



Rules and Regulations Handbook

The Elk Run Single Family Owners Association ("the Association") Handbook contains general information about the Association, clarifications of the governing documents when needed, and rules and regulations adopted by the Board of Directors as allowed in the Association's governing documents.

Rules and Regulations have been adopted with the intent of providing the residents of the Association with a practical plan for day-to-day living in Elk Run. A successful Association is a community of owners who exhibit a pride of homeownership and share a common vision as to what constitutes a desirable neighborhood. The goal is to provide a safe and secure neighborhood, maintain property values, and provide the residents with specific information.

This document is a supplement to the rules and regulations provided for in the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS BASALT SOUTH SINGLE FAMILY RESIDENCES recorded in Book 369, Page 166, Eagle County, September 29, 1983. These Rules and Regulations are binding on all Homeowners, their families, Renters and Guests. The Declaration takes precedence.

These rules and regulations shall be effective upon adoption by the Association's Board of Directors.

DEFINITIONS

Words and terms used in this document are defined as follows:

Assessment: The amount which the Association's Board of Directors may assess or levy against a Homeowner, either individually or collectively, including regular quarterly assessments and special assessments which are levied pursuant to the Declarations, By-Laws or the Rules and Regulation and detailed in Section 3 of the Association's [Required Policies and Procedures](#).

Association: The Elk Run Single Family Owners Association, a Colorado Not-for-Profit corporation and a homeowner's association organized pursuant to the declarations.

Board: The Board of Directors of the Elk Run Single Family Owners Association.

By-Laws: The By-Laws of the Elk Run Single Family Owners Association, as amended from time to time thereafter.

Common Areas: All portions of the property except the homes and privately owned land as designed on the plat of the Elk Run South Subdivision [Common Area Map](#). Common areas are identified as CA1-CA10.

County: Eagle County.

Declarations: The Declarations of Basalt South Single Family Residences and the instrument by which the property is submitted to the provisions of this document, as hereinafter provided, and such Declarations from time to time amended. Also known as [DCC&R - Declaration of Covenants, Conditions, and Restrictions](#) that have been recorded with Eagle County.

Pets: Animals such as dogs, cats, or other animals reasonably considered to be household pets and as defined by the Town of Basalt and Eagle County.

Property: All the land, real property, space comprising the parcel, all improvements and structures erected, and all easements, rights and appurtenances belonging therein, and all fixtures and equipment intended for mutual use, benefit or enjoyment of the owners.

Required Policies: These include the following required Policies adopted by the Board required by the Colorado Common Interest Ownership Act (CCIOA) These policies are detailed on the [Association website](#).

- 1) **Adoption of Rules and Policies Procedures**
- 2) **Collection Policy**
- 3) **Conduct of Meetings Policy**
- 4) **Conflict of Interest Policy**
- 5) **Covenant and Rules Enforcement Policies**
- 6) **Alternative Dispute Resolution Policy**
- 7) **Reserve Study and Investment Policy**
- 8) **Inspection of Records Policy**

Resident: An individual who resides in a Home and who is either the Homeowner, a Tenant of the Homeowner, a contract purchaser of the home, or a relative of such Homeowner.

Rules and Regulations: The Rules and Regulations of the Elk Run Single Family Owners Association, as adopted pursuant to the powers available to the Association and the Elk Run Single Family Owners Association Board of Directors and in conjunction with standards of the Town of Basalt.

State: Colorado.

Town: The Town of Basalt.

Rules Relating to Ownership, Leases, Lessees and Non-Resident Homeowners

Owner Contact Information

Owners are responsible for updating their contact information form if any changes have been made. Use the linked google form to update. [Contact Information Form](#)

Transfer of Ownership/Disclosure

Selling Homeowner(s) or their attorneys must submit written notice to the Association's Accountant and the Board of Directors of the sale of their home within twenty-one (21) days prior to closing. Selling Homeowner(s) must inform the Purchaser that there is a homeowner association.

Leasing Rules

A Homeowner shall not lease the home for transient or hotel purposes. Every lease must be for no less than 30 days. Long term leases for partial renting of the home is subject to the [Town of Basalt Ordinance Section 16-203](#).

Every lease shall be in writing and shall contain the following: **"THIS LEASE IS SUBJECT TO COMPLIANCE BY THE LESSOR AND THE LESSEE WITH ALL THE PROVISIONS OF THE DECLARATION OF COVENANTS & RESTRICTIONS, THE BY-LAWS, AND THE RULES AND REGULATIONS OF THE ELK RUN SINGLE FAMILY HOMEOWNER'S ASSOCIATION."**

The Owner shall provide a copy of any lease and the completed [Leasing Questionnaire](#) together with such additional information as may be required, to the Board at least **five (5) days prior to the occupancy date on the lease. Any expenses incurred by the Association in obtaining these documents shall be assessed to the responsible Owner.**

The Owner must make available to the Lessee copies of the Declaration, By-laws, and the Rules and Regulations, and the Lessee shall be subject to and shall comply with all the terms thereof. The lessee should sign documents that they read and understand the same. The Owner shall assume responsibility for any violation by his/her tenant of the Declarations, By-laws, or Rules & Regulations. If a tenant violates any provision of the Declaration, By-laws, or Rules & Regulations, the Board at its discretion shall determine what action or actions should be taken against the Owner and/or tenant, as the case may be. When the Board, in its discretion, determines that a violation or series of violations warrant termination of the lease, the Board may take whatever action or actions necessary to terminate the lease.

All costs and expenses, including court costs and attorney fees, incurred by the Board in connection with any violations under this leasing policy shall be assessed to the account of the Homeowner responsible thereof.

All off-site Homeowners shall provide the Association's Board of Directors, in writing, their current address(es) and telephone number(s) where they may be reached in an emergency, both at home and at work. Any expenses incurred by the Association in locating an Owner who fails to provide such information shall be assessed to that Homeowner. Any Owner who fails to provide his current mailing address shall be deemed to have waived the right to receive notices at any address other than the address of the home being leased. The Association shall not be liable for any loss, damage, injury or prejudice to the rights of said Owner caused by any delays in receiving any notice that may result therefrom. Changes

in address should be reported to the Association's Board of Directors at least seven (7) days prior to the change occurring.

In addition to other rights granted by State law, homeowners of unapproved leases may also be assessed a fine of up to \$500 until the homeowner has received a 2nd notice of a leasing violation and has not cured the violation.

Homeowner and/or tenant are responsible for his/her guests' compliance with the Declaration, By-laws, and Rules and Regulations of the Association.

Common Area Rules

The Association is responsible for the normal maintenance of the Common Areas, including irrigation, mowing, and trees.

Homeowners are responsible for the conduct of all their residents, children and guests. Homeowners, residents and guests that exhibit unacceptable behavior, (*unacceptable behavior will be considered to be any act, action or display that threatens the health, safety or security of another person and/or property*) will have the police promptly called, arrest made if necessary and legal action taken against the offender. All Homeowners, residents, children, and/or their guests are required to abide by local ordinance (Town of Basalt) governing curfew.

Homeowners, residents, renters and their guests will not discharge refuse, litter, debris or other objects onto common areas, or sewers at any time. Those homeowners, residents, renters or guests found discharging refuse, litter, debris or other objects are subject to fines.

Storage of any kind is expressly prohibited on or in any Common Areas.

No toys, recreation equipment, bicycles, lawn chairs or other personal property shall be stored on the Common Areas without the approval of the Board of Directors.

No plant or wildlife is to be put into the Common Areas without the Association's Board of Directors approval. Any additional trees, shrubs, or plantings to Common Areas must be approved by the Association's Board of Directors.

Homeowners may not enclose any portion of the Common Areas with a fence or other boundary.

Bike riding is permitted on bike paths or sidewalks only. No riding of bikes is allowed on common area grounds.

General Rules

Contractor Working Hours: Residents who employ contractors to perform services shall not allow performances of such services weekdays before 7 a.m. and weekends before 8 a.m. All such contract services must terminate each evening no later than dusk. Contract services include but are not limited to general construction activities, lawn maintenance and automobile repairs services. Snow plowing, snow removal and emergency repairs to homes are excluded.

Exterior: The exterior of the dwelling must be kept in good repair. No excessive peeling paint, rotting wood, missing wood, missing shingles, loose or missing siding, mold or mildew showing on home, torn screens, hanging shutters, dented garage doors, or broken windows or doors.

If necessary, the Association will send written notice declaring the property unsightly and will give the homeowner a reasonable length of time to make repairs.

If the repairs are not completed in a timely manner, written notice will be sent by the association and the association will issue fines each month until the work is completed.

Fences: All fences must be approved by the Association's Board of Directors and by the Town of Basalt. Fencing may be installed so long as such fencing follows applicable laws, statutes, ordinances and regulations.

Homeowners must submit a Fence Application and Sketch to the Association's Board of Directors.

Firewood: All firewood must be stored in the owner's garage or back yard, or side yard, if the lot has no back yard.

Garage Sales: Residents must abide and comply with the Town of Basalt rules regarding garage sales.

Garbage, Recycling, Rubbish and Waste: All rubbish, trash and garbage shall be regularly removed from the property and shall not be allowed to accumulate.

Between scheduled pickups, all garbage cans, recycle bins and landscape waste and other similar material should be stored in your garage. Seasonal tree, bush and general rubbish too large for waste bags, may be stored no longer than thirty days around your home.

Per the Town of Basalt ordinances, for scheduled pickup days, containers may not be put out to the curb until 7:00 AM the day of collection and all empty containers are to be removed and stored away by midnight on the day of collection.

Please check with the Town of Basalt for current regulations regarding trash collection.

Homeowner Information: All homeowners are required to complete an Owner Information Sheet (Sample attached as Exhibit B) for the association's files. This information is for Association's Board of Directors use only. Any homeowner who fails to provide the information will have violated the terms of these rules and may be subject to fines. This information will be requested and must be provided annually to the Association's Board of Directors. However, this information may be requested at any time upon notice to the Homeowner.

Holiday Decorations: Holiday decorations may be displayed from November 1 through March 1. The takedown date may be extended at the sole discretion of the Association's Board of Directors in response to the weather conditions. Decorations for holidays falling outside of the above date may be displayed for two weeks prior to the holiday to one week after.

Mailboxes: Mailboxes must be permanently installed and kept in good condition. All mailboxes must

comply with government restrictions and U.S. Postal requirements.

Pets: No animals, livestock or poultry of any kind shall be raised, bred or kept on the property, except that dogs, cats or other household pets may be kept, provided that they are not kept, bred or maintained for any commercial purpose, and shall be subject to the rules of the Association and any governmental ordinances or laws. Dogs shall be leashed at all times when outside of an Owner's Lot, and Owners shall confine their dogs to the Owner's Lot for excretion purposes. Pets constituting a nuisance may be ordered by the Association to be kept upon the Lot of the pet owner or ordered expelled from the Properties.

Satellite Dishes/Receivers and Antenna: Only one antenna or two satellite dishes are permitted on each home.

Sheds: All sheds must be built in accordance with the Town of Basalt ordinances. A permit from the Town of Basalt is required prior to installing a shed on your property. Sheds must be kept in good repair at all times. This includes painting, repairing/replacing any rotting/missing wood or damaged/missing shingles.

Trees and Bushes: Dead trees must be removed and dead branches must be trimmed.

Yard Maintenance: Lawns must be regularly maintained and be reasonably free of weeds. Property must be regularly cleared of trash and debris. All property must be maintained and adequately watered, unless water restrictions are in place. It is the responsibility of homeowners who have fences to keep the grass trimmed on both sides of their fence. This also includes all homeowners whose property backs up to common areas. Grass along fences must be kept trimmed.

Links to supporting Documents and Forms:

A: [Declaration of Covenants and Restrictions](#)

B: [Good Governance Policies](#)

C: [Contact Information Form](#)

D: [Leasing Questionnaire](#)

E: [Elk Run Single Family Home Website](#)

Adopted by Elk Run Single Family Home Owner's Association Board of Directors 4/23/24