

WELCOME TO THE VINEYARD – WE HOPE YOUR STAY IS A PLEASANT ONE!

As residents, whether tenants, non-resident owners, or resident homeowners, you have certain responsibilities to make your stay in our development a pleasant one. Please read the attached “Rules and Regulations Regarding Residence in the Vineyard Policy;” it is in place for the betterment and welfare of our community and applies to ALL residents. **Fines to the homeowner are levied for non-compliance.**

Neighbors Watching Out For Neighbors Our community encourages neighbors helping neighbors. If you see any signs of trouble, please call 9-1-1 and then contact your Neighborhood Watch Block Captain to report the incident. **Remember – never put yourself at risk.**

Domestic Water The Homeowners Association pays for all domestic water. This water is NOT to be used to water the lawn. Flowers and shrubs may be watered as needed. Swamp coolers should be checked to be sure the cooler is NOT running over. Wasting water is an unnecessary expense to the Association's members.

Irrigation Water Irrigation water is on from April 15 thru October 15. For problems regarding sprinklers or lawn care maintenance, please contact **Landscape Maintenance and Lawn Care Manager.**

Architectural Control Any changes to the exterior of your home or new plantings beyond the foundation of the house (approximately two) feet, **require written approval** from the Architectural Control Committee. Please do not begin work or purchase materials with the assumption that your project will be approved. Not all requests are approved. Please contact **Committee Chair.**

Pets and Property Upkeep – Maintenance Is Your Responsibility: **Domestic Pets** are allowed but must be on a leash and under control when outside. Messes left by your dog anywhere in the Vineyard must be cleaned up. **Trash cans must be out of sight** except on trash day and should be placed on the curb or edge of driveway – **NOT ON THE LAWN!** **Weeds or trash** are not permitted to accumulate within the 2ft. perimeter of the home. **Gutters and Downspouts** are to be cleaned on a regular basis. **All** trees, bushes or anything planted on your property must be maintained so it does not interfere with lawn maintenance of the property. If you have concerns about any of these items, please contact **Property Inspection Committee Chairperson.**

Vehicle Parking Only daily-use vehicles may be parked in the parking islands. **DO NOT** park along the curbing in the street. **This is a restriction issued by the Fire Department for emergency reasons.** Parking is not permitted on the grass. Please **DO NOT** drive over the edge of the driveway or the curbing as this can damage and/or destroy sprinkler heads. Repair of such damage will be charged to the homeowner. Recreational vehicles may be parked for a short period of time in your driveway for loading or unloading. When not in use, recreational vehicles may be parked in the RV Area when space is available. For information on the RV Area contact **Storage Lot Committee Chair.**

Association Responsibilities: Mow, water, fertilize, and weed spray lawns; maintain common areas and sprinkler/irrigation lines.

Names and Numbers of Committee Chairpersons can be found in the current newsletter or on the website; thevineyardgj.com

New Rules Governing Dogs In The Vineyard Subdivision

The Vineyard Subdivision permits the presence of dogs owned by residents of, and visitors to, the Subdivision, subject to Mesa County ordinances, and the additional Rules and Regulations required by the Board of Directors of the Vineyard Homeowners Association.

The Board endorses, and relies upon the Mesa County ordinances concerning pet control and maintenance set forth in the Animal Services Resolution [MCM 2013-023(1)], which became effective December 31st, 2013. The Board places special emphasis upon the following Mesa County ordinances:

(1) Any resident, or other person temporarily responsible for a dog, shall insure that the dog is physically restrained by a leash and directly supervised when the dog is off the resident's premises.

(2) Any resident can call Mesa County Animal Control (telephone 243-4646) to report a dog running loose (considered an at-large dog) or a dog barking excessively. The dog's owner, or other person responsible for the dog, may be subject to Mesa County fines.

Additionally, because of increased complaints from residents concerning lack of owner control and hygiene maintenance of dogs, the Board of Directors has established these new additional Rules concerning dogs whose owner, or other person responsible for the dog, lives in or is visiting the Vineyard Subdivision. The following Rules were promulgated by Board action dated November 19, 2016, and shall become effective January 1, 2017.

NEW RULES CONCERNING DOGS

A) Control

Any dog outside a dwelling unit in the Vineyard which is not under the direct supervision of a resident or visitor must be on a leash short enough to confine the dog to the premises where the dog lives or is visiting. Dog owners are encouraged to respect the property of other residents, and the Vineyard common areas.

B) Hygiene Maintenance

All residents of, or visitors to, the Vineyard must clean up and appropriately dispose of any dog messes made by the dog for which they are responsible immediately as the mess occurs any time a dog is outside a dwelling unit within the Vineyard. The person responsible for the dog must provide bags for this purpose.

C) Reporting Violations

Residents are encouraged to contact the Chairperson, Property Inspection Committee (433-7500), to report violations of these Rules.

D) Anonymity

Any person reporting violations of these new Rules shall remain anonymous.

E) Enforcement

The Board of Directors has authorized fines for non-compliance with these new Rules. A first violation will bring a warning and, if not corrected, a \$75.00 fine. Second level fines are \$150.00, and fines beyond second level are \$200.00.

THE VINEYARD HOMEOWNERS ASSOCIATION

“RULES AND REGULATIONS REGARDING RESIDENCY IN THE VINEYARD” POLICY

This policy is in place for the betterment and welfare of our community. To make it effective, all members of the Association must obey it. Fines may be imposed if this Policy is not observed, in order to create greater effectiveness.

This policy may be updated upon the approval of the Board of Directors, as they see fit. Any updates will be distributed to all homeowners and residents.

The Declaration of Covenants (hereinafter referred to as “the Declaration”), Bylaws, Policies, Procedures, and Rules and Regulations for the Vineyard, and all addenda thereto apply to all homeowners and residents.

The Architectural Control Committee (hereinafter known as the “ACC”) reviews and acts upon requests for physical changes to a dwelling or landscaping. The Property Inspection Committee (hereinafter known as “PIC”) acts to enforce our policies and governing documents, issues warnings and imposes fines for violations. The RV Committee also participates as outlined below.

The following items are NOT permitted:

1. Fencing between houses.
2. Chain-link fencing anywhere on Vineyard property, except for the external borders around the RV parking area and around the irrigation pumps.
3. Dog runs of any type, be it fencing (including electronic type), overhead wire runs, etc.
4. Dog houses anywhere in the Vineyard.
5. Tree houses.
6. TV antennas or other structures more than five (5) feet above the highest roofline.
7. Satellite dishes in personal yards or in Common Areas.
8. External storage sheds.
9. Go-carts, E-Bikes, or scooters (with the exception of motorized scooters or chairs for the elderly or disabled) anywhere in the Vineyard.
10. Trampolines, hot tubs, plastic swimming/wading pools, water slides, tree swings, or any other impediment to lawn maintenance left on personal yards or Common Areas.
11. Patios used for general storage (other than patio furniture, BBQ grills, and decorative items).
12. Posting on mailboxes of any materials other than official Homeowners Association notices.
13. Signs of any kind (including Political, For Sale, For Rent, etc. on Common Areas.

Yard Sales or Open House signs may be displayed at the Vineyard entrance but must be removed at the conclusion of the event. Signs on personal property must not impede lawn mowing or fertilizing.

14. Weeds, ladders, tools, or any non-ornamental items in the personal planting areas around each dwelling.

15. Personal or landscaping litter left upon personal properties, parking islands, or Common Areas.

16. Elm-tree sprouts or trees within the personal planting areas on any side of a dwelling.

17. Pet excrement left on any personal property or any Common Area within the Vineyard.

Additional Rules and Regulations:

Awnings:

Awnings over windows, decks, or patios need to be approved by the ACC.

Exterior Painting and/or Siding:

Approval is required from ACC for a change of color to the exterior of a dwelling. This applies to either paint or new siding. Where duplex units are involved, the colors must be compatible.

Garage/Yard Sales:

No more than two (2) garage/yard sales are allowed per year, per resident. Each sale is not to exceed three (3) consecutive days.

Home Improvements, Maintenance and Repairs:

1. External repairs to a dwelling that do not alter the present configuration or color do not need approval from the Board of Directors or the ACC.

2. Other external construction, alterations, revisions, improvements, etc. to a dwelling as well as any changes to the yard landscaping beyond the planting area around the foundation, must have ACC approval.

2a). When making a request for exterior changes, complete a "Request for Architectural and Area Revisions" form, which can be obtained from the Chairperson, ACC. This approval process may take up to 30 days.

2b). Homeowners have the right to make improvements upon their property, so long as the building remains a "high-quality dwelling" which is in harmony with the Vineyard, as described in the Association's Declaration, and approval for such improvement is obtained from the ACC.

3. A homeowner has the responsibility for upkeep of the dwelling.

3a) Exterior should be properly maintained, with no bare siding or peeling paint.

- 3b) Keep window and door screens repaired and in place.
4. If improvements involve a duplex unit, approval must be secured from both the other resident and the ACC.
5. The cost of any changes that require the moving of irrigation lines, telephone cables, and any other underground utilities will be borne by the homeowner.
6. All properties must be maintained in accordance with the Association's Declaration, and the Rules and Regulations Policy. PIC periodically will survey dwellings and grounds in the Vineyard, and notify homeowners of any infractions. Failure to comply can result in a series of fines or the Association contracting out the necessary completion. If the latter, the cost will be added to the homeowner's assessment (see Art VII, Sect. 6 of the Declaration).
7. The ACC will act upon each request unless the request is of such a nature that the Chairperson feels the Association's Board of Directors should be involved.

Landscaping:

1. Any changes to the landscaping beyond the planting area around the foundation of the dwelling (approximately two [2] feet) must have ACC approval. This includes any garden areas or new tree plantings. This approval is necessary because of the many underground cables and pipes in the area.
 - 1a. Elm, Russian Olive, Aspen, Globe Willow, Maple, Cottonwood, or fruit-bearing trees are **not permitted**. If Elm, Russian Olive, etc. sprout from seeds in the personal planting areas on any side of the dwelling, they must be removed.
 2. All trees, bushes or anything planted on your property must be maintained so it does not interfere with lawn maintenance of the property.
 - 2a) The property owner is responsible for removing dead trees that constitute a hazard to property or persons, plus tree or bushes trimmings.
 - 2b) Stumps must be ground down to below the level of the surrounding soil, fill added if necessary, and new sod planted.
 - 2c) In cases of pre-existing fruit trees on the property, the property owner is responsible for keeping fruit picked up from below the tree.
 - 2d) Branches of deciduous trees over any area that is mowed or over walkways must have a seven (7) foot ground clearance. This requirement does not apply to Spruce or Pine trees. A ten (10) foot clearance is required over streets in front of your property for County equipment to work (the County owns the streets).
3. The bottom of hanging bird feeders or hanging plants must have a six (6) foot ground clearance if lawn maintenance personnel will be working below them. This restriction does not apply if the items are hanging over personal and non-HOA- maintained areas.
4. Weeds or trash are not permitted to accumulate on private property.

5. Abuse or overuse of lawn area around the dwelling will result in a charge to the homeowner to replace the grass

Lighting Exterior of Dwelling

Area lighting shall be positioned or shielded in such a way that neighboring properties are not affected.

Patios (the following will require ACC approval, but is not all inclusive; check with the ACC)

1. The addition of a patio, a roof over an existing patio, a fence around it or a wrought-iron railing around it, a lattice-type screen, a floor on top of a present concrete slab, extension of a concrete slab, a deck extension, or an enclosure of glass or screen.
2. A conversion of a patio into a room with power and heat. This becomes a total part of house construction and must have ACC approval as well as a county building permit before construction begins.

Pets

Most pet complaints concern dog owners who do not have their dog on a ten (10) foot leash or clean up their dog's messes AT THE TIME THE MESS IS MADE.

1. A Mesa County ordinance states that all dogs must be under direct control and on a 10-foot leash at all times when the dog is outside the dwelling.
2. Any homeowner can call Mesa County Animal Control (phone 242-4646) if they see a dog running loose, or for excessive barking. The owner or person responsible for the dog can be fined beginning at fifty dollars (\$50.00) for the first offense with fines going up to five hundred dollars (\$500.00) for continued violations.
3. Dog excrement left by your dog anywhere in the Vineyard must be picked up and properly disposed of. Excrement left behind is unhealthy for children playing in the Vineyard and also interferes with lawn maintenance activities. Fines will be levied against the owner of the dog for excrement not cleaned up and properly disposed of.

Swamp Coolers:

Each cooler should be inspected regularly to ensure that it is not running over and wasting water. Failure to correct problems with a cooler could lead to contact by the PIC Committee and subsequent fines for the homeowner.

Trash Storage and Disposal:

1. The property owner or tenant is responsible to arrange pickup of trash, tree limbs and other debris by a commercial service.
2. Trash containers must be stored out of sight, either in a garage or a screened area.
3. Containers may be placed on driveway or street (not lawn) near the curb no sooner than the evening before scheduled pickup.

4. Containers should be returned to the storage area **no later** than the evening of scheduled pickup.

5. Use lids on trash cans to prevent litter on windy days, or use trash bags.

Vehicle Parking: We receive many complaints about vehicle parking and speeding

1. Only regular-use vehicles, which includes electric cars, may be parked in the parking islands.

2. All vehicles parked in the parking islands must have valid license plates and stickers.

3. Do not park along curbing on the street (2006 International Fire Code). Temporary street parking is **only** permitted for service vehicles (Centurylink, Spectrum, handyman, etc.) and emergency vehicles (fire, police, ambulance).

4. **Do not** drive over the edge of the driveway or the curbing, or park on the grass. Doing so destroys sprinkler heads. Repair of such damage or destruction will be charged to the homeowner.

5. No recreational vehicle may be parked in your driveway or in parking islands except for short periods of time for cleaning, loading or unloading.

6. Notify a member of the Board of Directors if your recreational vehicle must remain in your driveway for repair purposes and advise of the approximate duration of such repair work.

7. Motor homes, tent trailers, 5th wheelers, boats, and other units specifically designed for camping, boating, or other outdoor purposes plus empty utility trailers, may be parked in the RV lot if space is available. The person seeking to park a vehicle in the RV lot must reside in the Vineyard. When space is limited, preference will be given to resident owners. The RV committee chairperson will decide which vehicles qualify.

Fines

1) Fines will be levied against homeowners for violations of the Rules and Regulations. A first-level fine is \$75.00. A second-level fine, for continuing violations, is \$150.00. All subsequent fines, for further continuing violations, are \$200.00.


2) Where appropriate, homeowners will be encouraged to add fines to the next month's rent for tenant's violations.

BOARD CERTIFICATION

The undersigned, being the President and the Secretary of the Vineyard Homeowners Association, a Colorado nonprofit organization, certify that the foregoing 'Rules and Regulations Regarding Residency in the Vineyard Policy, updated as of 7 November 2019 was approved and adopted by the Board of Directors of the Association at a duly-called meeting of the Board of Directors of the Association on July 25, 2020 and in witness thereof, the undersigned have subscribed their names.

VINEYARD HOMEOWNERS ASSOCIATION

A Colorado non-profit corporation



Earl Fisk, President



Gail Corbett, Secretary

Date July 27, 2020

"Rules and Regulations" Updated 7 November 2019