

RULES & REGULATIONS - LANDSCAPING & MAINTENANCE

Objective:

The purpose of the landscaping and maintenance rules is to

- Protect the value of the real property of the owners.
- Uphold the fundamentals of the Noble Park Declaration of Covenants, Conditions and Restrictions, hereafter called “Covenants”.
- Ensure that properties are kept in a safe and attractive condition.

The NPHOA Board of Directors (hereafter referred to as the BOD) shall meet this objective by ensuring

- That the NPHOA sustains a high standard of landscaping aesthetics for all properties.
- That all property owners maintain their current landscaping to uniform standards.

The BOD will make every effort to strike a balance between individuality of any given property and a sense of community cohesiveness.

Reference:

- NPHOA Declaration of Covenants, Conditions, and Restrictions of the Noble Park Subdivision, Section 7.18
- NPHOA Policy Resolution No. 1, Landscaping Standards”
- Boulder Municipal Code, Title 9, Chapter 9-9-12.
- Colorado Revised Statute 39-33.3
- Colorado Revised Statute 37-60.126

LANDSCAPE PROJECTS

Procedures:

1. When landscaping changes are contemplated, a site landscaping plan must be submitted to the BOD at least 60 days before a contract is signed or before work starts. Requirements for the plan are detailed in the NPHOA Policy Resolution No. 1 “Noble Park Landscaping Requirements”, provided as Exhibit K of these NPHOA Rules and Regulations.

1.a. Plans may be submitted via email to the address YourNobleParkBoard@yahoo.com, or may be mailed or delivered to the NPHOA USPS mail address of 3218 Noble Court, Boulder, CO 80301.

2. The BOD will review the landscape plan. The BOD will evaluate the plan by reviewing existing landscaping at the proposed location, the landscaping of surrounding homes, NPHOA Covenants, the Noble Park Policy Resolution No. 1, and the City of Boulder landscaping principles. Of equal importance, the plan will be evaluated from the perspective of whether the plan delivers an attractive and aesthetically pleasing appearance in order to enhance and preserve the property values of the neighborhood.

Approval:

The BOD may disapprove any proposed landscaping plan which the members agree does not meet, or is contrary to the spirit or intent of the Noble Park Landscape Standards Policy and the NPHOA Covenants.

The BOD may condition its approval of any proposed project upon making of such changes to the plans and specifications as the BOD may deem appropriate.

Non-Compliance:

If a homeowner initiates or completes landscape projects without the BOD's approval, or fails to execute the project in accordance with the plan as approved, the BOD, after Notice and Hearing shall have the right and power to enter upon the Lot and bring it into compliance. The cost of such action shall be chargeable to the homeowner by an Individual Assessment.

The evidence of noncompliance shall be either the lack of an NPHOA BOD approval letter, the issuance by the NPHOA BOD of a letter of disapproval, and/or the issuance of a Notice of Noncompliance with the landscaping plan that was approved by the NPHOA BOD.

Additionally, any individual NPHOA homeowner may file suit against the homeowner in small claims court to enforce the covenant requirements.

LANDSCAPE MAINTENANCE

Homeowners shall maintain all landscaping elements, including but not limited to, plant materials, ground cover, trees, irrigation systems, retaining walls, screening and other features. Plant materials shall be kept trimmed and ground cover materials shall be replenished as necessary to preserve a neat, live, healthy and attractive appearance. Plant materials that have been damaged, have died or have been removed shall be replaced with suitable replacement landscaping.