, cats, and other domestic animals adopted by local officials are hereby adopted as rules and regulations of the Fenway Park Townhomes Homeowners Association.

12.1 Leashes All animals must be on leashes at all times when outside the dwelling. This applies to animals on your property and on the common property. Animals are not to be left unattended in the common areas, patios, decks, or yards. This includes the chaining of animals to posts, doors, electrical boxes, etc. Unattended animals often create a disturbance or are threatening to those passing by.

12.2 Defecation Do not let your pet defecate on the lawn areas. Sufficient natural areas are provided to allow dogs to relieve themselves without causing a nuisance. Owners walking their dogs on the lawn areas must have a device available for the collection of feces.

12.3 Enforcement Enforcement of leash laws and other local ordinances will be done by local officials. Please contact the animal control office as listed in the front of this directory. Other complaints regarding animals should be directed to the Management Company.

12. GARBAGE AND TRASH COLLECTION AND RECYCLING

13.1 Dumpster A dumpster is provided for the collection of household garbage. Please dispose of your waste correctly and responsibly. Residents who dump their household waste improperly, will be assessed fees to cover the expense of hauling their waste items to the appropriate facility. Please do your part to keep our neighborhood clean! The following items should not be put in the dumpster:

13.1.1 No corrugated cardboard should be put in the garbage dumpster.

13.1.2 No hazardous materials including but not limited to used motor oil, anti-freeze, paint, etc.

Hazardous waste such as paints and chemicals should be taken to the Orange County Landfill on Eubanks Road on Mon-Fri 10am – 6pm and on Saturdays 7:30am – 12:00pm.

13.1.3 No limbs, branches or other yard waste.

13.1.4 No furniture, mattresses, chairs, tables and other similar household items.

Other household items should be taken to the Orange County Landfill or Solid Waste Convenience Center also on Eubanks road.

Solid Waste Convenience Hours: 7:00am to 6:00pm Monday, Tuesday, Thursday, Friday
7:00am to 5:00pm Saturday
Closed Wednesday
1:00pm to 6:00pm Sunday

Orange County Landfill – 1514 Eubanks Road, Chapel Hill. Please go to the website at <http://www.co.orange.nc.us/recycling/> for more specific details on proper dumping.

Household items in good condition can be donated to the CommunityWorx Thrift Shop In Carrboro 919-967-1272 at 125 W Main St, Carrboro. They can pick up large items as well. Monday, Thursday, Friday and Saturday 10 am – 4pm, Sunday 12pm to 4pm.

13.1.5 No hot ashes

13.1.6 No items as indicated on the dumpster or otherwise prohibited by local authorities.

13.2 Recycling Residents are encouraged to recycle. Items that can be recycled in the recycling dumpster include: corrugated cardboard, plastic tubs and cups #2, #4, #5, plastic bottles, jugs and jars, glass bottles and jars, metal cans, aerosol spray can that are completely empty, aluminum foil and trays, mixed paper, paper bags, single layer cardboard (such as paper towel rolls or cereal or cracker boxes), drink cartons, newspaper, magazines and phonebooks. NO PLASTIC BAGS!! All cardboard SHOULD BE BROKEN DOWN and placed in this dumpster. There also are recycling dumpsters at University Place if you have a large amount.

It is the responsibility of all residents to dispose of items correctly, and to keep our neighborhood clean!

For complete recycling information please visit:
<http://www.co.orange.nc.us/recycling/apartment.asp>

13. STORAGE

14.1 *Grills, Lawn Furniture, Bicycles, etc.* Items should be stored inside the home or storage area or on the rear deck in a neat and orderly manner. You may not use the front of your home as a storage area. This includes the porch and parking area.

14.2 *Violation* In the event of storage items in violation of this section, the items will be removed and the homeowner charged for the cost of the removal of the items. One notification will be given prior to the removal of such items.

14. OBJECTIONABLE ACTIVITY

As stated in the Declaration, “no noxious or offensive trade or activity shall be carried on upon or in any Lot or Living Unit, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood, “including but not limited to partying or picnicking in the visible front yard or parking area. Homeowners will be held legally and financially responsible for any trash cleanup or property damage caused by themselves or their guests.

15.1 *Noise* A local noise ordinance exists and any resident disturbed by excessive or persistent noise at any time should report violations immediately to the police. Disturbances include but not limited to loud music, voices, cars, animals, etc., that may interrupt sleep or in any way disturb the well-being of the community residents. Homeowners are held legally responsible for any disturbances created by themselves, their guests, tenants, or guests of tenants. Offenders are subject to fines, arrest, and criminal charges brought by the Association, neighbors, or the police.

All residents have the right to a quiet neighborhood. Swift and firm action against offenders is the only means to preserve such rights. It is strongly recommended that you request the police to come to your home prior to visiting the noise problem.

In the event you are required to contact the police about a noise problem, please notify the Management Agent. The Association will keep a record of noise complaints and will take action against an owner if noise is a repeated problem.

15. SIGNS

16.1 Sale or Rent Signs One standard and reasonable sign indicating a home is for sale or rent may be posted at a location reasonably near the front of the home. In the event of an open house during the sale, a sign may be posted at a convenient location showing the direction to the open house. A directional sign no larger than eighteen inches by twenty-four inches may be placed at the entrance on Highway 54.

16.2 Political Signs One political sign or poster may be posted on the homeowner's property. The sign may not be larger than twenty-four by twenty-four inches. The sign or poster may be displayed up to sixty days before the election and must be removed within forty-eight hours following the election.

16.3 Other Signs No other signs may be posted on the townhouse, lot or common property, except you can have a small sign for an alarm system.

16.4 Signs Signs may not be posted on the mailboxes, light posts, trees, electrical poles, buildings etc. except by the Fenway Park Homeowners Association or with the approval of the HOA.

16.5 Enforcement Signs in violation of this section will be removed and any cost associated with the removal will be billed to the property owner.

16. SOLICITING

17.1 Solicitation Soliciting is not allowed. Please advise solicitors that the parking areas, sidewalks, and Common Property is private property and ask them to leave. If they do not leave, please contact the police department and notify the Management Company of the problem. Soliciting includes the distribution of any information or the collection of money for any purpose. Religious organizations are not exempt from this section.

