

## **EXTERIOR OF UNIT AND LANDSCAPING RULE**

Article VIII of the Bylaws of the Association, POWERS AND DUTIES OF THE BOARD OF DIRECTORS, as amended July 17, 2023, provides for enforcement of the Declaration and Bylaws of CT Condominium, and empowers the Board to promulgate and adopt rules and regulations for the use of the common elements and for the occupancy of the units so as not to interfere with the peace and quiet of all the residents.

The contracted property management company, currently Saddle Peak Properties, shall act as Agent for the Board. The Board of Directors hereby establishes the following RULE, based upon the authority cited above.

Pursuant to the Declaration, Article IV, Use:

1. **General Maintenance:** It is the Unit Owner's responsibility to maintain a pleasing appearance of the landscaping adjacent to his/her unit.
  - a. **Weeding:** Weeding around the exterior of the unit (not including the patio area) shall be the responsibility of the Association. Weeding within the interior of each unit's patio is the responsibility of the Unit Owner.
  - b. **Fencing Paint:** It is the Unit Owner's responsibility to keep fences around the patio and air conditioning unit painted and in good condition. Painting includes both interior and exteriors of all applicable fences and should be repainted in the same color when required.
  - c. **Front Doors:** It is the Unit Owner's responsibility to keep front doors painted and/or stained and in good condition. These should be repainted/re-stained in the same color when required.
  - d. **Annual Audits of General and/or Limited Common Areas:** The Board and/or Agent or designee volunteers will review all landscaping and fencing in the general and limited common element areas in the spring/early summer of each year. Written notices explaining needed improvements will then be sent to Unit Owners. Unit Owners will be given 30 days to complete any necessary work. If a Unit Owner(s) does not complete the stated work within the 30-day timeframe, the Agent will arrange for the work to be completed by a third-party contractor, whose work will be paid by the Association. A charge for the work done will be added to the Unit Owner's account. This amount will be payable by the Unit Owner(s) to the Association along with a \$50 service fee.

2. **Changes to Unit Exteriors and/or Existing Fence Exteriors:** A Unit Owner wishing to change the exterior of a unit (including the exterior of patio fences) or the landscaping (including mulch or hardscape, such as river rocks, stone, or similar) around the unit must follow this procedure:
  - a. Unit Owner completes a "CT Condominium Request/Report Form" (see attached) with a detailed explanation of the work to be done and submits the request via email to Agent at [info@saddlepeakproperties.com](mailto:info@saddlepeakproperties.com) or Board at [contactctboard@gmail.com](mailto:contactctboard@gmail.com) . Inclusion of photos and/or project drawings along with the form is encouraged. These requests may also be mailed to the Agent at Saddle Peak Properties, P.O. Box 4240, Bozeman MT 59772.
  - b. Unit Owner awaits notification of approval of request from Agent or Board before proceeding.
3. **Fencing and Gates-New or Temporary:** No fencing of any type (except as specified below) may be placed or constructed on any CT Condominium general common element, either in the front, rear, or sides, of any Unit without the prior written consent of the Board.
  - a. The Unit Owner is responsible for all construction activity and costs, including any damage or modification to the general common elements.
  - b. Fences and gate post may not be attached to the condo siding or trim boards.
  - c. Fence gates added to patio fencing shall be permitted, as long as they comply with the requirements of this Rule. All gate installations must comply with the "Standards for Installing Fence Gates" adopted by the Board of Directors May 9, 2022 (see attached). Such fence gates must be approved by the Board prior to installation.
  - d. All fences and gates must conform to the standard look and design of CT Condominium and its existing fences and gates (including but not limited to design, color, size, scale).
  - e. Fencing around air conditioning units is required and must comply with all requirements of this Rule. Such fencing must be approved by the Board prior to its installation.
  - f. Temporary fencing may be installed on patios, inside the patio fence, at the opening in the patio fence, for the purpose of controlling pets or small children, under the following conditions:
    - i. Such temporary fencing must be removed when there is no person or pet present;
    - ii. Such temporary fencing must be made of attractive material and black or dark brown in color;
    - iii. Such temporary fencing must be no taller than the patio fence.
    - iv. Such temporary fencing must be approved by the Board prior to its installation
4. **Concrete Foundation:** Nothing shall be imbedded into the concrete foundation.
5. **Storm Doors:** Storm doors (front or rear) are permitted as long as they comply with the "Storm Door Standards" (see attached), and said installation is approved by the Board prior to installation.

6. **Exterior Attachments-Permanent or Temporary:** Unit Owners and tenants/residents shall **not attach anything** (including, but not limited to, hooks, hangers, birdfeeders/houses, trellises, gates or fencing) directly to the unit exterior (**including the exterior of patio fences**), without the prior written consent of the Board. A Unit Owner who has made any alteration to or attached anything to the exterior of a unit, is responsible for correcting any damage to the exterior (including any other damage caused by such attachment or alteration), regardless of whether the owner has received Board approval for such alteration or attachment.

Temporary items such as holiday lights, décor, rugs, laundry, camping gear that are hanging on or over fence exteriors should be removed within the following timeframes:


- **Holiday décor:** Within two weeks after the holiday has ended
- **Household or recreational items such as rugs, towels, laundry, camping gear, etc.:**  
Within three days of original placement

7. **Garden Décor:** Items such as flowers pots, planters (including raised bed), bird feeders/houses and bistro/string lights are subject to the following:
- a. **Flower pots and planters:** Any pots, planters, or similar containers placed in any of the common areas (except for patios) must comply with the following requirements. Any planter or pot should be in earthy, natural tones, which are complimentary to the standard look and design of CT Condominium unit exteriors and are of a size and scale that does not dominate the area in which they are placed.
  - b. **Bird Feeders and Bird Houses:** Bird feeders and bird houses may not be attached directly to the exterior of a unit or a unit fence or gate (patio or air conditioning). These should be placed within the interior of the unit patio and be limited in the number of feeders/houses so as to avoid creating a physical nuisance to adjacent unit(s) or creating an unclean, unhealthy outside environment. Pursuant to Declarations, Article VII, Changes, Repairs, and Liens, B, 2 and the Nuisance Rule, Unit Owners shall keep any entrance or patio area appurtenant to his/her/its unit in a clean and sanitary condition.
  - c. **Bistro Lighting/String Lights:** Bistro-style/string lighting is limited to single white or amber strands; no multi-colored or other color single-colored strands are allowed. Lighting may not be placed on unit fence exteriors. The lighting shall be installed in such a manner as to not create light trespass or a physical nuisance with adjacent properties. Lighting shall be used for outdoor entertaining only and shall be utilized only when the outdoor area is in use and occupied.

This Exterior of Unit and Landscaping Rule supersedes and replaces similar subject matter included in the Violation Policy adopted by the CT Condominium Board of Directors July 26, 2016. If any provision of this Rule shall be in conflict with the Bylaws or Declaration of CT Condominium, said Bylaws and Declaration shall control, but shall not supersede any pertinent city law or ordinance. The invalidity or unenforceability of any provision of this Rule shall not affect the validity or enforceability of any other provision.

Adopted by the CT Condominium Board of Directors on August 9, 2023.

By:   
Mickey Smotherman, President, CT Condominium Board of Directors

  
Laura C. Nichols, Secretary, CT Condominium Board of Directors

## CT Condominium Request/Report Form

This form should be used by a unit owner to request or report any of the following items or issues to the HOA Board. It can be mailed or emailed to Saddle Peak Properties LLC:

CT Condominium  
PO Box 4240  
Bozeman, MT 59772  
info@saddlepeakproperties.com

- Request for exterior air conditioner
- Request for satellite dish
- Request for any type of exterior repair
- Request for tree or shrub planting or landscaping
- Report repeat violator of CT Condominium Covenants
- Information for Newsletter
- Nameplate or identification sign
- Other

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Owner Signature \_\_\_\_\_ Date \_\_\_\_\_

Owner Address & Phone \_\_\_\_\_

Board/Agent Signature \_\_\_\_\_

(Revised 11/19)

## CT Condominium

### Standards for Installing Fence Gates

These requirements and standards are provided to guide the CT Condominium Board and Management in the approval for installation of gates on the fence surrounding a unit patio.

1. The unit owner is responsible for all construction activity and costs, including any damage or modification to the common elements.
2. The unit owner must submit a request to the Board for approval, and must receive documented approval, prior to beginning any construction. The standard request form will be used and will detail the plans and design of the gate and its installation.
3. The design of the gate will be the same as the existing fence. The gate height will be the same as the fence. The gate will be painted the same color as required in the Owner's Handbook. (Sherwin-Williams Exterior Stains Woodscapes Latex, Flat 615CT-30)
4. The posts and the vertical boards will be the same as the fence. (E.g., Cedar or pressure treated pine). A metal gate frame with hinges and bracing may also be used with wood framing and slats attached to it (these are available at Kenyon Noble). This type of installation insures against gate sagging over time.
5. The fence end post and gate post near the foundation are recommended to be placed in concrete approximately 12-16 " inches deep for post stability. If either the fence end post or gate post near the unit foundation are not installed in concrete or other material such as packed Road Grade material, the post should be excavated, and concrete or other sealant such as Road Grade poured around the post to provide stability. Posts should be placed in the ground 24-36 inches and well tamped if Road Grade is used to insure post stability such as in high winds.
6. This gate post may be installed next to the foundation but provide at least a 2- 4" clearance to allow for future painting or other siding work
7. The gate hinges can be attached to the fence end post or the gate post near the foundation.
8. The gate post MAY NOT be attached to the condo siding or trim boards in accordance with existing Declaration of Condominium/Bylaws requirements.
9. If underground irrigation piping or other pipes/wires prevent the post from being installed next to the foundation, the post can be installed a sufficient distance from the foundation to avoid the pipes/wires. The space between the post and the siding can be filled with a wood construction like the gate, attached to only the post and leaving a 2- 4" clearance with the siding as described above.
10. As an alternative to 8 above, the owner may contract with, and pay for, the irrigation contractor (or appropriate contractor) to move the obstructing pipe/wires.

This standard was adopted by the Board as a Regulation on May 9, 2022.



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Mickey Smotherman  
President, Board of Directors

**CT Condominium Association**  
**Bozeman, MT 59718**

**STORM DOOR GUIDELINES**

1. Please fill out and sign the “CT Condominium Request/Report Form” and present to the HOA Board of Directors for approval **before** installation.
2. The Larson Tradewinds Clear Fullview door with ScreenAway Retractable Screen and Easy Vent Balanced Window system, model #346-52, (or equivalent if this model is not available) is required. This storm door is available from Kenyon Noble and Lowe’s.
3. Door color must be white and door hardware must be brushed nickel.
4. A standard 36” x 81” door should fit.
5. Professional installation by a fully insured installer is **strongly** recommended to avoid damage or problems with the door.
6. Front and rear entry doors are limited common elements and unit owners are responsible for all costs associated with the storm door installation, any damage to the exterior of the unit, and wooden entry door/rear door resulting from improper installation and any claims or damages resulting from faulty storm door installation.
7. Any removal of weather stripping or other modifications at installation may void the door warranty and reduce energy efficiency.
8. If any white trim around the door is trimmed, or otherwise affected, the owner is responsible for painting any exposed area.

**NOTE:** No signatures are required—this is not be a separate Rule, but a “standard” incorporated into the “Exterior of Unit and Landscaping Rule”.