

Recodo del Rio HOA Rules & Regulations 12.2012

The following Rules and Regulations are being adopted pursuant to existing state laws, county and city code and our CCRs, Bylaws, and Policies & Procedures. Many of these rules should be self-evident but are included so everyone living at Recodo del Rio is informed of the expectations of the Board of Directors and your neighbors. Please remember – unit owners are responsible for the behaviors of their family members, guests, tenants and visitors.

Rules and regulations can be updated as needed; however, rules and regulations based on our CCRs and Bylaws must be promulgated and enforced in accordance with our governing documents, and state and local laws.

Building Exteriors:

- The HOA is responsible for upkeep of the building exteriors. However, damage caused accidentally or deliberately will be charged to the unit owner responsible. The unit owner will be held liable for all acts, whether intentional or unintentional, of all family members, guest, tenants, and visitors. Past examples of damage include damage by children building snow forts against the building exterior and damaging the stucco with their boots; breaking out windows and screens; and damaging building exteriors with motor vehicles. Move-in and move-out damage has been documented at various units when furniture scrapes the building exterior or doorways.

Businesses in HOA Units:

- The CCRs restrict businesses from being run out of any unit in the HOA. By definition this includes both legal and illegal business activities. At this time, there are no authorized home businesses in the HOA. We expect owners to know what their tenants do for a living. If an owner is contacted about a suspected business being operated out of their unit, it is the owner's responsibility to ascertain whether or not a legal or illegal business is indeed taking place in their unit. If criminal activity is suspected, the owner will be referred to the appropriate law enforcement agency.
- Home offices are allowed by the CCRs. Home offices must be licensed by the City of Durango per City Code. Anyone having a home office must comply with all CCRs, Bylaws, Policies & Procedures and Rules & Regulations at all times.

Emergency Contact List

- Owners are to maintain their emergency contact information with the HOA. Owners shall provide emergency contact information for their tenants. This includes names, phone numbers, and e-mail addresses of all occupants residing in the unit.

Fire and Fire-related Concerns:

- The CCRs allow gas grills in 'backyard', private spaces only. Grills of any type are not allowed on GCE space, except when permission is granted by the Board of Directors (i.e., community picnics).
- Due to the extreme fire hazards present in Durango, the HOA will follow the recommendations of the County and City in regard to restricting charcoal fires or other open flame prohibitions.

- Charcoal grills are not allowed on decks constructed within the footprint of the unit.
- All units should be equipped with either several 10 lb. ABC type fire extinguishers or a hose that can reach every room in the unit.
- Owners should provide their rental units with fire extinguishers and provide basic operating instructions for the residents.
- Fire alarm systems should be checked on a monthly basis, and if not operational, must be repaired immediately.

Guests and Visitors:

- Guests and visitors are expected to comply with all rules and regulations. Unit owners are responsible for the behavior of their guests and visitors.
- Guest visits are temporary. Guests are not room mates and may not live in the HOA for any extended period of time.

Hearings & Fines:

- Our policies and procedures cover the processes for hearings and fines. Please refer to this document for details.

Holiday Decorations:

- Holiday decorations are allowed but must be appropriate for the season. Decorations are allowed to be put up 2 weeks before the holiday, and shall be removed 2 weeks following the holiday.

Independent Contractors:

- Anyone who works for the HOA must be pre-approved and have the Recodo del Rio independent contractor form signed and notarized before being allowed to do any work for the HOA. This includes Board members and Officers as well as residents.
- Board members and Officers, as independent contractors, have first right to work in the HOA as they serve as unpaid volunteers for their duties to the HOA. The Board member, Officer, or resident must be qualified to do the specific work task as an independent contractor.
- Proof of adequate property, auto and liability insurance may be required for independent contractors based on the task involved.

Landscaped Areas:

- Our landscaped areas are maintained for the enjoyment of all of our residents. It costs time and money to repair damaged landscaping due to residents and guests playing in these areas and disturbing or damaging the landscaping features. Due to these reasons, residents and guests are expected to remain off the gravel behind Units #22 – 25, and not climb the rocks in the Pocket Park, between units # 14 and 47. Anyone found causing damage will be charged for repairs and/or labor costs to repair the damages. Owners are liability when their tenants or guests are responsible for damages.

Landscaping of Private Property in Public Areas:

- Unit owners whose 'back yards' are visible from GCE roadways and parking areas are responsible for maintaining their properties in a manner consistent with the other public space areas in the HOA. This includes weeding, trimming trees and keeping vegetative cover watered and appropriately landscaped.

- Unit owners who do not maintain their property as described above will be given one warning to correct the deficiency, and if the deficiency is not corrected, the HOA will either perform the necessary corrective actions, or hire it out. Owners will be charged a labor rate of \$50.00 per hour for the landscaping work and a fine of \$50.00 for not complying with the CCRs and rules and regulations.

Move-in, Move-out:

- Both moving-in and moving-out (MI-MO) generate excess cardboard and trash. When anyone in the process of MI-MO overfills the garbage containers, it disrupts the lives of the other residents. Having 15 – 30 other families impacted by one family is not equitable. Responsible MI-MOs will add their debris to the garbage and/or recycling bins over the course of several weeks as to not overload capacity of the dumpsters and recycling bins. Anyone who overloads the dumpsters will be charged a labor rate of \$50.00 per hour for the purpose of handling the overload, and a fine of \$50.00 for overloading the dumpsters and/or recycling bins.

Noise:

- We live in a residential community, and noise is ever-present in our environment. The HOA has quiet hours for residents that begin at 9:00 pm to 7:00 am the following morning.
- Residents and guests who do not respect the quiet hours will be referred to the Durango Police Department for intervention and possible arrest.
- Contractors working on-site will abide by the following quiet hours: 7:00 pm to 8:00 am. Contractors not abiding by this schedule can be prohibited from working on site.
- Vehicle operators are asked to keep radios turned down when driving in the HOA. The music you love is not necessarily appreciated by your neighbors.
- Anyone being disturbed by noise from a neighbor, guest or another person is encouraged to call dispatch at 385-2900 and report the disturbance. Your identity is protected when you make this call. If you are disturbed during the non-quiet hours it is your right to call Dispatch and report the noise.

Parental Supervision of Their Children:

- Parents are to supervise the play of their children at all times.
- Children are not to play on the landscaping features, climb trees or damage vegetation.
- Children are not to throw or place rocks in the green areas.
- Children (or adults) damaging any of the physical assets of the HOA will be assessed repair and/or replacement costs for the damages.
- Parents must supervise their children when their children are using skateboards, bikes, roller blades or skates when operated with the HOA.
- Wheeled toys, as described above, are to be kept off sidewalks and steps.

Parking:

- The HOA has 25 parking slots in the general common elements (GCE) areas. Parking slots are shared amongst all residents and guests. Specifically, no one “owns” a parking spot in the complex.
- Only residents and guests may park in the marked parking spots. Vehicles can be towed or booted if illegally parked.
- Park within the outline of the parking space. Residents or guests taking up more than one spot will be subject to warnings and fines as defined in our procedures and policies. Continued

violations of the parking rules can result in towing of vehicles or suspension of parking privileges within the HOA.

- No one is to park in another unit owner's driveway or in front of a garage door blocking in another's vehicle. The only exception would be a situation where a unit owner requests someone to park in their driveway while the unit owner would be on vacation or out of town for an extended period of time. In this instance the Board must be informed of the agreement prior to this arrangement taking place.

Pets:

- Any new pet, whether belonging to a unit owner or to a tenant, must be pre-approved by the Board, and must be registered with the board upon move-in.
- New residents who show up with pets which are not pre-approved will have seven (7) days to remove the pet from the HOA.
- Rental owners must inform their tenants of this requirement and will be held accountable if they do not communicate pet restrictions to their tenants.
- The Board has the legal authority to prohibit new pets from being brought on-site, as well as rescinding approval of any pet that becomes a problem or nuisance. This requirement applies equally to unit owners and tenants. Once approval is rescinded, the offending resident has seven (7) days to remove the pet from the HOA.
- The HOA follows the City of Durango's laws regarding pets being on leashes unless playing in the Dog Park, and owners must pick up after their pets immediately following defecation. Due to the various diseases harbored in dog (and cat) feces, violators will face heightened fines and possible loss of pet privileges. Please refer to the CCRs for specifics on pets.

Political Sign Display:

- Small signs that fit in a window are allowed inside the unit. Signs may be placed 2 weeks before an election and must be removed 2 weeks following an election.
- No other signs are to be posted in windows or doors unless pre-approved by the Board and an agreed format and length of posting are followed.

Privacy Concerns:

- Personal information of residents will not be shared with other residents unless required by law and following a written request that justifies a legitimate reason as to why the information is needed, and how it will be used.
- Real estate agents or other parties asking for contact information regarding sales or buyer's questions should be referred to the President of the HOA for clarification of the request and statement of our member's privacy policy.

Snow Removal:

- Snow removal is contracted by the HOA with professional snow removal businesses that carry liability insurance and have provided the HOA with independent contractor certification and references. As snow can accumulate quickly the contractor may be present early in the morning, during the day or late at night. Our contractor is supposed to remove snow before 7:00 am to clear the roads and hill to Animas View Drive. Our contractor usually begins to plow after the snow depth reaches three (3) inches.
- Sidewalks and the area around the mailboxes is shoveled by HOA members. Ice melt and gravel is also applied by HOA members.

- Once the plowing is completed, any snow left in your driveway should be shoveled to the end of your driveway adjoining general common element (GCE) roadway, and pushed to one side. This allows the contractor to more easily remove your snow, and minimized the melting and refreezing that occurs when snow from driveways is thrown into the roadways and refreezes.
- The HOA is not responsible for removing snow on private property. Lots 1 -14 and 30 – 36 own the driveways immediately outside of their garages. Parking areas provided for Units 38-41 are the property of the unit owners. These units are responsible for the safe and proper management of snow as described above.

Speed Limit:

- The speed limit within the subdivision is 5 mph.
- Drivers are asked not to use cell phones or text while operating a motor vehicle in the HOA.
- Remember, we have numerous families with children who love to ride and skate in the HOA, and as drivers, it is your responsibility to have your vehicle under control at all times.

Spring & Fall Clean-up:

- Spring clean-up takes place in April, and is limited to leaves, branches and landscaping wastes.
- Fall clean-up takes place in October, and the above items are accepted, as is old furniture and other household items. The City does not take truck or car batteries, electronics, old TVs, paint, flammables, or hazardous chemicals. The City does have special collection events for these items and we attempt to communicate the dates and times via postings or newsletter articles.

Tenants:

- Rental unit capacity for shared living arrangements for non-related individuals is limited to one person per bedroom. A two bedroom rental unit is to have no more than 2 non-related tenants; a three bedroom unit is to have no more than 3 non-related tenants.
- Tenants must be informed that Recodo del Rio is a Residential Home Owners' Association and not an apartment complex. Our parking capacity and garbage/recycling service are based on residential usage rates, and not commercial use.

Trash and Recycling:

- There are three bear-proof dumpsters in the HOA. Feel free to use any of the dumpsters; most of your neighbors use the unit closest to their home. Garbage is picked up three times per week.
- If a dumpster is overloaded, dispose of your trash in another dumpster. Do not leave garbage next to a full dumpster. City crews are ordered not to pick up trash adjacent to dumpsters. Fines will be issued for violations of this rule.
- City code determines what can and cannot be thrown out in a dumpster. The dumpster has informational stickers on them, or you can refer to the City's website for additional information.
- If you have an item that does not fit in the dumpster, it is your responsibility to reduce it in size. If you need to borrow tools to accomplish this, see one of your Board members or Officers.
- Throwing away large items that should be taken to the dump is not acceptable. You can dispose of large items (as defined by the City) during the fall cleanup, or haul them to the dump. Individual unit owners will be charged for tenants illegally disposing of large items.
- The HOA has cardboard recycling – please breakdown the cardboard and lay it flat in the recycling container. Cardboard boxes should not be thrown in the dumpster, as they should be recycled, and empty boxes not broken down needlessly take up space in the dumpsters.

- Bottles, cans and #1 & 2 plastic are recycled at the containers by the mailboxes. If a container is full, wait to recycle after the next pickup by the City. The City does not allow their drivers to exit the vehicles to pickup boxes or bags of recyclables.
- Littering is prohibited, and anyone found throwing debris (empty cans, bottles, cigarette butts, etc.) on the ground is subject to the fines outlined in our Policies and Procedures.

Adopted December 18th, 2012