

**RULES AND REGULATIONS OF THE  
TALL PINES CONDOMINIUM ASSOCIATION, INC.  
UPDATED JANUARY 2023**

**INTRODUCTION**

Under Article V, Section 5.04 (s) of the Bylaws, the Board of Directors of the Condominium Association (hereafter referred to as the “Board of Directors”) may pass rules and regulations governing the Tall Pines Complex and the operation and use of the Common Elements. These Rules and Regulations has been adopted and implemented to protect your investment and to enhance the value of the condominiums and town homes.

These rules, regulations, and guidelines are adopted by the Board of Directors on October 10, 2012 and have been periodically updated and revised by the community Board of Directors. (Revision of those rules and regulations and guidelines originally adopted August 10, 1988.)

These rules, regulations, and guidelines will be effective immediately and will stand until revised or rescinded by the Board of Directors.

**I. OCCUPANCY RESTRICTION**

- a. **Primary Residence: Leasing** Units shall be occupied and used by their respective owner’s only as private dwellings and for no other purpose whatsoever. All leases or tenancies must be in compliance with Section 28.9 of the Declaration of Covenants, Conditions, & Restrictions, and must be for a term of not less than three (3) months. No portion of a unit or the entire unit may be rented for hotel or transient purposes. The Property Manager is to be advised of any leases and/or changes to set leases within ten (10) days.
- b. **Maximum Number of Unit Occupants** For safety purposes, no more than two (2) permanent occupants per bedroom shall be allowed to occupy any of the units contained within Tall Pines.
- c. **Hazardous Activities or Materials** No owner shall install or operate any machinery or equipment, except household appliance, i.e., washer, dryer, dishwasher, microwave oven, refrigerator, or kitchen countertop appliances.
- d. No flammable items, fireworks, or explosives shall be brought into or used in Tall Pines. No owner shall permit or suffer anything to be done or kept in the unit which would increase the rate of fire or other insurance thereon or in the Tall Pines Community as a whole.

**II. USE OF THE COMMON ELEMENTS**

- a. No chicken wire or screening is allowed on balcony rails. Only wood lattices will be allowed as a small barricade. (See Item 4, RESTRICTIONS ON ANIMALS AND PETS).
- b. Ground floor patios and deck enhancement require filing Architectural Request Review to be approved by Board of Directors. Decks may not extend in width beyond the

existing concrete patio slab. Decks may not extend in depth beyond the grass line. Decks must be constructed of treated Redwood or Board accepted fabricated decking material.

- c. Items such as loose flowerpots, etc. are not allowed on balcony rails. No bird feeders, bird houses or any feeding or harboring of wild animals permitted anywhere in Tall Pines.
- d. Drying laundry on balconies or back patios and decks is prohibited.
- e. The following items are permitted to be placed and/or stored on balconies: Outdoor furniture and bicycles. On ground floor patios and decks: Outdoor furniture, bicycles and barbecues. Plastic playground items are not allowed to be stored on balconies, back patios or decks.
- f. The use of **CHARCOAL** grills is prohibited in Tall Pines.
- g. Per West Metro Fire Rescue operating under International Fire Code which includes regulation that prohibits use of propane, natural gas, hibachis or any open flame device on combustible decks and balconies or within ten feet of combustible construction with the exception of those using 1# LP gas cooking devices.
- h. Any storage of wood for wood-burning fireplaces must be stored off the balcony floors and stacked neatly. Any damage due to termites or insects associated with the wood stored to units within the proximity will be the responsibility of the owner of the unit storing such wood.
- i. No clothes drying devices are allowed on any common area.
- j. Unattended personal items left in the common area may be disposed of.
- k. Stairwells are not storage areas. Any items stored in the stairwells may be removed and disposed of.
- l. No advertising, fliers or pamphlets for business purposes allowed at mail kiosk, in front doors, windows, or anywhere on the common grounds of Tall Pines.
- m. No tree climbing or hanging from branches is allowed in the community.
- n. No projectiles of any sort may be thrown or launched in any common area within the community with the exception of the park space by the southwest tennis court between buildings 3636 and 3616.
- o. No motorized or non-motorized vehicles of any kind are permitted on the grass.
- p. Skateboards, scooters and roller skates/blades are not allowed to be used on any Tall Pines Property.

- q. Water shall not be kept running for any unreasonable or unnecessary length of time in a unit or from the outside spigots.
- r. Blankets, sheets or other unsightly materials are not to be used for window coverings.
- s. Window air conditioning units are not allowed in Tall Pines.
- t. Nothing, including cigarettes, shall be thrown or emptied by the owner, lessee, his/her family, friends, invitees, or servants out of the windows, doors, or anywhere in the Project, parking areas, or common elements.
- u. No one shall be allowed to engage in recreational or other activities in the hallways, stairways, or parking areas of Tall Pines Property.
- v. Lobbies, vestibules, halls, stairways, elevators, and other areas and facilities of a similar nature must remain unobstructed and shall be used only for the purpose of normal transit. Said areas shall not be used for storage or placement of any furniture, packages, or objects of any kind.

**III. ACTIONS OF OWNERS, OWNER’S FAMILY MEMBERS, FRIENDS, INVITEES OR SERVANTS**

a. **Unauthorized Repairs, Replacements, Modifications, or Additions**

No owner shall in any manner interfere with repair, replace, modify, or add to any portion of the common element heating, lighting, or plumbing apparatus or electrical circuitry in or about the Condominium Project, nor in or about the building containing the same, nor in any way modify the exterior appearance of any unit or any building, except that emergency repairs of essential services to the owner’s unit may be made by a qualified or, where required by law, a licensed craftsman. Furthermore, each unit owner is responsible for performing or having performed all such repairs within his own unit, which, if not performed, would affect any common elements or any portion of the property belonging to other owners, or the Project as a whole.

b. **Procedure for Alternation of Structures**

- i. If an Owner desires to alter the structure in any manner, he/she shall employ the following procedure:
- ii. The owner of the unit requesting to alter the structure shall first obtain a Building Permit from Jefferson County for the desired alternation.
- iii. The owner of the unit requesting to alter the structure must then apply to the Board of Directors by use of an Architectural Review Request form for permission to make the alternation. The approval Building Permit will be submitted to the Board along with the ARR form.
- iv. Upon receipt of written approval from the Board of Directors, the owner may then implement the alternation.
- v. The owner must maintain the alternation in consonance with the rest of the common elements. Failure to do so may require restoration or removal of the alternation at the owner’s expense.

c. **Antenna**

- i. No radio, aerial, television antenna or like apparatus or connection shall be installed by the owner outside of his respective unit or anywhere within the common elements without prior approval of the Board of Directors.
- ii. All antennas not covered by the FCC rule are prohibited.
- iii. Antennas must be installed solely in the owner's unit or on individually owned property or exclusive-use areas, as designed in the Declaration of Covenants, Conditions and Restrictions. If the antenna is installed on general common elements, it shall be placed in as inconspicuous a location as possible. If located on the roof, dishes must be mounted on a vertical surface without jeopardizing the soundness of the roofing material. Dishes shall not be mounted to the roofing surface.

d. **Satellite Dishes**

- i. Personal satellite dish receivers shall be installed in accordance with the provisions governed under FCC rulings. If a satellite dish is to be installed on any of the general common elements, a request for installation of such dish shall be submitted to the Board of Directors prior to installation. The Board of Directors has adopted the following guidelines pertaining to the installation of satellite dishes:
- ii. Dishes must be one meter or less in diameter. Antennas designed to receive signals which are larger than one meter are prohibited.
- iii. A diagram of the proposed exterior cabling layout shall be given to the Board or Architectural Control Committee prior to installation for their consideration. Cabling shall be hidden as much as possible. Cable shall be as close to the existing painting scheme as possible in order to match existing colors.
- iv. Satellite dishes shall be removed after the unit is transferred or sold.
- v. The Board of Directors reserves the right to amend or promulgate these at any time. The Board shall have the right to inspect and approve of satellite dish installations on the general common elements.

**IV. OWNERS RESPONSIBILITY**

- a. An owner shall be liable for repair or replacement costs for any damage to the common elements cost by the owner, lessee, his/her family, friends, invitees, or servants.
- b. In those instances where damage(s) caused to a unit are the result of item(s) listed in Paragraph 16 of the Covenants, Conditions, and Restrictions (Owner's Maintenance Responsibilities) and are covered under the Association's insurance policy and may not be covered under a Unit Owner's Condominium insurance policy, the Association may:
  - i. Seek reimbursement of the deductible of the Association's insurance policy (which may be changed at any time by the Board of Directors) if a claim is filed, and if the Association chooses to use a contractor of its choice. Such reimbursement shall be paid to the Association by the Unit Owner prior to work inception, -or-

- ii. Only reimburse a homeowner for the amount of damage that exceeds the insurance deductible if the Association chooses not to file a claim on its insurance policy and/or a homeowner chooses to use a contractor of his/her choice.
- c. No owner will be allowed to put his name in any entry, passageway, vestibule, hall or stairway of the Project, except in the proper place on any mailbox provided for the use of a unit occupied by him/her.
- d. Owners who lease their property must obtain from their lessee an agreement to abide by these rules. The Property Manager should be notified.
- e. Residents who are in violation of these rules and regulations shall be notified, in writing, on the purported violation and be given 10 days to correct the violation. Those who continue to violate these rules shall then be subject to the fine schedule set forth in these adopted Rules and Regulations.

## **V. NUISANCES**

- a. No owner shall make or permit any disturbing noises in any building or in his unit by himself/herself, lessees, family, friends, invitees, or servants; nor do or permit anything to be owned by such persons on the common elements that will interfere with the rights, comforts, or convenience of other owners. No owner shall play or suffer the playing of any musical instrument in the unit if the same shall disturb or annoy the other owners.
- b. Volume of stereos and musical instruments shall be reduced after 10:00 p.m. and at all times be kept at a sound level to avoid disturbance to others.

## **VI. VEHICLE AND PARKING REGULATIONS**

- a. No large recreational vehicles, large trucks over  $\frac{3}{4}$  ton, large campers, boats or anything other than passenger cars or small trucks, vans and motorcycles shall be parked in the parking stalls or parking areas of Tall Pines Property, except for those vehicles protected by statute. Furthermore, no engine maintenance or other mechanical repairs to automobiles or small trucks and vans other than normal washing or polishing shall be permitted anywhere on the premises. No damaged or unsightly vehicles shall be stored or parked anywhere on Tall Pines Property.
- b. Each owner's motor vehicle will be parked only in that reserved space designated to such owner's unit.
- c. The Condominium Association assumes no responsibility for damage to or theft of any motor vehicle or its contents while parked on Tall Pines Property.
- d. No parking in the fire lanes at any time except that stopping for the purpose of loading and unloading passengers and/or packages is permitted. Such vehicles that are loading and unloading passengers and/or packages should leave on their emergency flashers during the loading/unloading process. No vehicle should be left unattended in the fire lane at any time.

- e. Fire lanes are defined as any paved area that is not a marked parking space. There shall be no parking in front of garages except for the parking spaces in front of buildings 15, 19, 20 and 21. Note that building 23 (3686 South Depew) is not included for the parking exception in front of the building and/or garages.
- f. Violating vehicles will be subject to immediate towing.
- g. No damaged, unsightly, abandoned, or inoperable vehicles shall be kept, stored, parked, or maintained anywhere on the Condominium Project at any time. Abandoned vehicles shall be defined as those having expired registration or emissions stickers, in accordance with the laws of the State of Colorado.
- h. No vehicle may be parked in visitor parking for more than 72 consecutive hours or it will be considered a “stored vehicle” and subject to towing in accordance with these rules. This 72 hour parking rule applies to vehicles that are moved in and out of one space, moved from space to space with specific visitor parking area. No more than one vehicle per unit in any one visitor parking area at any one time – these are limited and need to be accessed by multiple families.
- i. Additionally, any vehicle leaking fluids as subject to written noticed posted on the vehicle and then towing.
- j. Trucks larger than ¾ ton, trucks with dual rear tires, trailers, mobile homes, detached camper units, except for statutorily protected vehicles shall not be kept, stored, parked, or maintained upon the Common Elements.
- k. Boats or other similar water craft shall not be kept, stored, parked, or maintained upon the Common Elements. Visitors will receive a 72-hour notice before towing.
- l. No engine maintenance or other mechanical repairs to automobiles or other allowed vehicles, other than normal washing, polishing, and normal operator maintenance (checking/adding oil and water) shall be performed anywhere on the common elements, which includes garages. Violators are subject to written notice and fines, after notice and opportunity for hearing, as provided in Paragraph 3 of these Rules and Regulations.
- m. Any vehicle parked on the sidewalks or grass is subject to immediate towing.
- n. Resident parking is discouraged in visitor spaces at all times. Residents should park in their assigned parking space before using visitor spaces or on South Depew Street.
- o. Residents are responsible for dealing with unauthorized vehicles parked in their private parking spaces. Residents can, and should, tow a car out of their private parking space. The posted towing service should be used for this service.
- p. If an individual believes they received a violation in error, they must immediately notify the Property Manager, in writing, to offer an explanation as to why they feel the violation was not deserved. The Board of Directors will hear and weigh the appeal. Any decision of the Board of Directors will be final.
- q. All towing will be at the vehicle owner’s expense.

- r. Resident’s motorcycles are to be parked in the resident’s assigned space only.
- s. Owners, lessees, their families, guests, or servants shall abide by the posted speed limit (which shall be 10 mph) as well as other traffic and parking regulations as may be posted in the parking areas on the driveways of the Project.
- t. Horns are to be used only when necessary for the safe operation of the vehicle.
- u. Bicycles shall be stored and parked in areas specifically designated and set aside for that purpose. Alternatively, residents may (and are encouraged to) keep bicycles within their condominium unit or on patios and/or balconies. Bicycles are not to be left unattended on sidewalks, stairways, or in the shrubbery.
- v. Bicycles are specifically defined as non-motorized bicycles. Motorized bicycles (mopeds) are defined by the Colorado State Motor Vehicle statutes as “a vehicle having two or three wheels, with operable pedals, which may be propelled by human power or helper motor, or both, with a motor rated no more than two-brake horsepower, a cylinder capacity not exceeding 50 cc, and an automatic transmission, which produces a maximum designing speed of not more than 30 mph on a flat surface”.

**VII. RESTRICTIONS ON ANIMALS AND PETS**

- a. **Enforcement of Local Ordinances** All owners of dogs in unincorporated Jefferson County are required to have their dogs licensed with the Division of Animal Control annually or every three years as determined by the type of rabies vaccination the animal has received. Any pet owner current or new, residing in Tall Pines Condominium Association must register their pet(s) on the Tall Pines registration form. A separate form for each dog is required to as documentation to accompany your pet registration. This will allow the HOA to monitor pets in the community to keep track of pets and alert owners if their pet has violated any regulations, caused damage, or injured another pet. It is highly recommended that you register cats as well, as it makes it easier to return cats to their owners should they get lost. The Association gives its express approval to the animal warden and other authorized personnel of Jefferson County to enforce county ordinances, rules and regulations related to animal control on the common elements on the property.
- b. **General Rules, Regulations, and Policies** The maintenance, keeping, boarding and/or raising of animals, livestock, poultry, or reptiles of any kind, regardless of number, shall be, and is prohibited within any unit or upon the common elements, except that the keeping of small, orderly domestic pets is permitted, as authorized by Jefferson County ordinances, subject to these rules and regulations, provided, however, that such pets are not kept or maintained for commercial purposes or breeding, and provided, further, the any such pet causing or creating a nuisance or unreasonable disturbance or noise may be permanently removed from the Project upon ten (10) days written notice from the Board of Directors.
- c. **Specific Rules, Regulations, and Policies**
  - i. No more than two pets per unit. No pets over 75 pounds.
  - ii. The following breeds of dogs are prohibited from residing in Tall Pines Community: Pit Bulls, Akitas, Doberman Pincers, Rottweilers and Chows.

- iii. Pets shall not be permitted up on the common elements unless accompanied by an adult and carried or leashed. The fine for pets at large – no leash is \$250.00 after first notice and opportunity for hearing.
- iv. Dogs which may be considered as “dangerous” are prohibited at all times within the community. A “dangerous” dog is defined as a dog that has inflicted injury on humans or other domestic animals, has tendencies that would cause a person to believe that the dog may inflict injury upon a person or domestic animal, or has been engaged in or trained for fighting.
- v. Any unit owner who keeps or maintains any pet up on any portion of the Project shall be deemed to have indemnified and agree to hold the Association and each unit owner free and harmless from any loss, claim, or liability of any kind or character whatever arising by reason of keeping or maintaining such a pet.
- vi. No pet or animal shall be leashed or chained to any stationery object of the common elements.
- vii. Pets are not allowed to defecate or urinate on balconies, patios or decks. Pets are not to be left unattended on balconies, patios and/or decks.
- viii. No animal is permitted in or on any community facilities such as the Clubhouse, tennis court, pool, hot tub, etc.
- ix. Pet owners are responsible for any property damage, injury and disturbance their pet may cause or inflict.
- x. No dog shall be permitted to bark, howl, or make other loud noises for such a time as to disturb a neighbor’s rest or peaceful enjoyment of their unit or the common elements.
- xi. **Owners are responsible for the removal of waste of their animals. Owners who do not immediately clean up from their animal will be fined according to the fine schedule. The fine for owners not removing waste of their pets is \$250.00 after notice and opportunity for hearing.**
- xii. If your dog has attacked any person or another dog on the grounds, you will be required to have the dog muzzled whenever the dog is out on the common property.

## VIII. RECREATIONAL ACTIVITIES

From time to time, the Board of Directors may promulgate and post rules pertaining to use of the swimming pool, tennis courts and clubhouse. Owners and their guest shall be required to adhere to said rules.

**Swimming Pool Rules** The following rules have been adopted. They are intended to make the pool a safe environment with as little disruption to neighbors as possible

- a. Hours 9:00 a.m. to 9:00 p.m....daily
- b. Pets will not be allowed in the enclosed area.
- c. No food, alcohol, cannabis, cigarettes, or drugs allowed in the pool area.
- d. Glass containers are prohibited. Only metal or plastic containers are permitted.



- e. For safety purposes, no children under the age of 12 are permitted unless accompanied by a parent or adult guardian.
  - f. Proper swimwear required. No cutoffs in the pool.
  - g. Only chairs or lounges may be brought into the pool area.
  - h. Bikes, roller skates, scooters and skateboards are strictly prohibited from the pool area.
  - i. No cannonballing, diving pushing, running or horseplay in the area.
  - j. The pool and pool area are for the exclusive use of residents and their guests. Residents shall, in all cases, be responsible for the conduct and behavior of their guests while in the pool area and adjoining facilities.
  - k. Music is permitted in the pool area in conjunction with earbuds only.
  - l. All persons using the pool and pool area shall comply with the request of the sheriff's office, security guard, Property Manager, maintenance, member of the Board of Directors, or homeowners regarding the matters of personal conduct in and out of the pool area.
  - m. All persons using the pool and pool area shall be responsible for keeping the pool gate and bathroom doors closed at all times.
  - n. Four guests are allowed per homeowner.
  - o. Disrespecting others by using foul language or actions are not permitted.
  - p. Only swim diapers are allowed on anyone who does not have control of their bodily functions.
  - q. No flying objects, such as Frisbees, footballs, or hard objects, will be allowed in the pool area.
  - r. Anyone violating the swimming pool rules will get 1 warning. If you get a second violation you will be suspended from the pool indefinitely and issued a fine. Your reinstatement can only happen when you come to a Board meeting to ask for that reinstatement.
- The Association assumes no responsibility for injury or damage while at the pool. Residents agrees to swim at own risk while using the swimming pool or hot tub.

### **Tennis Court**

The tennis court is no longer useable, and residents are not allowed in it for their safety. Board of Directors surveyed the residents for suggestions about its future. The Board is researching the cost, viability and legalities of those suggestions and once completed, another survey will be taken for a final vote.

From time to time, the Board of Directors or Property Manager may promulgate and post rules pertaining to use of the clubhouse. Owners and their guests shall be required to adhere to said rules.

### **Community Center/Clubhouse**

- a. All applications for reservations for the clubhouse shall be in writing directed to the Property Manager and shall specify:
  - 1. The date or dates requested.
  - 2. The number of guests expected; and
  - 3. The nature of the occasion
- b. Use of the clubhouse is restricted to private parties given by owners or tenants. The clubhouse shall not be used for any functions which are civic, religious, charitable, or organizational in nature except for authorized Condominium Association meetings.
- c. A deposit, in such amount as shall be determined from time to time by the Board of Directors, shall be made by the owner or tenant to the Property Manager in advance of the

date of the function. In the event there is any damage to the clubhouse, or if the owner fails to clean the clubhouse to the satisfaction of the Property Manager, all or part of said deposit shall be non-refundable to the owner or tenant and said monies shall be deposited into the operating account of the Condominium Association.

- d. Any abuse of facilities shall result in loss of further privileges. Specifically, owners and their guests shall comply with all postings, parking regulations and pool rules of the Condominium Project during their use of the clubhouse facility, including closing times.
- e. The Board of Directors and the Condominium Association are not liable for any loss, theft, injury or accident resulting from the use of the clubhouse or any recreational facilities.

**IX. IMMORAL, IMPROPER, OFFENSIVE AND UNLAWFUL ACTS**

- a. Owners, lessees, their families and guests shall not use the premises for any immoral, improper, offensive, and unlawful acts, and each unit owner, at his expense, shall comply with, perform and fully satisfy all city, state, and federal laws, statutes, ordinances, regulations, orders or requirements affecting the unit. Furthermore, if any such person is engaged in any unlawful act and/or observed to be engaged in any unlawful act, **ANY** homeowner is authorized and encouraged to invite law enforcement agencies to enforce any violation or breach of the law.
- b. Additionally, if any such person is engaged in the breach of any of the Condominium Project governing rules and regulations, **any** homeowner witnessing such breach, is authorized, and encouraged to notify the Property Manager, in writing, to advise of the breach.

**X. ADMINISTRATIVE**

- a. Entry for Emergency The Property Manager or other authorized persons are authorized to enter into a unit for any emergency which might damage any unit or building at any time.
- b. Timely Payment Unit assessments and monthly maintenance fees and any other charges shall be paid on time. Failure to pay unit assessments, maintenance fees and fines will be resolved through the Tall Pines Resolutions on Collections.
- c. Enforcement The Condominium Association shall have the right to impose reasonable fines or other charges for violations. Collection of fines shall be as directed by the Tall Pines Resolution concerning Notice and Hearing on Enforcement Policy and Procedures. In accordance with the newly passed HOUSE BILL 22-1137, the schedule for assessed fines shall be:

1. 1 <sup>st</sup> notice of violation is a warning letter. Up to ten (10) days to comply-No fine.
2. 2 <sup>nd</sup> notice of violation (of same covenant or rule) - Initial letter \$250.00 fine. Thirty (30) days to comply.
3. 3 <sup>rd</sup> notice of violation (of same covenant or rule) - Second letter \$250.00 fine. Thirty (30) days to comply.

- d. Further, the Association shall have the right to seek injunctive relief to enforce these rules or other Covenants and Restrictions of the governing documents, in addition to the right to bring

suit for damages. In all such cases, the owner shall be responsible for all costs of such lien, injunction or suit for damages, including the Association's reasonable attorney fees. Non-enforcement of any rule or regulation, covenant, or other restriction shall not be construed as a waiver.

- e. Interpretations Should any rule or regulation be susceptible to two interpretations, one of which would render the rule or regulation valid under the law and the other which would render it void, the interpretation rendering the rule or regulation valid shall apply as the interpretation intended between the owner and the Condominium Association. Should any rule or regulation be held void as a matter of law by any court or administrative agency of competent jurisdiction, only that rule or regulation shall be rendered void, and all other rules and regulations shall remain and enforceable.
- f. Right to Amend The Board of Directors reserves the rights to amend, repeal, or add to these rules and regulations from time to time as may be deemed necessary for the safe and efficient maintenance of the Condominium Project and for the comfort and convenience of the occupants thereof.
- g. Hierarchy of Governing, Rules and Regulations The bodies of the Condominium Association's governing laws, descending order of supremacy are: (1) the Declaration of Covenants, Conditions, and Restrictions; (2) the Articles of Incorporation; (3) the Bylaws; and (4) the Rules and Regulations. If two bodies of the governing laws are in conflict, the conflict will be resolved by applying the law, which is more supreme of the two bodies.