

Cherry Creek Vista South Homeowners Association

Rules and Regulations

Effective August 23, 2018

The purpose of this document, CCVSHOA's Rules and Regulations, is to help clarify items defined in CCVS Covenants. A copy of your Covenants can be found online at <http://www.ccvshoa.com/home.html>

To maintain the appearance and value of homes in Cherry Creek Vista South, and in consideration of our neighbors, the Board of Directors has developed these regulations. These regulations follow the established Covenants of the Homeowners Association and are being implemented to assist homeowners to keep the promise we all made to each other when we purchased a house in Cherry Creek Vista South.

Note: When these Rules and Regulations make reference to the Architectural Review Committee (ARC) for approval the following applies. In filings 11, 13, and 14 as per the covenants approval must be sought. In filings 8, 9, 10, and 12 voluntary participation is recommended to assist the homeowners to not violate the covenants.

I. YARD (**covenant 7 nuisance**)

- A. Yards must be neat and free of trash and weeds. Yards must be kept watered, mowed and trimmed.
- B. Trees, shrubs, or fences/walls may not interfere with pedestrian traffic or vehicle line of sight. Any dead, dying or diseased trees or shrubs (or their branches or limbs) must be removed, pruned or trimmed.
- C. Significant landscape and/or Xeriscape plans affecting more than 50% of the front yard or area visible from the street must be submitted to the Architectural Review Committee (ARC) for approval. This includes areas along the side of a home between the home's fence and street. For examples of xeriscaping, see Denver Water's "Water Wise Landscape Handbook" at: <https://www.denverwater.org/residential/rebates-and-conservation-tips/water-wise> (As of April 2018).
- D. As required by Arapahoe County, snow must be cleared from all sidewalks adjacent to your property no later than 24 hours after the end of any snowfall. Please see <https://arapahoegov.com/639/Snow-Removal>

E. Storage sheds and other structures

1. Every effort should be made to reduce the visibility from any neighborhood street.
2. One storage shed is allowed per lot and shall not exceed 100 square feet and 8 feet in height.
3. The exterior of any non-pre-built storage shed shall have similar paint and trim colors as the home. Pre-built plastic, rubber, metal portable storage units must be in neutral color tones.
4. All existing storage sheds and structures will be grandfathered in as of the effective date of these rules and regulations.
5. Any damaged or collapsed storage sheds or structures must be removed, repaired, or replaced with 90 days of the damage occurring.

II. Trash Removal (**covenant 7 nuisance**)

- A. Per Arapahoe County Ordinance Section 12-2100, 12-2101, Trash cans, trash bags, and recycle bins must not be placed in the street more than 24 hours before scheduled pickup.
- B. Items that are marked "Free", where the homeowner is offering the items to other residents in the hope that someone will take it away, should be placed out on the sidewalk only during daylight hours and for no longer than three consecutive days. It is suggested that free items be advertised online (for example on Next Door) to expedite removal.
- C. All trash cans must be stored in garages or behind fences and out of sight from the street. <http://www.co.arapahoe.co.us/DocumentCenter/View/1148/Section-12-2100?bidId=>
- D. No accumulation of trash, bags of grass clippings, or debris should be visible from the street.
- E. All trash or debris removed from the home during renovations must be retained in dumpster(s) and the dumpster(s) must be removed within two weeks after the completion of the project. Dumpsters cannot be overfilled, contain graffiti, and must be in reasonable condition.
- F. Any accumulation of cut trees, brush, or building materials, visible from the street, must be removed within 14 days. This prohibition does not apply to cut and stacked firewood.

III. HOME CONDITION **(covenant 7 nuisance)**

- A. Any additions or modifications to the exterior of the home that are visible from the street must have prior ARC approval. This includes revisions or any new structures including but not limited to decks, porches, gazebos, room additions, garages or driveways. Arapahoe County is responsible for issues pertaining to sidewalks.
- B. Missing siding, sagging pillars or soffits, or broken windows must be repaired within 60 days of the damage occurring unless an extension is granted by the ARC.
- C. All exterior painting must be completed within 30 days from the time such painting has commenced.
- D. Walkways and driveways should be kept free of damage. Signs of damage include heaving, cracking, pitting or holes in the concrete and must be repaired or replaced.
- E. Exterior paint and/or trim on a home must be repainted when there is evidence of paint peeling, cracking, or other deterioration.
- F. Paint colors other than those listed as pre-approved on the HOA website require ARC approval.

IV. FENCING **(covenant 7 nuisance & covenant 2 architectural control)**

- A. Fences must be maintained so that there are no loose or missing boards, broken off or sagging posts, and the fence is standing vertical, not slanted. Fences may not exceed 6 feet in height. Replacement of an existing fence with a fence of similar design and material is pre-approved. Cedar fences are recommended.
- B. Changes to existing fences, or construction of a new fence, that differs in style from the existing fence must have prior ARC approval.

V. VEHICLES/PARKING **(covenant 22 restrictions for vehicle parking)**

- A. The following vehicles may NOT be parked or stored in the driveway or any portion of a Lot for more than 72 hours, except for in approved storage or an enclosed garage on the property. Car covers may be used covering a registered and operative passenger vehicle that is parked on a paved parking surface if the cover is well fitted, not faded, not ripped or torn, and is good condition.
 - 1. Trucks larger than one-ton capacity
 - 2. Boats, ATV's, motorized bikes, and other off-road vehicles

3. Trailers, boat trailers, and motorcycles on trailers
4. Recreational vehicles or campers
5. Race cars and snowmobiles
6. Abandoned, inoperable, unregistered (not having current license and tags), and oversized vehicles, snow removal equipment, garden maintenance equipment and other types of machinery shall not be stored or parked, except in an enclosed garage, or approved storage.

B. Placing vehicles or other items listed in paragraph A under temporary covers does not constitute approved storage.

C. Any improper, oversize or inoperative vehicle or other apparatus left or parked on the street will be enforced by the HOA per the ordinances of Arapahoe County. <http://www.co.arapahoe.co.us/DocumentCenter/View/1184/Chapter-19?bidId=>

VI. PUBLIC RIGHT OF WAY (**Colorado Revised Statute 18-9-107 Obstructing a Highway or Passageway**)

A. Portable athletic equipment and trash cans are not allowed on the public right of way (i.e. streets and sidewalks). Examples are basketball baskets, soccer goals, hockey goals, lacrosse goals.

<https://law.justia.com/codes/colorado/2016/title-18/article-9/part-1/section-18-9-107/>