

LA ROCHE SUBDIVISION
REVISED RULES AND REGULATIONS
2020

The La Roche Condominium Homeowners Association first put into effect Rules and Regulations in 1996. The following Rules & Regulations are in effect for 2020. They shall apply to all homeowners and tenants, their families and guests, and are binding. The purpose of these Rules and Regulations is to enhance the quality of life, preserve and improve personal and common property values, and to provide a way for neighbors to resolve their differences. These Rules and Regulations are consistent with and in addition to ARTICLE 3 and ARTICLE 4 of the Declaration of the La Roche Subdivision.

All owners, managerial agencies and residents have the responsibility to comply with the Rules and Regulations. Failure to comply shall result in action by the Board of Directors in accordance with ARTICLE 4.1 and ARTICLE 3.2.4 of the Declaration of La Roche Condominiums.

ARTICLE 4.1 of the Declaration of the La Roche Subdivision states:

4.1 Purpose and Membership. By acceptance of a deed to a Condominium Unit or Townhome Lot, each Owner shall be a Member of the Association organized for the general purpose of being and constituting an entity for the furtherance of the mutual interests of the Owners of the Property pursuant to this Amended Declaration and the Association Documents, including without limitation, enforcement of the Amended Declaration; repairing and maintaining the Common Elements; levying and enforcing assessments to defray the cost and expenses of operation; providing other utilities and services pursuant to the Association Documents; and for all other purposes, with such powers, as are enumerated in the Act.

ARTICLE 3.2.4 of the Declaration of the La Roche Subdivision states:

3.2.4 *Maintenance Necessitated by Owner's Negligence.* Notwithstanding anything to the contrary contained in this Amended Declaration, in the event that the need for maintenance, repair or reconstruction of the Common Elements, a Condominium Unit, Townhome Lot, or any other Improvement on the Property is caused by the willful or negligent act or omission of any Owner, any member of such Owner's family or by a guest or invitee of such Owner, the cost of such repair, maintenance, reconstruction or expense to avoid such damage shall be the personal obligation of such Owner to the extent that said Owner would be liable for the acts of such persons under the laws of the State of Colorado; and any costs, expenses and fees incurred by the Association for such maintenance, repair or reconstruction shall be added to the assessment to which such Owner's Condominium Unit or Townhome Lot is subject and shall be subject to all of the terms and provisions of this Amended Declaration. A determination of the negligence or willful act or omission of any Owner, or any member of an Owner's family or a guest or

invitee of any Owner, and the amount of the Owner's liability shall be determined by the Association at a hearing after notice to the Owner, provided that any such determination which assigns liability to any Owner pursuant to the terms of this section may be appealed by said Owner to a court of law.

I. COMMITMENT TO RULES AND REGULATIONS

- A. Any Owner selling or leasing a unit shall provide the new owner or lessor with a copy of the Rules and Regulations in duplicate.
- B. All correspondence to the Association should be mailed to:
La Roche HOA, 406 Ridges Blvd. # 35, Grand Junction, CO 81507.

II. USE OF UNITS AND COMMON ELEMENTS

- A. Units are for residential purposes only and may not be altered in any manner for commercial purposes.
- B. Common walkways, driveways, or entrances shall not be obstructed or used for any other purpose than entering or leaving the residence. Bicycles, sports equipment, children's toys, etc., shall not be left in common areas after dark.
- C. Limited Common Elements are for the exclusive use of fewer than all the owner/residents. The back decks of condominium buildings, the front and back balconies and back yards of the duplexes are Limited Common Elements. These areas shall not be used for storage and are to be kept clean and orderly at all times. Extreme care shall be exercised that no object falls over the side of a deck or balcony.
- D. The front balcony of multifamily units should be clear of excess items to provide a safe, clutter free exit/entrance should an emergency arise. Allowable items include outdoor furniture (chairs, small tables), rugs, small decorative items and plants, providing they do not occupy more than your own unit space and do not obstruct traffic in any way. Plants are required to have something underneath to catch excess water and prevent water from falling on the unit below. No personal items are to be draped over or attached to railings on front stairs/landings of multifamily units. The owners and renters of units in the multifamily buildings are responsible for keeping stairs and landings free of snow and ice. Brooms and snow shovels can be stored on the front porch during the winter months.

III. PROHIBITION OF CERTAIN ACTIVITIES

- A. No clotheslines, TV antennas, wiring, etc., are to be seen on the exterior of the building without Board approval. Satellite dishes are allowed on a case by case basis upon board approval and must be removed by original owner upon the sale of the

Unit. Exterior Christmas lights shall not be hung before the Thanksgiving Day weekend and shall be removed by January 15th of each year.

- B. Colorado Clean Indoor Air Act, HB1076, prohibits smoking in common areas of HOAs in Colorado. HB 1076 defines "Smoking" as "Inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe or any other lighted or heated tobacco or plant product intended for inhalation, including marijuana, whether natural or synthetic, in any manner or in any form. The Indoor Clean Air Act permits smoking which is at least 15 feet outside of any entryway, and the House bill is currently proposing to include electronic devices for smoking and increasing 15 feet outside any entryway to 25 feet. Colorado community associations, and individuals, in violation of the Clean Indoor Air Act may face fines. **The law establishes a fine schedule of \$200 for the first violation, \$300 for the second, and \$500 for the third and subsequent violations.**
- C. Activities classified by the city of Grand Junction as disturbing the peace are prohibited. No noxious, destructive, boisterous or offensive activity shall be carried on or in any Unit or on or in the Common Elements or any part thereof, nor shall anything be done therein which may be or may become an annoyance or nuisance to any other Owner or to any other person at any time lawfully residing upon the Condominium Project. **Quiet time is to be observed from 10pm to 6am. This includes avoiding doing laundry or any other activity that will disturb neighbors around you in the multifamily buildings.**
- D. Members and other residents shall not engage in any abusive or harassing behavior, either verbal or physical, or any form of intimidation or aggression directed at other members, residents, guests, or directed at management, its agents, its employees, or vendors, including but not limited to monthly and annual homeowners meetings.
- E. No trash of any kind, including **cigarette butts**, is to be thrown or dropped anywhere at La Roche Subdivision. All trash, including Christmas trees, should be placed **INSIDE** the dumpster. Large boxes should be broken down before placing them in the dumpster. DISPOSAL OF LARGE ITEMS SUCH AS FURNITURE, MATTRESSES, ELECTRONIC EQUIPMENT (COMPUTERS, TV'S, MONITORS, ETC.) AND APPLIANCES SHALL BE THE RESPONSIBILITY OF THE OWNER/RENTER OF THE UNIT AND NOT PUT IN THE DUMPSTER. **Violators will be assessed a \$100 fine.**
- F. Charcoal and gas grills are **NOT** allowed on balconies or porches. **Violators will be assessed a \$100 fine.** Electric grills are approved by the HOA insurance company and can be used as long as the grill is away from the building walls and under constant supervision.

- G. Ute Water is not allowed for washing vehicles, or filling large capacity water tanks that are transported for use outside the subdivision. **Violators will be assessed a \$100 fine.**
- H. The dumpster is **NOT** for trash from personal business use outside the subdivision. **Violators will be assessed a \$100 fine.**
- I. All fines for any violation will be per infraction.

IV. PETS

- A. Two pets, one dog and one cat only, are allowed per unit. Rottweilers and Pit Bulls, including mixed breeds of these breeds, are not allowed in the La Roche Subdivision.
 - a. A rules violation letter will be sent to the homeowner and provide a deadline for removing the extra pet or breed of dog.
 - b. If the deadline is not met, a \$100 fine will be assessed, and a fine of \$10.00 per day will be implemented until the pet has been removed. (This is based on an average charge for kennel boarding.)
- B. Dog feces dropped in Common Element areas are to be removed immediately by the owner. Dogs shall be taken away from the buildings to urinate and defecate.
- C. All dog owners must comply with the city of Grand Junction laws and ordinances pertaining to animal ownership. All dogs are required to be on a leash, and all dog owners are required to pick up after their dogs. Violators will be fined by officers from Animal Control or the Code Violations Department.
- D. Visitors with pets will be welcome for no longer than 2 weeks.

V. VEHICLES AND PARKING

- A. Each multi-family condominium unit is entitled to one marked (associated unit number) parking space. If owner/renter of a multi-family condominium unit owns 2 vehicles, the second vehicle may park in the visitor parking area or use the striped, unnumbered parking areas by the condominium buildings.
- B. Motor vehicles of condos with garages shall be kept and stored in the garage and/or in the driveway of each condo. **The visitor parking areas are not for storing/long-term parking of additional vehicles that belong to any unit owners with garages.**
- C. Personal vehicles shall be currently licensed. Maintenance shall be for minor work that does not require more than 24 hours and does not create a nuisance.
- D. Vehicles that are not currently licensed, disabled vehicles, collector cars in need of restoration and “parts” shall not be parked in the La Roche premises.

- E. No recreational vehicle parking is available in La Roche Subdivision. No overnight parking is allowed on the street, and parking on the street is limited to short-term needs (i.e. moving, deliveries, etc.).
- F. No trailers (utility or recreational) or campers are allowed in La Roche subdivision.
- G. **All parking violations will be assessed a \$100.00 fine and shall be subject to towing at the owner's expense.**

VI. ONGOING REVIEW OF RULES AND REGULATIONS

Any revisions to the Rules and Regulations for the La Roche Subdivision shall be reviewed at the Annual Meeting in January. Corrections, additions and/or deletions to the Rules and Regulations are the responsibility of the Board and will be submitted to all homeowners for a vote.