

## **XI. OPERATIONAL RULES AND REGULATIONS**

### **1. LAND USE**

**LAND USE PERMITTED:** On any platted lot in the Subdivision there may be constructed, subject to architectural control as hereinafter set forth, one new, single dwelling designed for occupancy by a single family and for private use only. Additional structures such as a private garage, and other enclosed and covered outbuildings that are incidental to single family, residential use on the premises may be constructed following completion of the primary residence. Outdoor amenities such as gas fire pits, grills, outdoor furniture, and the like are limited to lots with a completed single-family dwelling. Any structure, shed, improvements, sanitation facilities, underground fuel and water storage, hedges, fences, plantings, decks, non-commercial antenna, and other accessories shall be subject to the approval of the Architectural Committee and Teller County Codes. All buildings, structures, and improvements must be of new construction, and used buildings or improvements shall not be moved into the Subdivision.

#### **LAND USE REQUIREMENTS:**

- a. **BUILDING USE NOT PERMITTED:** No shed, basement, shack, tent, garage or like structure, double or single-wide mobile home, camping trailer, or fifth-wheel, motor home, or recreational vehicle shall be occupied or used as a residence temporarily or permanently, nor shall any temporary structure be occupied as a residence.
- b. No shed, garage, or structure may be constructed on a vacant lot that does not have a residential structure, unless the lot line between the residential lot and the vacant lot has been vacated and recorded with the Teller County Clerk and has been approved by the Architectural Committee.
- c. **DAMAGED BUILDINGS:** Any exterior damage to a building within the Subdivision shall be repaired or cleaned up within 90 days of notification sent by certified mail, return receipt requested, by the Association.

### **2. LEASES:**

**RENTAL LEASES:** The Lot Owner has the right to lease his dwelling for private, residential living and sleeping purposes, subject to the

following conditions and shall post the "Renters Requirements" document provided by the Association in the dwelling:

- a. No Owner shall lease less than the entire property as stated in Section 1. LAND USE PERMITTED.
- b. All leases shall provide in the terms of the lease that the renter shall abide by the terms of these Covenants.
- c. The renter shall be provided a copy of the Renters Requirements prepared by the Association and provided by the Lot Owner in addition to a copy of these Covenants.
- d. Renters may join the Association as Associate Members, that is they may participate in activities, etc., but renters shall not have voting rights.
- e. The Association Board of Directors may require the Lot Owner to produce a copy of the signed lease and may require the Lot Owner to enforce the conditions of the lease against the renter.
- f. The Lot Owner shall be responsible for the actions of his tenant.

### 3. GARBAGE AND TRASH

No Lot shall be maintained as a dumping ground for trash, rubbish, garbage, or other debris. All refuse shall be kept in sanitary containers, out of public view except to facilitate service on the designated pickup day, and Lot Owners shall secure their containers from animals and elements. No outside toilet facilities shall be permitted within the Subdivision with the exception of portable toilet units required during construction.

### 4. ANIMALS

Pets and domestic animals shall be confined to Owner's Lot or leashed or under voice control when being exercised within public roadways. Domestic animals under voice control must remain within ten (10) feet of the person exercising the animal, and Owners or renters must control the animal on the public roadway. The person exercising the animal on the roadways of the Association must carry waste bags, to remove defecation remains. A dog, cat, or other animal that barks, bays, howls, or makes other noises so as to disturb neighbors to a degree which is a persistent threat or annoyance shall be prohibited, and the Owner may be approached by the Association for remedy and

may be reported to the County for Code Enforcement. Repeated offenses will not be tolerated, and the Board of Directors may levy reasonable fines, after notices and opportunity is presented to the Lot Owner to be heard. No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any property except dogs or cats or other customary household pets which may be maintained on a non-commercial basis, but shall be so limited to six (6) total pets in accordance with Teller County Code, and cared for so as to not cause a source of annoyance to other Lot Owners. Horses, llamas or other hoofed animals shall not be stabled, kept, or maintained at any time within Rainbow Valley on any Lot. Owners shall control their pets and shall be responsible for their pets' damage or behavior.

## 5. SIGNS AND ADVERTISING

No signs, advertising, billboards, unsightly objects, or nuisances shall be erected, placed, or permitted within the Subdivision without written permission of the Committee.

- a. This does not apply to any reasonable sign in connection with the sale of property within the Subdivision.
- b. All signs shall be free standing and under no circumstances be affixed to trees.
- c. Sign size shall not exceed 2'x 2' in dimension.
- d. Signs shall be neat and attractive and blend with natural surroundings.

## 6. IMPROPER STORAGE

Visible storage of abandoned or junk vehicles, unused appliances, bathroom fixtures, water heaters, and similar items shall not be permitted within the Subdivision. An abandoned or junk vehicle shall be defined as any unregistered, inoperable licensed auto, truck, motorcycle, boat, camper, trailer, motor home, or other similar vehicle, which is not garaged and has not been moved for 30 days. RV's and camper trailers that are registered may be stored without movement on property that includes a residence structure, unless the condition of such unit demonstrates the unit is not movable. The intent of this covenant is to prevent any unsightly condition within the Subdivision.

## 7. NUISANCES

No noxious or offensive trade or activity shall be permitted within the Subdivision nor shall anything be done which may be or become an annoyance, hazard, or nuisance to the Subdivision. This includes but is not limited to:

- a. No Lot shall be maintained in an unsightly condition. No noxious, hazardous or offense activity shall be carried on upon any Lot or home site, nor anything done thereon tending to cause embarrassment, discomfort, annoyance or nuisance. This shall include barking dogs, County prohibited snowmobiles, off-road recreation vehicle or motorized recreation vehicle, and similar items or activities. Off-road vehicles used for utilitarian purposes such as snow plowing will be permitted on personal property. No annoying lights, sounds, or odors shall emanate from any Lot or home site.
- b. Tent and or teepee-like structures are not allowed to be erected on any property regardless of materials used to erect or construct such structures.
- c. Lighting standards shall not exceed the lesser of 5 feet taller than the primary building height or 25 feet. Onsite lighting for parking and building areas shall be downcast, shielded and not casting a direct light beyond the limits of the Lot as referenced in the Teller County Land Use Regulations.

## 8. HUNTING

No hunting, target practice, or discharge of firearms, to include bow and arrow, shall be permitted within the Subdivision with the exception of use for protection of self or property. Violation of this prohibition shall be considered as an endangerment to life and public safety.

## 9. CAMPING

No camping or campfires of any kind shall be permitted on any Lot within the Subdivision. Lots may be used for picnics subject to the Committee's Rules and Regulations.

## 10. OUTSIDE FIRES, OPEN FIRES AND FIRE PITS:

No fires are allowed outside of the dwelling structure in Rainbow Valley except those described in the last paragraph of this section. This

includes, but is not limited to, open fires, bonfires, trash barrel fires, campfires, outdoor fireplaces, grass fires, slash burning, and any similar fire activities, fire sites, or fireworks, including sparklers. Obtaining a burn permit from Teller County does not rescind or replace these restrictions.

No fire pits of any kind regardless of design, other than propane or natural gas, are allowed on any property, either private or common, including those that meet manufacturer safety standards or as permitted by Teller County.

These Policies, Rules and Regulations supersede Teller County's guidelines. Infraction for initial violations and any subsequent violations may be fined up to \$2,000.00.

Allowed outdoor items: (a) propane or natural gas: grills, fire pits, fireplaces and patio heaters; (b) covered charcoal grills; and (c) contained smokers; except during Stage II burn bans [[www.tellercountysheriff.com](http://www.tellercountysheriff.com)].

#### 11. TREES

Living trees shall not be cut or removed within the Subdivision unless trees(s) present a hazard or fire danger. Lot Owners are encouraged to remove dead and/or diseased trees and brush from their Lots to avoid wildfires and infestation of beetles and disease. No clear cutting is allowed. Owners are encouraged to comply with the US Forest Service Guidelines for Fire Safety and the Teller County Land Use Regulations, or comparable laws or regulations.

#### 12. OIL DRILLING OR REFINING AND MINING

Oil drilling or refining and mining activities and structures are prohibited from any Lot. Nor shall any oil, natural gas, petroleum, asphalt or other hydrocarbon substances be produced from any well located upon, in or under any Lot. No storage tanks or other tanks for oil, natural gas, or water shall be permitted unless approved by the Board or except for propane tanks in good repair and appearance.

#### 13. COMMERCIAL BUSINESS OPERATION

No trade or business or any profession, commercial activity or other activity conducted for gain shall be carried on or within any Lot, except:

A home office as defined by the Board, may be permitted so long as the operation of the activity is not apparent or detectable by sight, sound or smell, conforms to zoning codes, does not employ more than one person at a time who does not reside on the Lot, does not involve regular visitation of the Lot by clients, customers, suppliers, or other business invitees or door-to-door solicitation of the residents of the Properties, does not involve business activity which is inconsistent with the residential character of the Properties, does not constitute a nuisance, or hazardous or offensive use, or threaten the security or safety of the other residents Properties, as may be determined at the sole discretion of the Board, and construction activities are permitted so long as no trash, noise or nuisances are introduced.

#### 14. ARCHITECTURAL REQUIREMENTS

No new dwellings shall be constructed within the Subdivision with an area, exclusive of open porches, decks, and garage, less than 1200 square feet and with a potable water cistern no less than 1500 gallons with a 3" fill pipe connected thereto located within 20 feet of an accessible, all-weather road to permit water truck delivery of potable water in an easily accessible and safe manner as approved by the RVWD/RVPOA.

Construction Design is required to be harmonious with other structures in the Subdivision subject to these requirements:

- a. No driveway or building excavation will be allowed until a Residential Access Permit and County Building Permit are obtained.
- b. During and upon start of Construction:
  - i. The Owner, Builder or construction company shall provide a portable toilet for workers at the site until sanitary facilities have been connected within the building under construction.
  - ii. The structure shall be completely enclosed within 270 days of start of construction.
  - iii. The Owner, Builder or construction company will provide a dumpster for disposal of construction debris, trash, refuse,

etc. during the construction of the building, and will remove all construction debris via the dumpster once the project is completed.

- c. Building exteriors shall be painted/stained or sided in natural or earth tone colors (i.e. natural wood, browns, earth reds, tans, or dark greens) that blend with the surrounding area. Roof colors shall meet the same requirements in colors (i.e. solid or blended colors tans, dark greens, browns, greys, earth reds, blacks) Metal roofs may be the same blend of colors and include Earth copper or Dark Blue. Owner shall submit paint color samples to the Committee prior to application or construction. General maintenance using previously approved colors, material and size for building exteriors, roofs, decks, and fencing are exempt from the required approval of the RVPOA Board. Such improvements include painting your residence or outbuilding its original color and replacing an existing roof or deck in its original material, size and color.
- d. Buildings of any kind shall have set-backs of 15' from the sides of lot lines, 30' from the rear lot line and 25' from the front lot line.
- e. Culverts shall be constructed if required by existing Teller County Building Department requirements at the time of construction to ensure erosion control.
- f. All structures are required to have a 12" overhang on sides and roof as a minimum requirement with the exception of storage sheds. Overhang requirements for storage sheds may vary depending on the style shed being built.
- g. Modular and manufactured homes will be of new construction and are defined as built in multiple sections; each on a chassis which enables it to be transported to its occupancy site; is constructed to the standards of the State of Colorado Factory Built Housing Construction Certification code; is installed on an engineered permanent foundation; has real brick, wood, and/or stone exterior siding and skirting; a minimum 5/12 pitch roof with one-foot (1') overhang minimum; is certified pursuant to "National Manufactured Housing Construction and Safety Standards Act of 1974" as amended; and is built for the Colorado climate and snow loads according to Department of Housing and Urban Development standards established under

the provisions of 42 USC 5401. These homes will also be constructed with all other stated minimum architectural requirements.

**Adopted by the Board, this 4th day of August, 2018**  
**Amended Subsection 6 Improper Storage July 21, 2020**  
**Amended Subsections 9 Camping and 10 Open Fires August 7, 2020**  
**Amended Subsection 7 Nuisances December 15, 2020**  
**Amended Subsection 14 Architectural Requirements Feb. 16, 2021**  
**Amended Subsection 1 Land Use July 20, 2021**