

## **SMITH RANCH NEIGHBORHOOD HOMEOWNERS ASSOCIATION RULES AND REGULATIONS**

The following Rules and Regulations (the “Rules”) have been created and approved by the Smith Ranch Neighborhood Homeowners Association (the “Association”) Executive Board (“Board”) in order to protect and enhance the investment of the Members of the Association and contribute to the harmonious and enjoyable living environment of all who reside in the Smith Ranch Neighborhood (“Owners” or “Residents”).

### **1. OVERVIEW**

**A. Executive Board as Sole Interpreter.** The interpretation of the Rules will be at the sole discretion of the Board.

**B. Failure to Act.** No failure of the Board to insist on the strict adherence to any provision of the Rules shall constitute a waiver of such provision unless such waiver is made in writing by the Board. Nor shall any failure to enforce any provision of the Rules prevent the Board from subsequently exercising any of the rights and remedies found in these Rules for any subsequent breach.

#### **C. Applicability and Responsibility.**

**i. Applicability.** These Rules shall apply to all Owners, Residents, lessees, family and guests.

**ii. Responsibility.** In all cases, Owners shall be responsible for the activities of their families and guests as well as the activities of their lessees and their families and guests.

**iii. Tenants.** It shall be the further responsibility of Owners who lease their Homes to provide their tenant with a copy of these Rules.

**D. Local, State and Federal Law.** The Rules established by the Association shall not supersede local, state or federal laws and regulations. Civil complaints and violations

of local ordinances or state or federal laws shall be pursued through normal legal channels without the involvement of the Association or the Board. Any Owner or resident in violation of applicable federal, state or local law, ordinance or regulation shall hold the Association and other residents harmless from all fines, penalties, costs, and prosecutions for any violation or noncompliance.

**2. LANDSCAPING AND PLANTING.** Landscaping is limited to original landscape areas. Any additional landscaping must be approved by the Association.

**3. PETS.**

**A.** Owners, and Tenants with permission of the Owner, are permitted to have no more than a total of 2 pets in each Home: 2 dogs, 2 cats or 1 dog and 1 cat.

**B.** Dogs must be kept within a home or fenced yard. All exterior pet enclosures must be approved by the Board.

**C.** Pets must be controlled at all times and all waste picked up and properly disposed.

**4. ALTERATIONS AND ADDITIONS.** Alterations and additions to any Home or Lot, including hot tubs and fences, must be approved by the Executive Board as provided in section 6.7 of the Declaration. Fencing is permitted only in the Single Family Neighborhood according to the restrictions in section 5.2 of the Smith Ranch Neighborhood Planned Unit Development Guide attached to these Rules as Exhibit A.

**5. TRASH.**

**A.** Trash must at all times be kept within an enclosed area. Trash should be stored in a suitable receptacle with a tight fitting lid.

**B.** Garden compost piles are prohibited unless the compost pile is bear proof.

**6. WILDLIFE.** As a community, the goal is to mitigate wildlife impact. With the exception of bird feeders, feeding, baiting, salting or other means of attracting wildlife is prohibited. Owners are encouraged to visit the following Colorado Department of Wildlife web site to educate themselves as to living with wildlife:

<https://cpw.state.co.us/learn/Pages/LivingwithWildlife.aspx>

**7. TOWNHOME LCE DECKS AND PATIOS.** Each Owner will keep Limited Common Element patios and decks in an attractive and clean condition and free from debris and unsightly articles of any kind. The Owner will be responsible for snow and ice removal. Lawn furniture and propane gas grills may be used and stored on decks and patios; open fires, chimineas and charcoal grills are prohibited. Because use of exterior LCE decks and patios may

detrimentially affect other Residents, the Board may adopt additional rules for appropriate use and appearance of decks and patios.

## **8. PARKING.**

**A. Townhome Designated Parking.** Each Home is allocated two parking spaces for use of licensed motor vehicles with a GVW of 7,500 pounds or less. Vehicles may be parked only in garages, on the LCE driveways and in the exterior parking areas designated for use of each Home as provided in the Parking Assignment Plan attached as Exhibit B to these Rules. No overnight parking is permitted on the any road, shoulder or unpaved portion of the Common Elements. Guest parking is permitted in designated spaces for use by guests of Residents for no more than 24 hours unless otherwise use is authorized by the Board. A Resident's Emergency service vehicle is exempt from parking rules as required by Colorado law so long as parking does not obstruct or interfere with the reasonable needs of the other Residents.

**B. Recreational Vehicles and Equipment.** For no more than 24 hours recreational vehicles, trailers, boats and may be temporarily stored inside a garage or parked in LCE drives during loading and unloading; no outside storage of such vehicles or other personal property is permitted on any Common Elements.

**C. Garages.** No garage may be converted to residential living space or commercial uses. Each garage must be maintained so that one vehicle can at all times be parked in the garage.

**D. Enforcement.** The Association Board or the Manager may enforce these parking rules and covenant violations.

i. If any motor vehicle is parked on any portion of the Community in violation of these rules the Association may post notice of such violation on the vehicle; if the vehicle is not removed after a period of twenty-four (24) hours or longer after commencement of the violation it may be towed in accordance with the Town of Silverthorne parking code. If a vehicle is parked in a fire lane, is blocking access to a driveway, is parked in any unauthorized parking space, or creates any hazardous condition the Association or its Manager may have a vehicle immediately towed without notice. The vehicle owner or operator will be responsible for all towing and storage costs.

ii. The Association or its Manager may also enforce parking violations by fines or any other remedy authorized by the Covenant and Rule Enforcement Policy. Owners will be jointly and severally liable for their Guest's parking rule violations and associated fines.

**9. COMMON ELEMENT SMOKING RESTRICTIONS.** Smoking is prohibited within the General and Limited Element areas as follows:

**A. Common Elements.** Smoking is prohibited in all Common Elements including but not limited to parking areas, playground and all other Association land.

**B. Limited Common Elements.** Smoking is prohibited on all Limited Common Elements including but not limited to patios, decks and balconies.

**10. MARIJUANA.** Marijuana grow-operations and production of products containing THC are not allowed in any Home or on any portion of the Property.

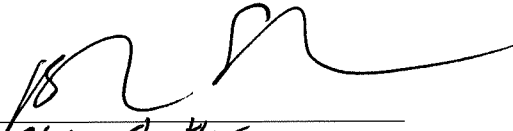
**11. QUIET HOURS.** All residents will minimize noise from 11:00 p.m. through 6:00 a.m. to avoid disruption to other residents.

**12. POLITICAL SIGNS.** Residents may display political signs in any window of a Unit as follows: one sign per office with a maximum size not greater than 36" x 48"; political signs may be displayed from 45-days before and 7-days after the election.

### **CERTIFICATION**

The undersigned certifies that the foregoing Rules and Regulations were adopted by the Board of Directors of the Association as of the 30<sup>th</sup> day of December, 2019.

**SMITH RANCH NEIGHBORHOOD HOMEOWNERS ASSOCIATION**

  
By: Blake Shuttles  
Title: President

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**EXHIBIT A**  
to  
Smith Ranch Neighborhood Homeowners Association  
Rules and Regulations  
Article 4: Alterations and Additions

**ARTICLE FIVE: LANDSCAPE DESIGN STANDARDS**

**5.1 General**

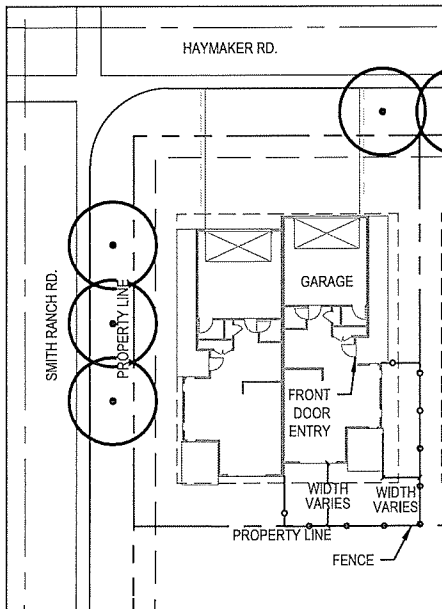
- (a) Landscape requirements will follow the Town Code with the exception of Planning Area 1 and Planning Area 2. In PA1 and PA2, landscaping provided in the right-of-way shall count towards meeting the required per-dwelling-unit landscape requirements as specified in the Town Code.
- (b) Landscape buffer shall be provided along the north side of Ruby Ranch Road to screen residences.

**5.2 Fencing**

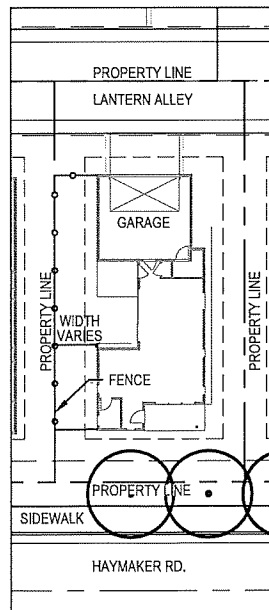
- (a) Open Space Fencing may be used to separate PA-1 from PA-5 and PA-6 to create distinct backyards for the single family and duplex homes. The fence is to fit with the Smith Ranch character.
  - i. Fence shall not exceed 4' in height.
  - ii. Fence shall not have wire mesh between rails.
- (b) Private Yard Fencing may be used to delineate side or rear yards as shown in Figure 1.
  - i. Fence shall not exceed 4' in height.
  - ii. Material shall be rough hewn cedar.
  - iii. Fence may have wire mesh between rails or be open.
  - iv. No private yard fencing permitted in PA-2.

**Figure 1:**

**STREET LOADED  
BACKYARD**



**ALLEY LOADED  
SIDE YARD**



**Notes:**

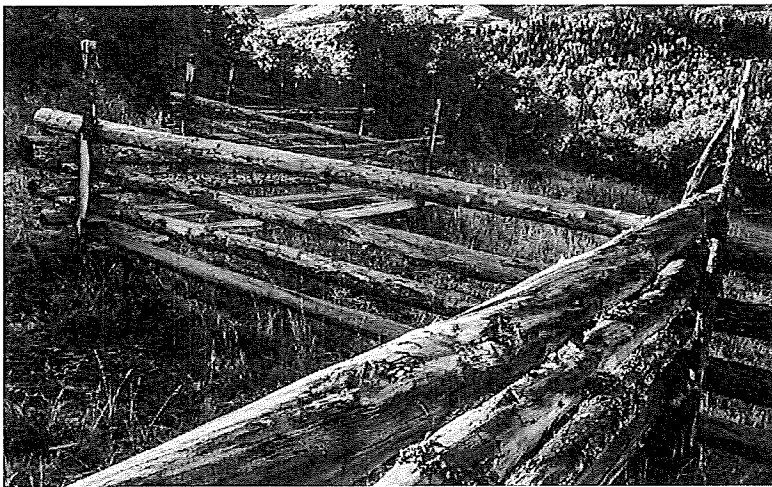
- 1. No fencing is permitted in a front yard.
- 2. Fence shall be located along the property line.
- 3. Fence shall align with corners of the building where feasible.
- 4. Properties with shared property lines shall share fences.

### 5.3 Fence Gate

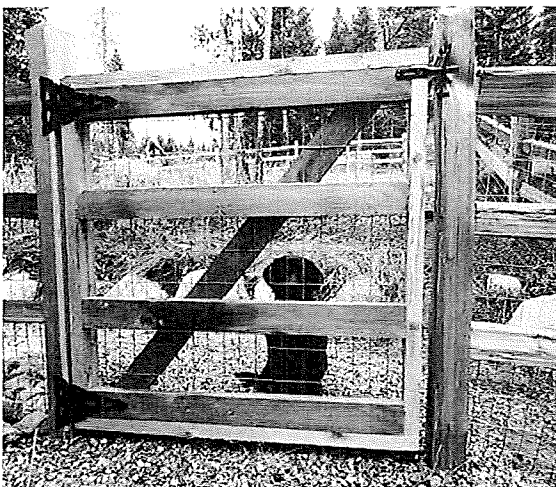
- (a) Gate shall be 3'-4' in width.
- (b) Material shall be rough hewn timber and match private yard fencing.

### 5.4 Signage

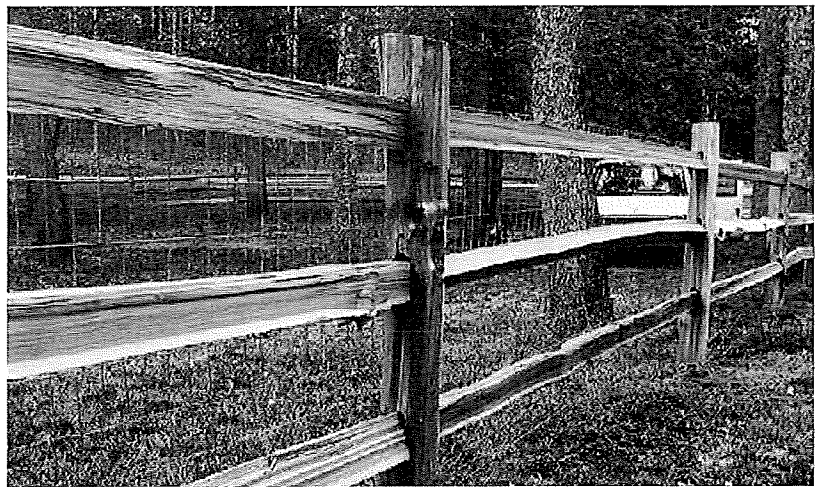
- (a) Entry monumentation and wayfinding may be located in any planning area.
- (b) Sign design shall follow standards of the Town Code.



*Conceptual character for open space fencing.*



*Required character for private yard gate.*



*Required character for private yard fencing.*

to  
Smith Ranch Neighborhood Homeowners Association  
Rules and Regulations  
Article 8: Parking

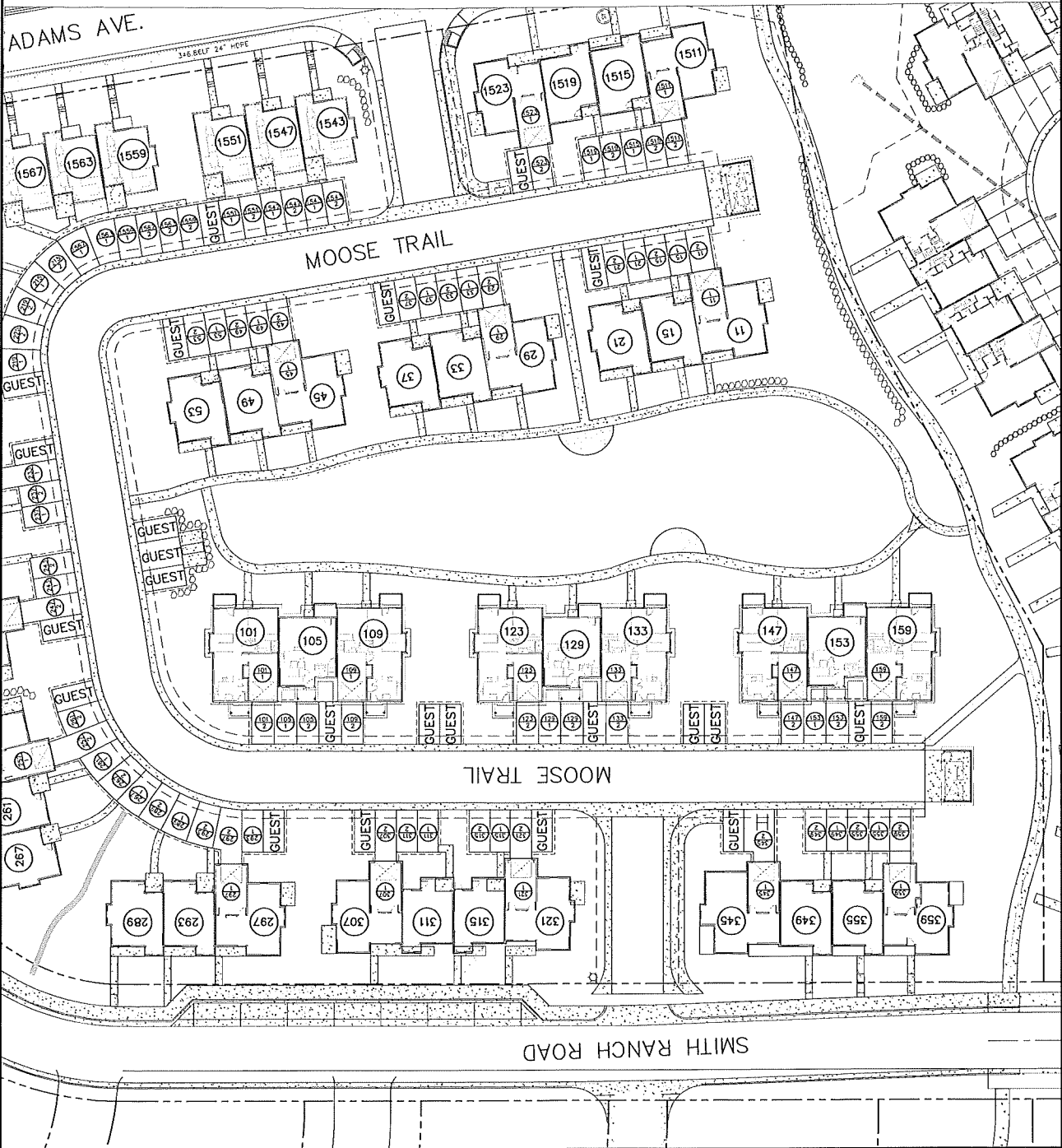


## PARKING ASSIGNMENT PLAN

**TEN MILE  
ENGINEERING, INC.**  
Professional Civil Engineers  
P.O. Box 1705  
Frisco, CO 80443  
970.485.5773  
tenmileeng@aol.com

[illegible]



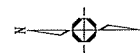


PARKING LABELING INDEX

74 = UNIT ADDRESS

70 UNIT ADDRESS

1 SPACE NUMBER



811  
CALL 2 BUSINESS DAYS IN ADVANCE  
FOR THE ALLOCATION OF SPACES  
FOR THE ALLOCATION OF SPACES  
FOR THE ALLOCATION OF SPACES



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