

**Supplementary Rules & Regulations to the Eagle-Vail Covenants by the
Eagle-Vail Property Owners' Association, Inc.
REVISED 102008**

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**Supplementary Rules & Regulations to the Eagle-Vail Covenants by the
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1. Authority

The Rules and Regulations adopted on November 2, 1998 by the Board of Directors of the Association are hereby revoked and replaced by the following Rules and Regulations in accordance with Article VI, Section 24 of the Amended and Restated Declaration of Covenants, Conditions and Restrictions of Eagle-Vail Subdivision Filings Nos. 1 and 2 and Whiskey Hill ("Declaration") as of July 12, 1999.

2. Purpose

These Rules and Regulations are intended to clarify the Declaration and support its effective administration. References to relevant portions of the Declaration are noted in square brackets [].

3. Covenant Enforcement Officer

The Covenant Enforcement Officer is responsible for carry out enforcement actions as directed by the Board. [Article VIII, Section 1]

4. Maintenance of lots

All lawn areas shall be neatly mowed and kept reasonably free of weeds such as dandelions and thistles. Landscaped areas including trees and shrubs shall be maintained and neatly trimmed where appropriate. Dead patches of grass, dead or partially dead trees, shrubs or other landscaping plantings shall be removed and replaced in a reasonable amount of time.

Those areas running from property lines out to the paved roadways (also known as the County Right-of-Way) shall also be kept reasonably free of weeds, neatly trimmed, and otherwise appropriately maintained by the abutting property owners.

The Covenant Enforcement Officer must provide written notice by certified mail with prepaid postage to the property owner for failure to maintain the property. If the property owner fails to maintain the property after notice is given, the Board may cause the property or lawn to be mowed either by contract or by the Covenant Enforcement Officer.

The cost of the lawn mowing will be calculated based upon the amount billed by the contractor or the hourly rate of the Covenant Enforcement Officer plus an administrative fee a bill reflecting the cost and administrative fee will be forwarded to the property owner by mail or fax. If the property owner fails to pay the balance due within 20 days, the amount due may become delinquent and attached as an assessment lien, which includes costs and attorneys fees. [Article VI. Section 5]

5. Maintenance of Buildings

Paint, stain and other exterior finishes must be maintained in a reasonable manner, consistent with DRC approval. Peeling or faded paint, cracked or broken glass doors or windows, loose or missing siding, trim, shingles, flashing, light fixtures, etc. must be repaired in a reasonable period of time. Any window coverings visible from a street or adjacent property must be installed and maintained in a reasonable condition: visible stains, tears, partial attachment, or other obvious disrepair are not permitted. Bed sheets, plywood, paper, posters, and similar materials shall not be used as window coverings. [Article V, Section 1]

6. Trailers

Trailers are not permitted on the lots, except for boat trailers, upon which a boat is stored. [Article VI, Section 10]

7. Campers, House Trailers, Camping Trailers, Motor Homes and Toppers

For the purposes of Article VI of the Amended and Restated Declaration of Covenants, the following definitions shall apply;

“Camper” shall mean any shelter designed for temporary occupancy which is intended to be mounted upon a pickup truck bed and which does not exceed the height and width of the truck by more than 18 inches in any direction. A camper may be stored on a Lot, provided it is kept on a driveway, in a garage or other area approved by the Design Review Committee of the Association in writing.

“House Trailer” Or “Camping Trailer” shall mean any shelter designed for temporary occupancy constructed upon or mounted upon axles which is designed to be towed by a motor vehicle. No house trailer or camping trailer may be placed upon a Lot, unless stored, parked or maintained wholly within a garage area of a dwelling unit or building with the garage door kept in a closed position.

“Motor Home” shall mean any motorized vehicle designed for temporary or permanent residential occupancy. No Motor Home may be placed upon any Lot unless it is stored, parked or maintained wholly within a garage area of a dwelling unit or building with the garage door kept in a closed position.

“Topper” shall mean any shelter mounted upon a pickup truck box which does not exceed the height or width of the truck by more than 6 inches in any direction. These Rules and Regulations shall not restrict the use of “Toppers” except that Toppers may not be placed or stored upon any Lot except when attached to a fully operable pickup truck.

“Utility Trailer” shall mean any structure mounted on an axle or axles which are designed to be towed by a motor vehicle. No Utility Trailer may be placed upon any Lot unless it is stored, parked or maintained wholly within a garage area of a dwelling unit or building with the garage door kept in a closed position.

8. Boats

Boats may be stored in a garage, driveway, or other area approved by the Board. Boats must be stored on a cradle, trailer or storage rack designed specifically for boat storage. All boats must be stored with a fitted cover of neutral color in a clean serviceable condition. All equipment and accessories associated with a boat must not be visible from any adjacent properties. [Article VI, Section 10]

9. Parking on designated areas

Cars, trucks, motorcycles and other street legal and licensed motorized vehicles must be parked on a driveway, garage or carport that conforms to the design approved by the DRC. All motor vehicles shall be parked so that no portion of any vehicle extends beyond any property line, and no vehicle may be parked on the paved street, unpaved shoulder or any other portion of the public right-of-way.

Snowmobiles, jet-skis, ATV's, dirt bikes and other motorized recreational vehicles must be stored or parked within a garage or other enclosed structure approved by DRC. [Article VI, Section 10]

10. Playground equipment

Play houses, trampolines, playground equipment and related structures must be located on a side yard or rear yard. [Article VI, Section 3]

11. Exterior light fixtures

Exterior light fixtures must direct light downward and conceal the light source. Floodlights, bare bulbs and clear glass luminaries are not permitted. Carriage lanterns if used must have frosted glass and low wattage bulbs with a maximum of 25 watts. [Article VI, Section 9]

12. Satellite dishes

Satellite dishes larger than one meter in diameter are not permitted on property except when it can be demonstrated that no reasonable alternative exists for reception of a signal on that property.

No dish of any size may be installed or placed on a property until the location and manner of installation is approved by DRC. No logos, name brands, or other forms of advertising may be visible on the dish. [Article VI, Section 20]

13. House numbering

All buildings must be identified by a street number address (including unit number, as appropriate) in a manner approved by the DRC clearly visible from the street and consistent with Eagle County E-911 addressing standards. [Article V, Section 1]

14. Dumpster enclosures

Dumpsters must be located on a property in a manner approved by the DRC. All dumpsters must be enclosed within a structure approved by the DRC. Enclosures must be designed to match the adjacent surfaces. Doors to allow access to the dumpster must be kept closed except during filling or emptying of the Dumpster. The area surrounding the Dumpster must be kept free of debris, garbage and trash at all times. [Article VI, Section 15]

15. Trash Containers

Individual trash containers (other than Dumpsters), except when placed near the street on the day of pickup, No earlier than 6:00 a.m. and to be removed from the street no later than 7:00 p.m. and shall be stored within a garage or other approved enclosure so as not to be visible from adjacent properties or the street. [Article VI, Section 15]

16. Signage and Flags

All signs, including street and number designation, shall be of an integrated design and material as approved by the DRC. Plans showing design and location must be submitted for review and approval prior to installation of any signs. It is imperative that proper signage controls be placed to increase safety, facilitate directional character, and enhance the overall visual environment of the community. The following sign standards shall apply [Article VI, Section 4.]:

Town home and Condominium Association Identification Signs - One sign may be located at the primary entrance to the individual housing community and shall be consistent with the general architectural character of the project. Commercial/ church & school signs shall comply with both Eagle County and EVPOA sign regulations.

Real Estate and Construction signs are addressed in the Eagle-Vail Design Guidelines and Review Process Addendum, Sheet #1.

Under the Colorado Revised Statutes 38-33.3-106.5, notwithstanding any provision in the EVPOA's Declaration, Bylaws, or Rules and Regulations to the contrary, the EVPOA shall not prohibit any of the following:

A. The display of the American Flag on a unit owner's property, in a window of the unit, or on a balcony adjoining the unit, if the American Flag is displayed in a manner consistent with the Federal Flag Code, P.L. 94-344; 90 Stat. 810; 4 U.S. C. 4 to 10. The EVPOA may adopt reasonable rules regarding the placement and manner of display of the American Flag. The EVPOA rules may regulate the location and size of flags and flagpoles, but shall not prohibit the installation of a flagpole.

B. The display of a Service Flag bearing a star denoting the service of the owner or occupant of the unit, or of a member of the owner's or occupant's immediate family, in the active or reserve military service of the United States during a time of war or armed conflict, on the inside of a window or door of the unit. The EVPOA may adopt reasonable rules regarding the size and manner of display of service flags; except that the maximum dimensions allowed shall not be less than nine inches by sixteen inches.

C. (1) The display of a political sign by the owner or occupant of a unit on property within the boundaries of the unit or in a window of the unit; except that:

a) the EVPOA prohibits the display of political signs earlier than forty-five days before the day of an election and later than seven days after an election day; AND

b) The EVPOA may regulate the size and number of political signs in accordance with subparagraph (2) of this paragraph (C).

C. (2) The EVPOA shall permit only one political sign per political office or ballot issue that is contested in a pending election. The maximum dimensions of each sign are limited to the lesser of the following:

a) The maximum size allowed by any Eagle County ordinance that regulates the size of political signs on residential property; OR

b) Thirty-six by forty-eight inches.

C. (3) As used in this paragraph (C), "Political Sign" means a sign that carries a message intended to influence the outcome of an election, including supporting or opposing the election of a candidate, the recall of a public official, or the passage of a ballot issue.

D. Political flags and decorative pennants and wind socks may also be displayed on a unit owner's or occupant's residence. No other flags or pennants are permitted. All flags, including the American Flag, shall not exceed twenty-four (24) square feet. One flagpole not taller than twenty-five (25) feet may be installed on a unit owner's or occupant's residence, if its design, materials and location are approved by the DRC. Flagpoles, Flags, signs, pennants and wind socks may not be installed within the Eagle County right-of-way.

17. Storage of Snowplows and Snow Blowers.

Snow plows and snow blowers may not be stored on any property during the months of May through October, except in a garage. Snow plows over eight and a half feet in length may not be stored on any property at any time, except in a garage. [Article VI, Section 10]

18. Home Based Businesses/Commercial and Business Activities.

For the purposes of Article VI, Section 22, of the Amended and Restated Declaration of Covenants, “commercial and business activities” does not include home-based work by the owner or an occupant of the property, so long as it:

- (1) Conforms to all governmental requirements for the Properties and for the activities;
- (2) Is carried out within the confines of the residence;
- (3) Is undetectable on the outside of the residence by sight, sound or smell;
- (4) Has no displays or signs anywhere within the Properties advertising the activity;
- (5) Is visited by clients, customers, suppliers or other business invitees no more than is customary for the residential use of the Properties;
- (6) Is consistent with, and secondary to, the residential character of the Properties; and
- (7) Does not infringe on the right of neighboring property owners to quiet enjoyment of their property.