

Rules & Regulations

EATON PAGOSA ESTATES PROPERTY OWNERS ASSOCIATION

NEIGHBORHOOD RULES AND REGULATIONS

The following Neighborhood Rules and Regulations, adopted by the EPE Board of Directors on February 1, 2018, augment the Declaration of Protective Covenants of Eaton Pagosa Estates Subdivision, the Pagosa Lakes Property Owners' Association (PLPOA) Rules and Regulations, and the State of Colorado and Archuleta County laws and regulations. They are intended to promote harmony and enhance the quality of life in our community.

EXTERIOR LIGHTING

All exterior lighting shall be extinguished by 10:00 p.m. unless required for exigent circumstances or late arrivals.

(See also EPE Protective Covenants 7.12., PLPOA Rules and Regulations, F.10., F. 17., and L. and Archuleta County Land Use Regulation 5.4.4)

NOISE

All noise should be kept to an absolute minimum between 10:00 p.m. and 7:00 a.m. (most particularly outside, but also inside whenever windows may be open).

(See also EPE Protective Covenants 7.12. and PLPOA Rules and Regulations F.10. and L.)

PARKING

No more than four vehicles shall be parked in a driveway. On-street parking of vehicles is not permitted (Reasonable exceptions to these restrictions are condoned for one-day events such as family gatherings and meetings).

(See also PLPOA Rules and Regulations E.2.)

ASSOCIATION DOCK AND COMMON AREA USE

As a general premise, all users should show respect for residents of adjacent and proximate properties when utilizing the EPE dock or other common areas.

The following are specifically prohibited:

- Excessive noise, loud music or profanity
- Drugs or alcohol
- Littering
- Fish cleaning
- Watercraft storage on the dock
- After-dark use of the dock
- Pets off leashes (See also EPE Protective Covenants 9.1.)
- Swimming (as in all PLPOA lakes)
- Children unaccompanied by adults

(See also PLPOA Rules and Regulations, Section G., Regulates boats, including their registration, inspection, launching, mooring, and equipment required, fishing regulations and specifically prohibits swimming in PLPOA lakes.)

YARD MAINTENANCE EQUIPMENT

All yard maintenance and snow removal equipment shall be stored inside garages or within enclosures.

(See also PLPOA Rules and Regulations F.18)

RENTAL RESPONSIBILITY

Per EPE Protective Covenants 3.4:

Regardless of any rental lease, owners shall remain directly liable for all obligations imposed by EPE's Declaration of Protective Covenants.

And, per PLPOA Rules and Regulations A:

"Owners are responsible for the activity and alleged violations of family members, residents, guests and tenants"

ENFORCEMENT OF COVENANTS

See EPE Protective Covenants Article 15

ENFORCEMENT OF COVENANTS, RULES AND REGULATIONS

Section 1. Violations Deemed a Nuisance. Every violation of this Declaration of Protective Covenants, the Articles and Bylaws of the Association, or Master Association or any rules and regulations adopted by the Association or Master Association shall be deemed to be a

nuisance and is subject to all the remedies provided for the abatement thereof. *(Ref. EPE Protective Covenants Article 15)*

Section 2. Failure to Comply. The failure to comply thereto shall be grounds for an action to recover damages, or for injunctive relief or for specific performance, or any of them. Reasonable notice and an opportunity for a hearing shall be provided by the Association or Master Association as applicable to any delinquent Owner prior to commencing any legal proceedings. *(Ref. EPE Protective Covenants Article 15)*

Section 3. Who May Enforce. Any action to enforce any violation of any provision of the Protective Covenants may be brought as follows:

- 3.1 By the Association in the name of the Association and on behalf of the Owners.
- 3.2 By the Master Association in the absence of Association action to enforce.
- 3.3 By the Owner of any Lot *(Ref. EPE Protective Covenants Article 15)*

Section 4. No Waiver. The failure of the Association, the Master Association, or any Lot Owner to enforce or obtain compliance as to any violation, shall not be deemed a waiver of the right to do so for any subsequent violation or the right to enforce any part of such document. *(Ref. EPE Protective Covenants Article 15)*

Authority

"The Declaration of Restrictions, Association bylaws, resolutions, rules and regulations adopted by the PLPOA Board of Directors are established and enforced for the benefit and protection of all Property Owners. There is statutory authority for such enforcement in the State of Colorado Revised Statutes: CRS 38-33, 3-117, -316, -302 (1) (k)." *(Ref. PLPOA Neighborhood Rules and Regulations)*

Complaints

The EPE Board shall receive and investigate Covenant or Rules and Regulations complaints filed by property owners or reported by the Association's Board or Committee members. If the Board determines there is no violation, the complainant shall be so notified in writing. If the alleged violation is confirmed, the Board will attempt to send the property owner in question a courtesy notice requesting that the noncompliant condition be corrected.

In the event that the alleged violation is not expeditiously corrected, the Board will then send the property owner a Letter of Non-compliance as its official notification of the complaint, with the goal always in mind of an amicable resolution to any issue. If an amicable resolution cannot be reached, and/or if an appropriate corrective action is not performed voluntarily, a Notice of Violation and Hearing shall be issued and the provisions of PLPOA's Neighborhood Rules and Regulations Enforcement procedure shall be invoked.