

# Sundance at Ute Creek HOA

Rules and Regulations  
As Adopted September 16, 2019

Welcome to Sundance At Ute Creek HOA. The following rules and regulations have been compiled from our governing documents and adopted by the Board of Directors for the benefit of our community. All provisions of the Governing Documents shall apply to Owners and their guests, tenants, invitees and licensees. Your cooperation in observing these will make our community one that we can all enjoy while ensure that the value of our community and your investment is upheld. These rules and regulations may be amended from time to time at the discretion of the Board of Directors.

## **Maintenance**

Please report any repairs or damage to the common areas to the management company, even if you think someone else has already done so. Homeowners are the eyes of the community and must speak up if items are in need of repair.

## **Residential Use and Leases**

All lots within the Community shall be used for residential dwellings and only for those uses and / or purpose as allowed by the local zoning, control and regulation, and permitted by this Declaration, subject to any Rules and Regulations adopted by the Association. A home occupation is allowed so long as the home occupation is incidental and secondary to the use of the lot and does not change the residential character thereof, comply with local Zoning ordinances and regulations and comply with the Declarations. Uses described as "day care" or "child care" facilities (Licensed or unlicensed) are expressly prohibited.

### **If Owners chose to rent their residence:**

- Owners must provide the HOA their new contact information and property management company information if they are using a property manager.
- All leases must be in writing, for the entire residence, must be for not less than 12 months, and be made subject to all terms of the Governing Documents of the Association.
- Owners are to provide the Association a copy of the signed lease within 10 days of signature.
- Owners are responsible for providing their tenants with a copy of the rules and regulations and have a sign an affidavit (or your can have it in your lease), stating that they have received and agree to abide by all the rules and regulations and covenants.
- Owners are responsible for keeping their tenants updated on the current documents and communications from the HOA.
- Owners are responsible for the behavior and acts of their tenants. Any violations resulting in fines will be assessed to the Owner.

## **Trash**

1. Each owner shall keep all trash, garbage or other refuse in a container inside the garage, or out of view of the street, common areas, or neighboring properties.
2. No refuse, garbage, trash, lumber, grass, shrubs or tree clippings, plant waste, metal, bulk material, scrap or debris of any kind shall be permitted to remain exposed upon any lot so it is visible from any neighboring lot or from the street except that any container containing such material may be placed outside at proper times for garbage or trash pickup.
3. Compost Bins are allowed, provided they are in approved containers and are routinely maintained and are not in the view of the street, common areas, or neighboring properties.

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## Pets

1. No animals, livestock, birds, poultry, reptiles or insects of any kind, shall be raised, bred, kept or boarded in or on any portion of the Association.
2. Dogs, cats, or other customary household pets may be kept if they are not raised, bred, or maintained for any commercial purpose and are not kept in such a number or in such a manner as to create a nuisance or inconvenience to any resident.
3. No dog runs or animal pens of any kind shall be permitted on any lot except with prior written approval of the Architectural Review Committee.
4. All pet waste must be picked up and properly disposed of regularly.
5. Habitually barking, howling, or yelping dogs shall be deemed a nuisance.
6. Pets must be on a leash and under control when not on the owner's property. Pet owners are to promptly remove feces left by Pets upon the Common Area.
7. All City of Longmont pet codes/rules must be adhered to at all times.

## Signs

1. No sign, poster, billboard, advertising device or display of any kind shall be erected or maintained anywhere within the Association unless approved in writing by the Association or as may be allowed in the Rules and Regulations.
2. One professionally lettered "For Sale" or "For Rent" sign not to exceed three feet by two feet and one professionally lettered security or alarm system sign not to exceed one square foot may be displayed on a lot, provided it comply with the local sign codes, statutes, ordinances and regulations.
3. An open house or special event sign relating to the sale, rental or lease of a property may be located on the owner's property and other common areas of the community for a period not to exceed 48 hours, and does not exceed 5 sq. ft..
4. One sign advertising construction or renovation of a home not to exceed 5 square feet may be displayed on the owner's property for a maximum of fourteen days per project. Sign must be removed upon completion of construction or renovation.
5. Political signs relating to a candidate or issue not to exceed 8 square feet each may be placed on a homeowner's lot. One sign per candidate or issue is permitted up to a maximum of five signs per lot. Signs may not be erected more than 45 days prior to the election and must be remove no later than 7 days after the election. No political signs are permitted in any common area.
6. Youth Sports signs are acceptable to be displayed on an owner's property, during the season of the Youth Sport.

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## **Architectural Review**

1. All exterior improvements (additions, changes, roofing, painting, landscaping, etc.) must have written approval from the Architectural Review Committee.
2. Modification Request Form must be submitted before the review process will begin. The Modification Request form can be found on the HOA's website, or you can contact the Property Management company.
3. All requests and reviews must adhere to the Association Declarations and Design Guidelines.
4. The timeline for approval is generally within 30 days of receipt of the completed application.

## **Home Maintenance and Paint**

1. All owners or occupants of property shall maintain all buildings, drives, easements, rights-of-way and other structures or Improvements located upon said property in good and sufficient repair and otherwise maintain the property and structures thereon in an aesthetically pleasing manner.
2. Any structure, driveway, patio, deck or other such items that are damaged by the elements, vehicles, fire or any other cause shall be repaired as promptly as the extend of the damage will permit.
3. Any structures, patio, deck, pergola, etc. that has faded paint or stain or bare wood visible is to be repainted.
4. Repainting your home using the current color does not require an Architectural Review Committee approval. Form submittal is requested, for recordkeeping purposes, and will be administratively approved for exact matches of original color(s). If you decide to update colors, a modification request submittal and written approval by the Committee is required.

## **Landscape**

1. All residents shall keep their lot in a neat and clean condition at all times including the property located between the Owner's property line and the curb of the street adjoining each Owner's lot.
2. All grass and plants are to be regularly watered and cut. Sidewalk and driveway seams are to be kept free of weeds.
3. Rock and Mulch beds must be kept free of weeds, the rock or mulch needs to be contained within the borders of the bed and kept at a level so the weed barrier or irrigation lines are not exposed.
4. Gardens (flower, shrub, xeriscape, etc.) must be kept in a neat and manicured condition. Any dead plants are to be promptly removed and replaced with equal quality or value. Trees and shrubs must be routinely watered and pruned to be kept in a neat and manicured condition. Fertilization or treatments may be needed to ensure proper health. Trees and shrubs shall be pruned away from any fire hydrants, utility meters and/or boxes, street signs, be kept off of sidewalks, HOA fencing and any additional areas so that no safety hazard(s) exist.
5. No artificial plants, grass or flowers shall be used as exterior landscape materials.
6. All equipment shall be enclosed within an approved structure, including all tractors, snow removal equipment and garden or maintenance equipment, except when actually in use.

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7. Wood piles or storage areas shall not be located on any lot as to be visible from neighboring lots, common areas or from the street.

### **Sidewalks and driveways**

1. Sidewalks and driveways shall be maintained so that no trip hazards exist.
2. Sidewalks and driveways must be kept in a clean condition (City of Longmont code)
3. Per City of Longmont code all sidewalks are to be kept free of snow and ice within 24 hours after each snow fall.
4. Trees are to be kept pruned per City of Longmont Code, current code is 8' above sidewalks and 15' above streets.

### **Vehicles**

1. No house trailer, camping trailer, horse trailer, camper, camper shells, boat trailer, hauling trailer, boat or boat accessories, truck larger than one ton, recreational vehicle or equipment, mobile home or commercial vehicle may be parked or stored anywhere within the Planned Community so any portion of it is visible from neighboring Dwelling Units, Common areas or from the street except in emergencies or as a temporary expedience.
2. Temporary parking for expedient loading and unloading shall be limited to a maximum of 72 hours per visit or 100 hours in a month.
3. Parking is not allowed on landscaped or lawn areas.
4. No abandoned, unlicensed, wrecked, or inoperable vehicles of any kind shall be stored or parked within the Association except in the garage.
5. Overnight Vehicle parking is encouraged to be within a household garage or driveway. If street parking is necessary residents are encouraged to park directly in front of their residence.

### **Miscellaneous**

1. Holiday lights and decorations may not be put up more than 30 days before the holiday and must be removed within 30 days after the holiday.
2. Except as may be approved in writing by the Board of Directors, nothing shall be done or kept on the Association which may result in an increase in the rates of insurance or would result in the cancellation of any insurance maintained by the Association.
3. No light shall be emitted from any portion of the Planned Community which is unreasonable bright or causes unreasonable glare, and no sound or odor shall be emitted from portion of the Planned Community which would reasonably be found by others to be noxious or offensive.
4. Antennae rules must be followed as noted in the Sundance at Ute Creek Covenants.
5. No types of exterior refrigerating, cooling or heating apparatus shall be permitted unless approved in writing by the Architectural Review Committee.

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## Violation Procedure Summary

Violations of the governing documents of Sundance at Ute Creek HOA can result in fines being imposed upon the Owner pursuant to the Sundance At Ute Creek Enforcement Policy. Please refer to the actual Enforcement Policy for specifics, but the following is a summary of the Violation Procedure.

Owners are responsible for violations made by them, tenants or guests and will be held liable for any costs incurred due to the violations. Failure to pay fines will result in the Association taking collection actions pursuant to the Sundance at Ute Creek Collection Policy.

## Covenant Enforcement Fine Schedule

- Alleged Violation                      Courtesy Letter
- First Violation                          Fine Threat Letter
- Second violations  
  (of same covenant or rule)    \$100 Fine
- Third violations  
  (of same covenant or rule)    \$200 Fine
- Fourth and subsequent  
  (of same covenant or rule)    \$300 Fine

Fourth and subsequent covenant violations will result in fines of \$300.00 being charged every 30 days without further notice of the repetitious violation to the violator or the matter may be turned over to the Association's attorney for appropriate legal action at the Board's discretion. For additional clarification on the Fine Schedule please see the Enforcement Policy on the association website.

The Sundance at Ute Creek Homeowners Association would like to thank you for your cooperation in maintaining the community to the high standards that we all expect.

***These Rules and Regulations are subject to revision at the discretion of the Board of Directors.***

**SUNDANCE AT UTE CREEK OWNERS ASSOCIATION, INC.**  
A Colorado nonprofit corporation,

By:   
President

9/16/19  
Date