

# **ALPINE VILLAGE HOMEOWNER ASSOCIATION**

## **RULES AND REGULATIONS**

The following Rules and Regulations are adopted pursuant to authority granted by Article II Section 3 (k) of the Declaration of Covenants, Conditions, and Restrictions of Alpine Village to govern the conduct of homeowners, their tenants and guests while engaged in such use.

For these purposes, "Common Area" is defined as the Reciprocal Easement in Article II, Section 4 (a) of the CC&R's. The Common Area will also include, without limitation, private streets and parking areas. Common Area shall also include any real or personal property now or hereafter owned by or leased to the Alpine Homeowners Association.

The Association is responsible for maintaining the Common Area of the complex as well as protecting the rights of the owners and tenants. It is with this responsibility in mind that the Board of Directors of the Association must enforce the Rules and Regulations contained herein. Violations, especially multiple violations of one or more of the Rules, will generally result in a fine being assessed to the homeowner as provided herein.

### **ARTICLE I OWNERS AND TENANTS**

- A. Each homeowner must be familiar with these Rules and Regulations and other legal Requirements of Association membership, and shall ensure that tenants and guests are also in compliance with these provisions. Since only owners of a lot(s) within Alpine Village may legally hold Association membership, lot owners shall be accountable for the actions of all household members, tenants, and guests of their respective dwelling units and the Common Area of Alpine Village with regard to these provisions.
- B. All residents of Alpine Village, whether resident owner or tenant, are bound by the By-Laws, CC&R's, and the Rules and Regulations (R&R's) of the Association.
- C. Non-resident owners assume responsibility for their tenants, and are therefore responsible for any fines assessed to their dwelling unit. Prior to tenant move-in, the owner must present to the Board of Directors a statement signed by the tenant indicating that he/she has received, read, and will abide by the R&R's as herein published.
- D. All costs incurred in repairing damage to Common Area caused through willful or negligent acts of homeowners, their tenants or guests, shall be charged to the responsible homeowner. The cost shall be added to and become part of the assessment to which the homeowner's property is subject.
- E. Non-resident owners shall report promptly their current address to the Board of Directors.

### **ARTICLE II ARCHITECTURAL CONTROL – PRIOR APPROVAL**

- A. An owner wishing to make any architectural changes, additions, modifications or structural installations of any type must first present a written request, together with a sketch, to the Board of Directors for approval. Included in this provision are all attached and detached structures such as storage buildings, walls, fences, gates, hot tubs, gazebos,

basketball standards, satellite dishes, awnings and other permanent type installation of a similar nature.

Prior to approval, the Board of Directors will consider, among other factors:

- (1) How the proposed change affects the overall value of the neighborhood;
- (2) How the proposed change will affect the safety of the residents;
- (3) How the proposed change will affect the peace and tranquility of the other residents;
- (4) What obstructions of view, if any, will occur from other residents' property with the proposed change;

- B. Furthermore, under this provision, none of these structures named above will be given approval unless a serious need can be demonstrated and will have no adverse affect on the peace and tranquility of neighbors and other residents of Alpine Village.

### **ARTICLE III      GENERAL RULES**

- A. Noise within the units, and especially outdoor activities, shall not disturb other residents. Outdoor activities shall not extend beyond 11:00 P.M. Upon written complaint of any owner, the Board shall determine if a nuisance was caused and shall have the right to assess fines. These restrictions also apply to Common Areas.
- B. Outdoor lighting such as spotlights, patio lights and porch lights should be turned off or dimmed by midnight.
- C. The privacy of Residents must be respected. Private patio areas are not to be used as shortcuts or walking/play areas by other residents or guests.
- D. Bicycles shall not be ridden on other resident's property except by permission of the other resident.
- E. Skateboards, roller skates, ball playing, Frisbee throwing and other similar activity are not permitted within Alpine Village.
- F. No garage sales, yard sales, rummage sales or any similar type of public sale for any purpose shall be permitted in Alpine Village without the prior approval of the Board of Directors.
- G. Only normal window coverings are permitted. No foil, paper, or other similar materials may be used. Any deviation from use of standard window coverings, including awnings, must have prior written approval of the Board. Window awnings may be approved, depending on the color, design, construction, and type of material proposed.
- H. To the fullest extent possible, all garage doors shall remain fully lowered and closed.
- I. No laundry lines may be strung on patios or other areas surrounding the dwelling unit or any type of racks used for airing or drying articles of clothing or household items where visible from the street or from nearby dwelling units.
- J. The Association or its employees assume no liability for any loss or damage to personal items left or stored in any common area.

## **ARTICLE V PETS**

- A. Pet ownership at Alpine Village is a privilege, not a right. Pets can be a pleasure to their owners and a nuisance to their neighbors. Owners with pets should remember this and must abide by these regulations.**
- B. No more than two household pets such as two dogs, two cats, one dog and one cat, or two birds, or other similar pets shall be permitted within any dwelling unit. No outdoor pet of any kind shall be permitted anywhere within Alpine Village.**
- C. Dogs, cats, or any other animals must be kept on a leash when not confined to the owner's unit and must be accompanied at all times by a responsible person when not confined to the owner's unit.**
- D. Staking or tying dogs, cats or other pets anywhere in the Common Area is prohibited.**
- E. No homeowner shall be permitted to keep pets of any kind for the purpose of breeding on a commercial or hobby basis.**
- F. Pet owners shall abide by all Grand Junction and Mesa County ordinances governing pets.**

## **ARTICLE VI TRASH DISPOSAL**

- A. All trash and garbage placed outdoors must be secured in covered containers of metal, rigid plastic, or other sturdy material. Such containers shall be stored within the owner's unit or inconspicuously near or next to the owner's unit.**
- B. Trash containers may be placed outside at the curb no earlier than the evening prior to pickup days, and shall be removed for storage as quickly as possible after pickup. All residents must be aware of regular and holiday trash collection schedules.**
- C. All trash, garbage, and other refuse must be removed from Owner's property on a regular basis and may not be allowed to accumulate.**

## **ARTICLE VII LANDSCAPING**

- A. Only landscape plantings similar to those that are currently established at Alpine Village, will be permitted. In no case will anything be placed or planted so as to interfere with a neighbor's privacy or scenic views.**
- B. Homeowners are responsible to maintain their property, including private patios, in a conscientious manner; trees shall be trimmed regularly to maintain a well groomed appearance. Dead trees, shrubs, plants and cuttings, leaves, weeds and other miscellaneous debris shall not be allowed to accumulate and shall be cleaned up and disposed of promptly.**
- C. Unimproved lots shall be maintained in an orderly manner free of weeds, trash, and other such debris.**
- D. An owner wishing to make any landscaping contribution to any Common Area, must first present a written request together with sketches to the Board of Directors for approval.**

- K. No window air conditioning units shall be installed. Central air conditioning systems may be installed by Owner at any time. Placement of condenser must be approved by the Architectural Committee, and the Owner must submit a placement drawing for approval.
- L. No sign of any kind shall be displayed to the public view without the approval of the Architectural Committee, except such signs as may be used by Declarant in connection with the development of Alpine Village and sale of residences and Lots and except such signs of customary and reasonable dimensions as set forth by the Committee as may be displayed on or from a residence advertising the residence for sale or lease. All signs, except such signs as may be used by Declarant, shall be placed on the exterior of the residence parallel to the exterior wall. Any "For Sale" or "For Lease" signs shall not be more than three (3) feet by two (2) feet.

#### **ARTICLE IV                      VEHICLE PARKING AND REPAIR**

- A. Personal vehicles such as automobiles, pickups and vans must be parked in the garage or private driveway only. Personal vehicles may not be parked in common driveways, at the curb or any other common or open area surrounding dwelling units. Use of garage spaces for parking vehicles shall be given priority over use for any other purpose.
- B. All recreational vehicles such as campers, motorhomes, travel trailers, boats, and other similar vehicles, and all commercial vehicles of any type must be parked within a closed garage. None may be parked consistently from day to day, even overnight or other short periods of time on driveways, streets, or elsewhere in Alpine Village except as provided by paragraph C of this Article.
- C. Temporary parking of recreational vehicles such as motorhomes, travel trailers, boats, and other similar vehicles is permitted for a period of forty eight (48) hours for the purpose of loading and unloading or as per the CC&R's. Such temporary parking will be permitted only in a driveway.
- D. Operation of all off road vehicles and all-terrain vehicles is prohibited except to enter and exit Alpine Village.
- E. The physical act of violating the parking rules and regulations constitutes a lien on the vehicle. Towing of vehicles pertains to parking violations in Common Areas, which will result in the towing and storage of the vehicle. The towing and storage company will hold a possessory lien on the vehicle.
- F. No major mechanical work on vehicles of any type is permitted in driveways or areas surrounding a dwelling unit, on Common Area, or on any unimproved lot.
  - (1) Minor repair, adjustments, washing and other such activity may be performed inconspicuously, and must be completed within a twenty four (24) hour period.
  - (2) All oil spills shall be cleaned up immediately, and all equipment shall be removed from sight immediately upon completion of work.
  - (3) No dismantled or visibly inoperative vehicles may be parked or stored in any Common Area, driveway or open area surrounding a dwelling unit.

**ARTICLE VII VIOLATIONS, FINES AND PENALTIES**

- A. Residents who have a disagreement or complaint with another resident are encouraged to resolve the matter between themselves before filing a written complaint with the Board. To receive consideration, any complaint pertaining to the alleged violation of any rule or regulation published herein must be presented in writing, signed and dated by the complainant, to the Board. No such complaint shall be considered unless clearly and legibly signed by the Complainant. The Board of Directors shall refer all written complaints to the Rules and Regulations Committee for review and recommendation as to appropriate action.
- B. If the Board of Directors determines that a violation of the Rules and Regulations or other legal requirements of membership in Alpine Village Homeowner's Association has occurred, the violating party shall be notified of the infraction and the Board shall take appropriate action to correct the problem and prevent its reoccurrence. If the matter is not resolved to the Board's satisfaction, provisions for further relief are established as follows.
- (1) The Board may assess a fine against the offending homeowner in the following applicable increments:
- |    |                                                                               |           |
|----|-------------------------------------------------------------------------------|-----------|
| a. | First fine                                                                    | \$ 50.00  |
| b. | Second violation of same rule or regulation                                   | \$ 100.00 |
| c. | Third violation and each subsequent violation of the same rule or regulation. | \$ 200.00 |
- (2) The party alleged to have committed the violation shall be notified of the action of the Board in writing, and shall be extended an invitation to respond at a specified hearing to be held by the Board. The Board will make a final decision in the matter and notify the violator of its decision.
- (3) Any fine assessed shall be added to and become a part of the next payable regular assessment to which the violator's property is subject. In the event of nonpayment of the fine, as with all fees and assessments legally due the Association, the Board of Directors may seek further remedy, pursuant to the By-Laws, through appropriate civil action.
- C. All owners are advised to read and understand all parts of the CC&R's and the By-Laws. Any questions which may arise should be directed to the Board of Directors.

The foregoing Rules and Regulations were adopted by the Board of Directors of Alpine Village Homeowner's Association, Inc. at its duly called meeting on the 16<sup>TH</sup> day of JUNE, 2004.

RANDY D. MILLER (PRESIDENT)

R.D. MILLER 6/17/04

MEMBER OF THE BOARD

Edward J. Kenney 6/17/04

MEMBER OF THE BOARD

Donita O'Hara 6/20/04

MEMBER OF THE BOARD