

**RANCH AT ROARING FORK HOMEOWNERS ASSOCIATION, INC.**  
14913 HIGHWAY 82  
CARBONDALE, CO 81623

**RULES**

Revised July 1, 2013 and January 9, 2017

The Ranch at Roaring Fork is a unique and special place. Of the approximately 464 acres of property comprising the Ranch, over 360 acres are dedicated open space. Water is abundant, with over two miles of riverfront and a myriad of streams and ponds. There are timberlands, wetlands and pasturelands teeming with wildlife. Recreational amenities exist for almost every interest: outstanding sport fishing, tennis, golf, trails for horseback riding, jogging, walking, and cross-country skiing when snow is abundant.

To protect these natural and recreational assets and to preserve the value, desirability and attractiveness of the community, the Board of Directors has adopted the Ranch rules and procedures contained and referred to herein.

All residents, adults and children, Owners, Guests and Tenants are requested to become familiar with and observe these rules and procedures.

Ranch at Roaring Fork Homeowners Association, Inc. Board of Directors

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## **Introduction**

In dealing with our neighbors and our properties, the basic guidelines should be common courtesy and consideration for how our actions, or failures to act, may affect others' use and enjoyment of our community and its resources.

Capitalized terms used in these Rules that are not otherwise defined have the meanings specified in the Declaration.

### **I. ENFORCEMENT OF RULES**

#### **A. Owner and Resident Cooperation**

If you have concerns about a rule violation, please notify the office or the Board of Directors.

#### **B. 911 Emergency**

Contact the Sheriff 911 Emergency in cases such as:

- Life-threatening situations
- Domestic quarrels
- Assaults
- Theft
- Vandalism
- Trespassing and poaching
- Aggressive animals

Please also notify the office so the incident can be made a matter of record.

#### **C. Covenant and Rule Enforcement**

The Board has adopted Policies and Procedures Regarding Covenant and Rule Enforcement (the "Enforcement Policies"). Copies are available on the website and at the Ranch Office. Please refer to them for full details. Among others, the Enforcement Policies provide for written warnings and, following an opportunity for a hearing, imposition of fines for violations. The terms of the Enforcement Policies, as they may be amended from time to time, are incorporated here by reference.

#### **D. Assessments and Collections**

Monthly installments of the annual assessment as determined by the Association and as allowed for in the Declaration are due and payable on the first day of each month. Assessments or other charges not paid when due may be subject to late fees, interest, and costs of collection, as provided in the Association's Policy and Procedures for Collection of Unpaid Assessments

(the “Collections Policy”), copies of which are on the website and available at the Ranch Office. In addition, if an owner is delinquent, payment of the entire annual assessment may be subject to acceleration. The provisions of the Collections Policy, as amended from time to time, are incorporated here by reference.

## **II. TENANTS/GUESTS**

### **A. Tenants**

1. Owners must provide Tenants with all applicable Association rules and regulations. (For the avoidance of doubt, as used in these Rules and Procedures, “Tenants” includes short term renters.)
2. Owners or their agents must provide to the Ranch Office an address and telephone number at which the owner or the owner’s agent can be reached at all times.
3. Owners must notify the Ranch office, in advance, of the names and contact information for all Tenants, and their periods of occupancy.
4. Owners are responsible for all the actions of their Tenants, including liability for fines and any disciplinary action for violations of the Association’s rules, regulations or covenants.
5. Also refer to Article X of these Rules regarding use of the Common Recreation Reserve by Tenants.

### **B. Guests**

1. Owners must advise their Guests of all applicable Association rules and regulations.
2. Owners are responsible for all the actions of their Guests, including liability for fines and any disciplinary action for violations of the Association’s rules, regulations or covenants.
3. Also refer to Article X of these Rules regarding use of the Common Recreation Reserve by Guests.

## **III. HOUSING UNITS**

### **A. Private Property**

1. Land surrounding single-family homes is privately owned.

2. Land surrounding condominium units is owned by the Association, except for limited common elements such as patios, balconies, and carports associated with individual condominium units.
3. Fishermen's easements exist along some, but not all, of the single-family home lots that border Ranch streams and ponds and some portions, but not all, of the streams and ponds are bordered in part by Ranch common land. When in doubt, ask at the Office.
4. The "Hunts' Homestead" property, including Hunts' Pond and the inlet channels leading into it, up to the north-south fence line, is private property and fishing is not permitted.

B. Soliciting

Soliciting door-to-door by non-residents is prohibited.

C. Residential Use

The Declaration provides that each property at the Ranch is to be used only as a residence. A home office is permitted within a minor portion of a residence if it does not bring in the general public on a frequent and regular basis, such as would occur by setting office hours or by announcing a regular business address, and so long as it does not generate any material amount of traffic.

D. Nuisances

No nuisances, noxious or offensive activities are permitted. This includes but is not limited to lights that are unreasonably bright or cause unreasonable glare, loud or annoying sounds, and odors that are noxious or offensive to others.

E. Architectural Control

1. The Declaration establishes strict architectural controls regarding construction or expansion of any building or other improvements, as well as changes to the surface of any land, landscaping changes, and changes in color, texture or exterior appearance of any building or other structure, among others. For full details, please refer to Article XIV of the Declaration (copies of which are available on the Ranch website and at the Ranch Office) as well as to Section 6.9(j) of the Declaration. Note that the Declaration and the Guidelines require advance written approval for any "Change in Property" as defined in the Declaration.
2. Pursuant to Section 14.5 of the Declaration, the Board has assigned to the Ranch Manager the right to review and approve minor changes on an expedited basis.

3. Any Owner seeking or planning to make any change to the exterior of a property, including changing the color or composition of exterior surfaces or materials, landscaping and tree removal, should contact the Ranch Office in advance.
  - a. Architectural guidelines are on the website and at the Office.
  - b. Application forms are on the website and at the Office.
  - c. The Ranch Manager, in consultation with the Board when necessary or appropriate, will determine whether the application is to be referred to the Architectural Control Committee or may be acted upon by the Ranch Manager as a minor application.
  - d. If referred to the Architectural Control Committee, the Committee will review the application and make a recommendation to the Board, which then shall make the final decision.
  - e. All decisions will be in writing or confirmed in writing.

F. Condominium Unit Changes

All changes to the exterior of any condominium unit (including windows, doors, siding, and roof), and to any of the Common Elements of the Condominium Parcel (as those terms are defined in the Declaration) require prior approvals. Please particularly note that Section 6.9(j) of the Declaration provides that no Unit Owner shall make any structural alterations to the interior of any condominium unit, and no plumbing or electrical alterations within any bearing wall of any Condominium Building, without the prior written consent and approval of the Association.

G. Appearance of Residences

1. All property within the Ranch, including all improvements (fences, decks, etc.) must be kept and maintained by the Owner in good repair and in neat and sanitary condition.
2. Lawns must be mowed and watered as needed.
3. Plants, shrubbery, trees and other landscaping must be properly maintained. Diseased or unhealthy trees or landscaping, particularly if they pose a threat to trees or landscaping on other properties, must be suitably cared for or removed.
4. Cars are not to be parked on lawns.
5. Items such as equipment, tools, materials and supplies, and children's bikes and toys should be stored in neat and orderly condition and, where

practical, suitably screened from view from passersby and neighboring properties. Inoperable vehicles, auto parts, garbage cans, trash and junk are not allowed in any exterior area around the home unless suitably screened from view from passersby and other Ranch properties. (Whenever these Rules require that something be “suitably screened from view,” the opinion of the Board shall be final and binding.)

6. No tent or temporary structure may be erected, except that tents are permitted in back yards for short-term overnight camping (not more than two days).
7. See Article IV, Paragraph C of these Rules regarding campers, recreational vehicles, and other vehicles.
8. Firewood must be neatly stacked. If visible to passersby, tarpaulins used to cover firewood must be of subdued earth tone colors such as brown or grey.
9. Section 6.9(h) of the Declaration limits signs that may be maintained or displayed at the Ranch. See C.R.S. 38-33.3-106.5, however, regarding certain prohibitions declared by the Colorado Legislature to be contrary to public policy.
10. Disposal of trash, etc.
  - a. Trash, garbage, recycled materials and other waste must be kept in clean and sanitary containers. (Contact the Ranch Office for a recycle container and information on what items are recyclable).
  - b. Because of the proximity of the residential areas to wildlife habitat, trash and garbage cans must be stored inside. For oversized items, contact the Ranch Office for additional trash pick-up instructions.
  - c. Residents and guests are to keep all areas neat and clean.
  - d. Littering or disposal of trash or any other waste product (to include waste oils, antifreeze etc.) on any portion of the Ranch is prohibited.
  - e. Grass clippings, leaves and similar yard materials must be disposed of in designated areas. (If in doubt, ask the Office.)

Please note that batteries, electronics (such as computers) and hazardous waste (such as paint) must not be included in the trash placed out for collection by the Ranch’s waste disposal contractor. Each Owner must dispose of such items separately.

#### H. Sewer

The disposal through the sewer system of items such as feminine sanitary materials, baby wipes and baby diapers, grease, plastics, dental floss and towels is prohibited. Owners will be responsible for all costs resulting from their violation of this rule as well as for violations by their Tenants, Guests, agents and invitees.

I. Fire Protection

1. The Ranch is a member of the Carbondale Fire Protection District.
2. For your added protection, you are requested to be watchful of all combustible materials in your area.
3. All Owners should have and maintain smoke and carbon monoxide alarms and should keep fire extinguishers on hand.
4. Burning of any refuse on Ranch property, except by the Ranch staff, is not permitted.

J. Asbestos

The Ranch has adopted an Asbestos Inspection and Abatement Policy. A copy is on the website. As noted in that Policy, "Because many of the homes and condominium units were built at the Ranch in the 1970's and 1980's it is quite likely that some of the construction materials used, including texturing materials applied to walls and ceilings, floor tiles, blown in insulation, pipe insulation, and other construction materials may contain asbestos." It is the responsibility of Owners to comply with all legal requirements relating to asbestos-containing materials. The Association may require Owners to provide evidence of such compliance.

K. Construction Activities

Construction hours are: Monday – Friday: 8:00 a.m. – 7 p.m. (On site at 7:00 a.m. No noise before 8:00 a.m. (machinery, hammers, etc.)). Saturday: 8:30 a.m. – 6:00 p.m. (On site at 8:00 am. No noise before 8:30 a.m.). Sunday and Holidays (New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day): No Construction Work.

**IV. MOTOR VEHICLES**

A. Speed Limit

The speed limit is 10 mph on the Ranch. It is to be observed at all times.

B. Restricted Driving Areas

1. Only Ranch staff vehicles are permitted in the Common Recreation Reserve, subject only to the exceptions in Paragraph 3, below.

2. Please observe all "No Motorized Vehicles" signs.
3. Owners and Tenants may use the interior roadway for access to the Ranch "burn pile," "compost pile" and, if applicable and with advance permission, to gather and/or cut firewood. Owners, Tenants and guests who are fishing in accordance with the Ranch Fishing Rules and Regulations, may use the interior roadway for access to designated day use fishing parking areas at the RV Lot and the former skeet range, but not beyond. Anyone using the day use parking areas should obtain and display a parking permit, available at the Ranch Office.

C. Parking & Storage

1. Only operable passenger vehicles, pickup trucks, motor scooters and motorcycles, in each case with current license plates and owned by the Owner of the residence or the Owner's Tenants or their guests while visiting the Owner or Tenant, may be parked at the residence, unless kept inside a garage or otherwise suitably screened from view.
2. Buses, heavy trucks, recreational vehicles, boats, and other equipment must be stored out of view in a garage, attached storage space or in areas designated by the Ranch, except for short-term storage (not more than 48 hours) when preparing for or returning from a recreational activity involving use of that equipment.
3. Guidelines for use of the RV storage area may be obtained from the Ranch Office.
4. Horse trailers are to be parked on the outside of the RV storage yard.
5. On-street parking is permitted only for periods of not more than 6 hours. No overnight parking is permitted in common areas, on the street or on shoulders.
6. Garages are to be used for parking vehicles and storage purposes only and may not be converted for living or recreational activities.
7. Snowmobiles, four wheelers, dirt bikes, and go-carts are not to be operated on the Ranch. Motor scooters and motorcycles are permitted (subject to the Restricted Driving Areas rules and Ranch speed limits), if they have street-legal exhaust systems and, if required, current state license plates.

D. Camping in Vehicles

Campers, trailers, motor homes, etc., may not be lived in while on the property and must be parked only in designated areas, except that with written approval overnight guests may occupy a camper, trailer, or motor home parked at an

Owner's residence for a maximum of seven days. Written approval from the Office is required, with at least three days written notice prior to arrival.

## V. ANIMALS

### A. Limits

In accordance with the Declaration, no animals, livestock, or poultry of any kind shall be raised, bred or kept within any Individual Space or Lot except that domestic dogs, cats, or other household pets may be kept in reasonable quantity provided they are not bred or maintained for any commercial purpose. As used herein and as applied to dogs, cats and birds, "reasonable quantity" means no more than two (2) each.

### B. Registration & Tags

All residents must register their pets as and to the extent required by Garfield County.

### C. Leash Rule

1. Dogs must be held on a hand-held leash at all times when they are outside the Owner/Tenant's unit or lot, except that dogs may run off-leash within the Common Recreation Reserve so long as they are under the direct supervision and control of their owner.
2. Dogs are not allowed on the golf course at any time.
3. Dogs may be chained in the backyard of a single family home; however, the chained area may not exceed 15 feet from the house.
4. Dogs may not be chained in the condo area.

### D. Pooper Scooping

1. Owning animals entails disposing of their excrement. This includes picking up after your dog and disposing of the contents in containers provided around the Ranch for that purpose. It is not acceptable simply to drop bags on the ground and expect Ranch staff or other good Samaritans to pick up after you.
2. Do not allow your pets to go into neighbors' yards, the golf course, kiddie park or other maintained areas.
3. Do not allow your pets to urinate on neighbors' plants, shrubs, trees or lawns.

### E. Nuisance Pets

1. The Association shall have the right to prohibit any animal which in the determination of the Board is overly aggressive, barks excessively, advances on others, or otherwise constitutes a nuisance to any other Owner or Tenant.
2. Homeowners are encouraged to keep their pets inside after 10:00 p.m. to decrease the likelihood of barking that will disturb neighbors.

F. Pet Courtesy

Residents who feed their pets outside must bring pet food in at night, to avoid attracting skunks and other undesirable animals.

**VI. WILDLIFE**

A. Respecting Wildlife

1. Wildlife at the Ranch is not to be molested. This includes throwing of rocks, sticks and snowballs.
2. Nesting ducks and geese should not be approached closer than 100 feet. Nesting and hatching of young takes place approximately from March through July.
3. Pets may not be permitted to bother wildlife in any way, at any place, on the Ranch.
4. Any dog that molests wildlife or chases horses, deer or cattle may be declared a nuisance and ordered removed from the Ranch.

**VII. HUNTING & CARRYING ARMS**

A. Hunting

1. Hunting is strictly prohibited on the Ranch, unless during controlled hunts. (Notice of dates will be sent by the Office.)
2. No one is allowed to use the Ranch property to cross over and hunt on neighboring land.

B. Arms

The use or discharge of firearms, BB guns, air rifles, bows and arrows and crossbows for target shooting or any other recreational pursuit is prohibited, except to the extent, if at all, that the Board may authorize bow and arrow or other target practice in writing, and then only subject to and in strict compliance with all conditions and limitations that the Board may place on such practice.

## **VIII. RECREATION**

### **A. Delinquent Accounts**

Owners whose Association accounts are delinquent, and their guests and Tenants, are prohibited from using the Common Recreation Reserve and amenities.

### **B. Cross Country Skiing**

1. Cross-country skiing is permitted on the Ranch by Owners, Tenants and Guests, but is not allowed on putting greens or private yards.
2. As a courtesy, those on foot, horseback or with dogs are asked to avoid disturbing established ski tracks.

### **C. Lakes and Streams**

Ranch lakes and streams may not be used for boating, rafting, tubing, swimming, wading or ice-skating except to the extent, if at all, that the Board authorizes the same in writing, and then only subject to and in strict compliance with all conditions and limitations that the Board may place on such use.

## **IX. PERMITS AND PASSES**

### **A. Fishing**

Permit required; applications and rules are available at the Ranch Office.

### **B. Golf**

Available at the Golf Shop.

### **C. Horses**

Available at the Ranch Office.

## **X. COMMON RECREATION RESERVE**

### **A. General**

Use of the Common Recreation Reserve shall be limited as prescribed in these Rules.

### **B. Areas Subject to Special Provisions**

1. Portions of the Common Recreation Reserve, such as the golf course, may be open to the public upon such terms and conditions and for such fees as the Board may determine.
2. Portions or elements of the Common Recreation Reserve covered by special rules adopted by the Board, such as fishing and equestrian use, shall be subject to use under the terms and conditions set forth in such rules.

C. Owners' and Tenants' Use

1. In general, Owners are entitled to use and enjoy the Common Recreation Reserve in accordance with and subject to applicable rules and regulations. However, to the extent and for so long as an Owner has delegated in writing to one or more of such Owner's Tenants in residence at the Ranch the rights to use the Common Recreation Reserve, and has provided the notice required by Article II, Subparagraph A 3, then the Tenant(s) in residence and not the Owner(s) shall have such right of use and enjoyment.
2. Any delegation shall be subject to all applicable rules and regulations, including the provisions of Article VIII, Subparagraph A of these Rules and those pertaining to specific parts of the Common Recreation Reserve, such as the golf course, the horse pastures, and the fishing areas. Members of the immediate family (parent, spouse, child or grandchild) of an Owner or Tenant living at the Ranch with the Owner or Tenant may also use and enjoy the Common Recreation Reserve to the same extent as the Owner or Tenant, subject to all applicable rules and regulations.
3. For the avoidance of doubt: (i) any delegation must be in writing and in a form reasonably satisfactory to the Association, (ii) a copy must be provided to the Association, and (iii) a delegation may be made only to a person in residence at the Ranch and for a term limited to that person's period of residency.

D. Guests' Use

Guests of an Owner (or, if applicable, of a Tenant entitled to use the Common Recreation Reserve as provided above) may use the Common Recreation Reserve only if accompanied by the Owner or Tenant or by a member of the immediate family (parent, spouse, child or grandchild) of an Owner or Tenant living at the Ranch with the Owner or Tenant, subject to all applicable rules and regulations. However, houseguests of an Owner or Tenant (meaning a guest in residence with the Owner or Tenant) may use the Common Recreation Reserve unaccompanied, subject to all applicable rules and regulations. Unaccompanied Guests are otherwise not permitted.

E. Maximum Number of Users

The Board may from time to time limit, on a uniform and non-discriminatory basis, the total number of persons from a Unit entitled to use the Common Recreation Reserve on any day, as an Owner, Tenant or Guest, to the extent it deems such limitation reasonably necessary to prevent overcrowding and to preserve the opportunity for reasonable solitude. Subject to the foregoing, the total number of persons using the Common Recreation Reserve on any day from any single Unit should ordinarily not be greater than eight (8) unless permission is obtained from the Ranch office.

**XI. DRONES** (added 1/9/17)

Out of concerns for the safety and privacy of owners, guests, employees and others, and to limit intrusions on and interference with the natural and undisturbed use and enjoyment of the Ranch at Roaring Fork, and particularly the Common Recreation Reserve, by wildlife, hikers, anglers and others, the Association prohibits the operation or use of unmanned aerial systems (UAS), or drones, on or over any part of the property comprising the Ranch at Roaring Fork "Project" as that term is defined in the Association's Second Amended Declaration of Covenants, Conditions, Limitations, Restrictions, Reservations, Liens and Charges, as the same may have been or hereafter may be amended (the Declaration), and also on and over the so-called Commercial Parcel as defined in the Declaration to the extent the Board has the authority to impose such restrictions with respect to the Commercial Parcel – including by recreational users and hobbyists – without prior written authorization from the Association. This prohibition includes drones used for any purpose whatsoever, whether recreation, amusement, entertainment, filming or videotaping, for commercial or personal purposes, or by media or journalists.

This prohibition extends to any drones launched or operated from or on any portion of the Project, as well as drones launched from elsewhere but flying over all or any portion of the Project.

To the extent, if at all, drone use is authorized by the Association (which authorization may be granted, withheld or conditioned in the sole discretion of the Association's Board of Directors), such use must be in accordance with Federal Aviation Administration (FAA) rules and regulations, and other applicable laws, rules and regulations, as well as in compliance with any and all requirements or limitations placed on such use by the Association as a condition or conditions of such authorization.