

## **Pinon Hills Ranch Property Owners Association, Inc.**

### **Rules & Regulations**

Last Update; September 2004

In order to maintain adequate conditions for enjoyable living at Pinon Hills Ranch, reasonable regulatory policies must be established and enforced. In addition to the property use restrictions listed in the Pinon Hills Ranch Declaration and the ECC guidelines, these rules and regulations have been established for the mutual benefit of all property owners and residents.

1. All pedestrians, livestock and wildlife have right of way priority over motorized vehicles on all areas of the ranch.
2. Owners shall use their best efforts to support the POA effort to maintain agricultural exemption.
3. The Owner of any dog or other pet chasing livestock or wildlife shall be subject to a reasonable fine for each violation.
4. Animals.
  - a. Animals will be allowed on Pinon Hills Ranch for the personal use of parcel Owner. Any animals raised for commercial activity must be approved by the Association. Commercial feed lots and swine are prohibited.
  - b. Any Owner who brings horses or livestock to the Ranch from out-of-state shall present a copy of the Coggins Test for all such animals, to be filed in the records of the POA.
  - c. Owners wishing to raise animals for commercial purposes must submit a plan to the Association before beginning any such activity. The plan must be approved in writing by the Association and the Environmental Control Committee. A Plan

that requires an area in excess of five acres on the Owner's parcel to be fenced may result in the loss of agricultural tax status through the POA. If that occurs, the Owner is solely responsible for securing agricultural status for his property.

- d. Animals kept for personal use other than dogs or cats must be kept in appropriate pens or enclosures within the five acre building envelope or the Owner may elect to fence his building envelope, in which case the animals must be kept within the fenced area of the envelope. Animals owned for personal use may include horses, sheep, alpacas, llamas, and chickens. Other livestock may be kept with the written permission of the Environmental Control Committee.
- e. The number of animals kept for personal use or raised for commercial purposes may not exceed one per acre (35 animals if the entire parcel is fenced or 5 animals if the building envelope only is fenced). Supplemental feed and water must be provided on a daily basis. Notwithstanding the foregoing, the number of animals on a parcel may be regulated by the ECC.

5. Stocking fish in Common area lakes, livestock tanks, and ponds is prohibited except with the written permission of the POA.

6. San Juan River Easement: Fishing and recreational activity within the platted easement is subject to the following rules:

- a. Fishing: Fly-rods and spin cast fishing only using barbless hooks and soft weave landing nets (no nylon nets). No bait or live minnows are allowed. All anglers must be licensed and shall adhere to all County, State, and Federal fishing regulations applicable to the San Juan River. Guests must be accompanied at all times by Property Owner.
- b. All Recreational use: Use of the river and river bank for recreational activity shall be subject to all County and State laws regarding such activity. Where motorized vehicles are permitted in Common Areas they must be parked in designated parking areas only. Owners and their guests using recreational areas for social gatherings should be mindful of other Owners and guests using the same recreational areas. Excessive noise or other activity that interferes with the enjoyment of the area by other

persons is discouraged. Consumption of alcohol consistent with State and Federal laws is allowed, but Owners and their guests are encouraged to drink in moderation and should be mindful of how their conduct may affect the use and enjoyment of the recreation area by other Owners and their guests. Owners cited for violation of this rule shall be subject to fines and other appropriate sanctions.

7. All trucks, all-terrain vehicles, snowmobiles, trail-bikes, recreational vehicles, motorhomes, motor coaches, campers, trailers, boat trailers, passenger automobiles, pick-up or utility trucks, or any other vehicles traveling on ranch roads or areas within Pinon Hills Ranch may not exceed a speed limit of 20 miles per hour. All drivers must have a valid drivers license if required by law.
8. No trash may be deposited or left in the Common Areas or River Easement area. Each Owner is responsible for the prompt and immediate removal of their own trash from their parcel(s). Dumping, storing or accumulating trash, rubbish, garbage or any other refuse or debris on any parcel is prohibited. Composting is permitted with ECC approval.
9. Access to all undeveloped areas of the Ranch including gravel pit operations, road construction in process, and any other land not part of a platted phase is strictly prohibited.
10. All Owners, guests, licensees, invitees, or other permitted users (as may be allowed from time to time in the Declaration) will be in the Common Areas and Pinon Hills Ranch area including the platted River easement at their own risk and all such persons assume any risk or liability relating to the use of or their presence in such areas on the Ranch.
11. Driving all-terrain vehicles (ATV'S), snowmobiles, or motorcycles on other parcels or Common areas is prohibited except in designated parking areas in Common areas or on trails posted and designated for that purpose. Driving said vehicles, or motorcycles, or any other vehicle, on adjacent, or other parcels, or Common areas is trespassing and is subject to civil action and fines or other sanctions by the Association.
12. Pinon Hills Ranch is located in an area of delicate soils and foliage. Driving off road on these private properties can permanently scar the land leading to noxious weed problems and is detrimental to native plant life and wildlife. Tracks made by going "off road" worsen the conditions of the roadways, embankments along the roadways and adjacent drainage areas.

13. Parking overnight, or longer, on any parcel, of any commercial-type truck in such a way as to have it visible to occupants of other parcels or users of any road within Pinon Hills Ranch is prohibited except with the prior written permission of the Association.
14. Parking of any stripped-down, partially wrecked or inoperable vehicle, or sizable part thereof, on any parcel is prohibited unless such vehicle or sizable part thereof is parked in a garage or under a fitted manufactured cover. Fitted manufactured covers are permissible as long as they completely cover the vehicle and the vehicle is stored immediately adjacent to a completed residential structure or appurtenant garage or barn.
15. No commercial (business) activity, from a residential unit is permitted, except with written approval of the Association. Such commercial activity shall cease and desist immediately upon notification from the Association. Any continuance after notification to cease and desist will result in a fine, and will be prosecuted with all legal means available to the Association.
16. Residential signs displaying appropriate house numbers, "For Sale" signs and contractor signs during periods of construction are permitted subject to the Rules and Regulations of the Environmental Control Committee. All other signs, billboards, or advertising structures of any kind are prohibited except upon written application to and written permit from the Environmental Control Committee.
17. Animal Control. Free-roaming dogs and barking dogs can constitute menaces and nuisances to Property Owners living and engaging in outdoor activities in our community. Unsupervised dogs can be threats to adults and children, pets and wildlife. They can cause property damage, traffic hazards, unwanted dog feces and other nuisances. Colorado has laws against "dangerous dogs"; Archuleta County has laws against "dogs at large", "aggressive dogs" and "nuisance barking dogs". Owners may not have a Dangerous Dog on their property.

A Dangerous Dog, as defined in Colorado Revised Statutes 18-9-204.5, is any dog at-large that:

- a. Has inflicted bodily or serious bodily injury upon or has caused the death of a person or domestic animal; or
- b. Has demonstrated tendencies that would cause a reasonable

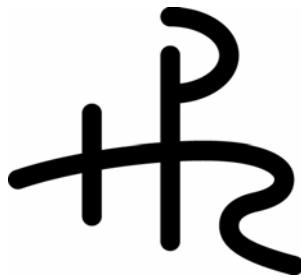
person to believe that the dog may inflict injury upon, or cause the death of, any person or domestic animal; or

- c. Has engaged in or been trained for animal fighting, as defined and prohibited by Colorado law.

The Association may take action to require removal of a Nuisance Barking Dog. A Nuisance Barking Dog is one whose loud, habitual and persistent barking, howling, yelping or whining is sufficient enough to interfere with any person in the reasonable comfortable enjoyment of life or property.

Dogs or other pets must be on leashes or within the owner's control, as determined by the Association, and may not be running loose. A dog is running loose if it is off the premises of the Owner and does not appear to be under voice control or restrained by a leash. All dogs must be licensed as required by state and local laws.

- 18. Burning. No outside burning of trash, garbage or household refuse shall be permitted. No outside burning of wood, leaves and pine needles shall be permitted without written consent of the Association, and a burning permit from the Archuleta County Fire Marshall may be required.
- 19. Discharging of firearms within Pinon Hills Ranch is strictly prohibited. This regulation shall not be construed in any fashion as restricting or otherwise affecting any Owner's right to the defense of his person, his family or his property. Hunting by any method in Pinon Hills Ranch is prohibited except as provided in the Declaration and as provided in the hunting supplement to these Rules and Regulations.
- 20. No Owner or guest shall store or leave a boat, trailer, mobile home, recreational vehicle or any similar vehicle in the Common areas or platted River easement except in areas designated for same or with the written permission of the Association.
- 21. Owners are responsible for assuring that their guests and invitees comply with these rules and regulations.
- 22. Enforcement of these Rules and Regulations is governed by Section 6.14 of the recorded Declaration of Covenants, Conditions and Restrictions for Pinon Hills Ranch. The remedies available to the Property Owners Association or Owners for violations of these rules are set forth in that section and include reasonable fines as well as other remedies and sanctions.



## Hunting Supplement to General Rules & Regulations

***Hunting and Discharging firearms are prohibited on Pinon Hills Ranch except as provided in the Declaration of CC&R's for Pinon Hills Ranch. In those situations where hunting is permitted, these rules shall apply:***

Hunting is permitted for parcel owners to Archery hunt on their own parcels only if the Declarant (Developer) agrees to allow it and only after a parcel owner receives written permission to do so by the Developer/POA Board. Please refer to the Declaration of Covenants, Conditions and Restrictions for Pinon Hills Ranch, Section 6 for specifics.

Hunting the portions of the ranch that are unplatteed and/or undeveloped may also be permitted on a limited basis only if the Developer allows it and only after obtaining written permission from the Developer/POA Board. In these cases, Archery, Muzzle, and Rifle hunting may be permitted.

**If you do not receive written permission from the Developer/POA Board, you cannot hunt anywhere on Pinon Hills Ranch including your own land.**

If you do receive written permission to archery hunt your own parcel and/or to hunt on the unplatteed and/or undeveloped portions of the ranch, the following rules apply to this activity:

- No more than two (2) individuals per parcel may register to hunt on Pinon Hills Ranch, including archery hunting on a private parcel, in any year. At least one hunter of the two (2) must be the property owner and/or his immediate family.
- Registration of hunters with the POA is required to hunt, if you do not register you cannot hunt. 30 days prior to hunting, copies of each hunter's licenses/tags must be mailed in to the Pinon Hills Ranch Property Owners Association, Inc.
- Permission to hunt is not transferable or subject to sale or assignment.
- There shall be no discharging of firearms except with the intention of taking the animal for which you hold a legal tag to shoot. (ie. Do not shoot coyote if you hold a deer tag, do not shoot targets or test shots).
- Firearms shall be sighted-in prior to the start of the hunt and off the premises of Pinon Hills Ranch.
- Once a hunters tag is filled he should vacate the area and leave the hunting grounds free for others hunters to continue their hunt.

- Scouting is permitting only one day prior to the hunters scheduled hunt day. Other hunters may be hunting before you and your presence will negatively impact their experience.
- Vehicle activity shall be kept to an absolute minimum. This is of particular importance during prime morning and evening hunting hours.
- Hunter is required to obey and understand that Big Game hunting in the State of Colorado is controlled and regulated by the State of Colorado Department of Wildlife (C.D.O.W.) and all rules and regulations set forth by C.D.O.W. apply on Pinon Hills Ranch.
- Parcel Owners and hunters agree to indemnify and hold harmless from and defend Pinon Hills Ranch, Pinon Hills Ranch Property Owner's Association, Inc, and Pinon Hills, LLC for any and all liability, claims, and/or suits arising at any time from Buyer's hunting or hunting related activity on Pinon Hills Ranch.
- **Scheduling/Reservations:** Parcel owners who have obtained written permission to hunt are then required to send written requests to reserve a hunting slot. Requests to the POA must be postmarked after January 1<sup>st</sup> of the year you would like to hunt. Hunters are encouraged to reserve a specific hunt period prior to purchasing tags. If the number of requests allows it, specific hunt days and/or seasons can be reserved on a first come first served basis and can be done so solely at the discretion of the POA Board.

**The Developer and the POA Board reserve the right to institute rules, amend existing rules, and add additional rules at any time.**