

THE CAPE CONDOMINIUM ASSOCIATION
BOARD APPROVED
POLICIES AND RESOLUTIONS
POLICY 97-03
REPLACEMENT OF FRONT SHRUBS / LANDSCAPING

PATIO, SHRUBS AND FLOWER GARDENS ARE TO BE MAINTAINED BY THE COOWNER AND MUST AT ALL TIMES ENHANCE THE APPEARANCE OF THE COMMUNITY.

1. When evergreen shrubbery is replaced, either by the association or the co-owner, it is to be replaced with any of the following:

Golden Vicary	Azalea	Arborvitae (miniature)
Spirea	Rhododendron	Yew (dwarf)
Weigela	Euonymus (any color)	
Red Leaf Barberry — Boxwood Juniper		

2. **SPECIES NOT PERMITTED FOR PLANTING.**

Trees: Ash, White Birch, Poplar, Silver Maple, Box Elder, Purple Leaf Plum, Crabapples, Hawthorns, Austrian Pines, Sycamore, Blue Spruce, Camperdown Elm, Russian Olive, Lombardy Poplar, American Elm, Pussy Willow, Weeping Willow, Red Cedar, Siberian Elm and Cottonwood.

Plants: The Cape is private property and does not fall under the state for federal jurisdiction for endangered species. **This includes any form of Milkweed**

3. Accent shrubbery or perennial plants are also permissible. Perennial plants are not to be invasive.
4. Absolutely no shrubbery will be permitted which climbs, is invasive to building, or requires a high level of maintenance.
5. The following forms of edging may be used to finish the landscaped area:
 - A. Landscape timbers or logs
 - B. Decorative or interlocking bricks
 - C. Sturdy wooden decorative edging
 - D. Heavy black diamond edging
 - E. Sturdy plastic edging
6. When choosing edging, keep in mind edging should be sturdy and neat in appearance. It should serve as protection for your flowers and shrubbery, and it should be able to withstand blows from the lawn/snow maintenance equipment, etc.
7. Landscaping may not extend out more than five feet from the front of the building, or along the side (end units only). Co-owners may not plant landscaping in the common elements without receiving prior written approval from the Board.

8. Once written approval is given, the responsibility for ongoing maintenance (weeding, removal of seedlings), is solely that of the co-owner. If the co-owner does not properly maintain the landscaping, the Association will provide the necessary maintenance and charge the co-owner for these services or remove it.
9. **Before installing ANY new landscaping, the co-owner shall submit a detailed drawing including a description of landscape plans, size/placement and names of shrubs to the Board. Deviations from the above-described shrubbery must be approved in advance by the Board of Directors.**
Before installing new landscaping contact Miss Dig (1-800-482-7171) for staking cable, electrical, gas and phone lines.
10. No tree on The Cape Associations property may be taken down without prior written approval.
11. Live bushes may be removed by the owner with prior permission by the Board and approval of replacement plants. **No bush that is shared by another member may be removed without the mutual consent of both parties.**
12. The Association is responsible for the removal of dead bushes.
13. The care of these plantings remains the responsibility of the co-owners
14. Co-owners are encouraged to water lawns. Please water in the evening or early morning. Watering should be limited to 20 minutes
15. Plantings between sidewalks and streets are not permitted
16. Mowing of grass in the patio area will be done by the Lawn Service ONLY if all personal property (i.e., hoses, furniture, toys, etc.) are removed. Co-owners who fail to remove personal property will be responsible to mow their own grass. **Residents are responsible for keeping the front lawn and sidewalks free from toys, bicycles, lawn, furniture, garbage cans and other clutter.**
17. **Any landscaping not approved by the Board of Directors, or which is not in compliance with the approved policy may be removed by maintenance personnel, at the expense of the co-owner.**
18. **Failure to comply with this policy will result in an assessment of a fine.**

APPROVED: July 23, 1997

AMENDED AND APPROVED: July 16, 2003

AMENDED AND APPROVED: August 27, 2003

AMENDED AND APPROVED: JUNE 12, 2024