

Elk Meadows HOA RULES

Amended, May 2021

The set of rules below supports the vision of Elk Meadows HOA as a community of neighbors *working together to enhance the quality of life in our Alpine neighborhood; acting with honesty, fairness, equity, common sense, participation, respect, cooperation, and neighborliness.*

The Rules have been established to provide a set of guidelines for day-to-day living in Elk Meadows; these Rules therefore emphasize

- Paying HOA fees on time
- Keeping noise and lights to a minimum
- Removing clutter and debris
- Respecting common areas
- Paying attention to pets
- Respecting architectural guidelines and property maintenance
- Following rules of renting
- Behaving as you would like others to behave.

The Rules are in compliance with the association's *Governing Documents* and *Policies*. These latter documents include Covenants, Conditions and Restrictions in the form of the *Declaration, Articles of Incorporation, and Bylaws*; and *Policies* which give guidance as to process.

The Rules will be reviewed on an annual basis. The Board may amend any Rule when such modification is deemed to be in the best interests of the Association, continuing to meet the needs of the association. Any changes will be posted on the website for membership consideration and comment before being amended or adopted, per *Adoption and Amendment of Policies and Rules Policy*.

Enforcement

Rules – as policies - are enforced through the following simple stages:

1. Per the *Policy on Enforcement of Rules and Policies*, the homeowner will be informed in writing and asked to respond in a reasonable time
2. A fine may be levied according to the nature and severity of the problem
3. Legal action may be taken if necessary.

THE RULES

1. Pay HOA fees on time

Being a member of a Home-Owners Association (HOA) community means that everyone is required to pay a regular fee to support its ongoing upkeep and operation. These fees typically go toward repair and maintenance of our roads and our water and sewer systems, snow plowing in winter, accounting and legal services, and insurance. The Board of Directors, which oversees the operation of the association is not compensated in any way.

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1. Paying your fees is mandatory. For more detail, including on non-payment of dues, see *Collection of Dues Policy*.

2. Keep noise and outside lights down at a minimum

Be courteous and consider the times and types of noise or bright lights that you're creating.

1. Quiet hours are 8pm to 8am.
2. Dark Skies: Per *Ouray County Land Use Code, Section 19*, Elk Meadows is a Dark Skies compliant neighborhood.
3. No discharge of firearms in the Elk Meadows subdivision.

3. Remove your clutter and debris

1. Keep your home as clutter free as possible, in good repair and in a manner consistent with the general aesthetic standards of the community. See *Governing Docs, Declaration, Sections 6.1, 7.3-7.5*
2. Garbage and refuse: See *Ouray County Ordinance No 95-1*; also *Governing Docs, Declaration, Section 8.15*
3. Junk vehicles: See *Governing Docs, Declaration, Section 8.14*
4. Respect the property lines: no dumping of any kind on your neighbors' property.
5. Burning trash is not allowed
6. Trash removal. Contact Bruin Waste Management for a bear-resistant bin and to get on their schedule for pickup on Fridays.
 - a. Place your bin out on Friday morning (by 8:00am) rather than Thursday evening during bear season (March to November). Don't leave loose trash outside.
 - b. If you must keep your bin outside instead of in a shed or garage (which is best), secure it with a chain to a tree or post.
 - c. Recyclables are picked up separately every Friday and need to be out before 7:00 am.

4. Respect common areas and roads

Our common areas are for the benefit of the homeowners association members.

1. No motorized vehicle is allowed in green spaces. This Rule prohibits the recreational use of off-road vehicles, such as, but not limited to, snowmobiles, ATV's, OFV's, and motorcycles, within the Elk Meadows subdivision, except to ride in or out of the subdivision. This includes all roads, easements and greenbelts.
2. Parking on roads: per *Governing Docs, Declaration, Section 8.13*
3. Speeding is not an option: Elk Meadows residents and their guests may ride into and out of the subdivision on subdivision roads, to and from their homes, observing the posted 20 mph speed limit.
4. Signage: per *Ouray County Land Use Code Section 8*; also *Governing Docs, Declaration, Section 8.8*

5. Pay attention to pets

Respect your neighbors and keep your pets safe.

1. Control of animals: per *Ouray County Ordinance Section 10.5*; also *Governing Docs, Declaration, Section 8.7*.

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2. Pets allowed in Elk Meadows: per *Governing Docs, Declaration, Section 8.7*.

6. Respect architectural guidelines and property maintenance

The guidelines follow our *Governing Documents* and *Ouray County Ordinances* as applicable. In particular, note

1. Lot Improvement. This includes any structure, shed, drainage, fence,... that you choose to add. *Note that*,
 - a. For any structure over 200 sf, you must submit plans to the Architectural Review Committee (ARC) or Board of Directors for approval (*Governing Docs, Declaration, Section 6.6.2*) and tap fees must be paid in full as necessary;
 - b. In addition to the criteria stated in *Governing Documents, Sections 6.6.2, and 6.6.3*, the Board asks for written approval of plans from neighbors, in particular in terms of impact on view.
 - c. Storage Units and sheds: see *Governing Docs, Declaration, Section 8.9*;
 - d. See *Governing Docs, Declaration, Section 6.8* regarding failure to inform ARC or the Board of any improvement that is erected or maintained on your property.
 - e. For any structure regardless of square footage, refer to County regulations regarding building codes and the requirement for a building permit. NOTE: Some structures, such as yurts, are allowed only on a seasonal basis; consult County website for details.
 - f. Note also County – and therefore Association – regulations about septic/sewer management.
2. Any structure must, in most cases, be at least twenty-five feet from any property line: *Governing Docs, Declaration, Section 6.2*.
3. Construction:
 - a. Abide by rules regarding quiet hours and speed limits
 - b. Locate and protect all water, electrical, and telephone lines prior to excavation
 - c. Dumpster must be on location to control trash. Burning trash is not allowed
 - d. Roadways must be kept open to traffic at all times.
4. Maintenance of all structures and improvements, including fence, drainage, etc: per *Governing Docs, Declaration, Section 7*, in particular *7.4, 7.5*. Note that the Association is responsible for maintaining the perimeter fence per *Governing Docs, Declaration, Section 7.1* Thus
 - a. Property owners on the perimeter fence line should regularly check their piece of the perimeter fence and inform the Board of areas needing attention.
 - b. The Board will fulfil its duty to inspect the fence on an annual basis, and notify members in advance of the exact date.
 - c. Unless otherwise notified, the Board will assume permission to check – and fix – the entire perimeter fence.
5. Travel trailers, campers and tents: per *Governing Docs, Declaration, Section 6.5*
6. To digress from any of the guidelines, you must ask for a variance from the Board of Directors to make such changes: per *Governing Docs, Declaration, Section 6.6.7*.

7. Follow rules of renting

Elk Meadows allows both short-term and long-term renters: per *Governing Docs, Declaration, Section 8.12*.

1. For long-term renting, an owner should submit contact details (renter name, mailing address, phone and email details) to the Board in case of emergencies.

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2. Members who use their home as short-term rentals must inform the Board of their intent, and comply with Ouray County Ordinance 2018-003. Any questions regarding short-term or any land use/zoning issue should be directed to the Land Use Department by calling: 970.626.9775.

In either case,

3. The rules of the Association as well as of the County should be made available to renters including dog leash laws, trash removal, ATV and snowmobile use, green space use, fire pit and burning laws, fire escape route, and speed limits.
4. Owners must take responsibility for the actions of their renter/guests.

8. Behave as you would like others to behave

Respect your neighbors' rights and property as you wish yours to be respected. On occasion disagreements do take place among neighbors or with management when any of the above rules aren't being followed. First talk to your neighbor; respect their side as well as yours and solve your issues in a neighborly fashion.

For more detail on how pursue resolution of a disagreement, see *Disputes between Owners Policy* or *Dispute Policy with Association*.

These Rules have been reviewed and revised for clarification by the Board of Directors (Section 6.1 d and e), per above, May 2021; made effective at the Annual Meeting, July 10th, 2021.

Board signatures on file