



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. Single Family/Duplex Lots: Trash must be stored in a suitable receptacle, with a tight-fitting lid, and must be bear proof. All trash receptacles must at all times (except when being picked up for disposal) be stored within a garage. Trash receptacles may not be put out before 6 a.m. on the day of pickup and must be returned to the garage the same day, after pickup.

B. Townhome Lots: Trash may not be left outside, whether in receptacles or not. All trash must be deposited in the community dumpsters.

C. 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 detrimentally 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 Townhome 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, or in the exterior parking areas designated for use of each Townhome as provided in the Parking Assignment Plan attached as Exhibit B to these Rules.

B. General Overnight Parking in the Community for all Residents. No overnight parking by any Resident, Owner, or guest in the community is permitted on any road, shoulder, or unpaved portion of the Common Elements.

Guest Parking for Guests of all Residents. Owners are allowed to park in guest parking for short periods of time to accommodate tandem parking (rotation of vehicles); vehicle loading and unloading; and cleaning or shoveling driveways.

Owners are not allowed to park in guest parking for more than 24 hours or overnight and cannot rotate vehicles from one guest parking space to another. Owners should submit parking requests for guests and for owner one-off parking (by owner) to the Board for approval, via the property management company.

C. Emergency Responder Vehicles. The parking of a motor vehicle by the occupant of a unit on a street, driveway, or guest parking area is permissible if the vehicle is required to be available at designated periods at such occupant's residence as a condition of the occupant's employment and all of the following criteria are met:

- i. The vehicle has a gross vehicle weight rating of ten thousand pounds or less;
- ii. The occupant is a bona fide member of a volunteer fire department or is employed by a primary provider of emergency firefighting, law enforcement, ambulance, or emergency medical services;
- iii. The vehicle bears an official emblem or other visible designation of the emergency service provider; and
- iv. Parking of the vehicle can be accomplished without obstructing emergency access or interfering with the reasonable needs of other unit

owners or occupants to use streets, driveways, and guest parking spaces within the common interest community.

D. Licensing of Parking Spaces. Owners may authorize use of an assigned parking space by another Townhome Neighborhood Owner or Authorized Lessee as defined in the Restrictive Housing Covenant by execution of a written license agreement signed by both parties. The Owner granting the license will provide a copy of the license to the Association upon request.

F. Recreational Vehicles and Equipment. Residents in the community may park recreational vehicles, trailers, campers, motorhomes, and boats on a driveway or on a LCE drive during loading and unloading for a period of no more than 24 hours. No other outside storage of such vehicles or other personal property is permitted on any Common Elements.

G. 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.

H. 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.**

A. Political Sign Definition: A sign that carries a message intended to influence the outcome of an Election, including supporting or opposing the election of a candidate, the recall of a public official, or the passage of a ballot issue.

B. Political Signs may be displayed no earlier than 45 days before the day of an Election and no later than 7 days after the day of the Election.

C. Political Signs must be displayed within the boundaries of the Lot.

D. Political Signs cannot obstruct traffic or driveways and may not be illuminated.


E. Other than as stated above, an Owner or resident may not display Political Signs on any other part of the Community, including any Common Elements.

F. An Owner or occupant may display one Political Sign per political office or ballot issue that is contested in the Election. A Political Sign may be no larger than thirty-six (36) by forty-eight (48) inches in size.

CERTIFICATION

The undersigned certifies that the foregoing Rules and Regulations were adopted by the Board of Directors of the Association as of the 14th day of January, 2021.

SMITH RANCH NEIGHBORHOOD HOMEOWNERS ASSOCIATION


By: Blake Smith
Title: President

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(INSERT EXHIBITS)