



**Canyon Club Condominium  
Association**

**Rules and Regulations**

**CANYON CLUB CONDOMINIUM ASSOCIATION  
RULES AND REGULATIONS  
REVISED FEBRUARY 21, 2006**

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## **I. GENERAL INFORMATION**

### **A. Canyon Club Condominium Owners Association**

Pursuant to Section 9 and 30 of the Association's Declaration and Article IV, Section 2(b) of the By-Laws these rules and regulations the Board of Directors adopt these Rules and Regulations which supersede all previous Rules and Regulations.

### **B. The purpose for Rules and Regulations:**

Is to provide the basis for protecting the member's equity in the development and for providing the framework within which people can live in harmony in a group situation.

To protect, enhance and promote the purposes of the Association as stated in the legal documents.

To restrict and govern the use of the common areas and amenities, to control land uses and permitted uses, to establish architectural guidelines and controls for aesthetic value and to establish rules for the use of facilities by owners, guests and tenants.

To amplify, expand, clarify and interpret the board statements and rules existent in the various governing documents.

To protect and preserve the property and assets of the Association and the owners.

Infractions of the Rules and Regulations may carry penalties.

Canyon Club is a non-profit Homeowner's Association comprised of 175 unit owners who jointly own the land and all the property generally known as *6495 Happy Canyon Road in the City and County of Denver, Colorado.*

Since Canyon Club is located within Denver City and County remember:

**FOR EMERGENCIES, FIRE AND/OR POLICE, CALL 911**

Do not call the Office Administrator, Maintenance Staff, or any member of the Board of Directors; they are not Emergency or Security personnel.

For maintenance emergency call 303.757.3426, or 303.757.8527.

After notifying the proper emergency unit, please notify or supply a copy of a report - if one was generated - to the office, so a record may be kept for future use if needed.

The Association is governed by several legal documents that determine the rights and obligations of all the unit owners. When an individual purchases a unit at Canyon Club, he/she automatically agrees to abide by the following documents:

1. Articles of Incorporation
2. Condominium Declarations
3. By-Laws
4. Rules and Regulations
5. Policies for responsible governance

Each owner should receive a copy of the above documents before or at the closing of the purchase of a unit in Canyon Club.

The Canyon Club is managed by a five-member Board of Directors. The Board is elected by the unit owners at the annual meeting held in March. Elections are staggered so that all members' terms do not expire simultaneously and to aid in the continuity of the total management. In no event shall there be more than one member of a unit or family serving on the Board at the same time. Each Board member devotes many hours of their personal time to provide a secure and well-maintained community in which to live.

Notice of regular Board meetings should be posted on the bulletin board five days before the meeting. These Board meetings are at 7:00 PM at the Clubhouse. All residents are encouraged to attend. Subject to reasonable limitations, homeowners will be permitted to address an agenda item before action is taken. Homeowners may request copies of the minutes from the Office Administrator.

The Board is supported by:

1. Committees comprising unit owners and tenants.
2. A paid staff including:
  - a) Office Administrator. Responsibilities of this position are listed in the formal job description, a copy of which is on file in the office.

The Office is located in the Clubhouse.  
Office hours are 1:00 PM to 6:00 PM Monday through Friday.  
*Closed on Saturdays, Sundays and specified Legal Holidays.*  
Office Address: 6495 Happy Canyon Road, Box 176  
Denver, CO 80237  
Office Phone: (303) 757-8527 (24 hour answering service)

- b) Maintenance Supervisor. Responsibilities of this position are listed in a formal job description, a copy of which is on file in the office. Basic responsibilities include the general maintenance and repair of the common elements of Canyon Club property and the supervision and direction of the Maintenance Staff and any subcontracted work.
- c) Maintenance Staff. Responsibilities of this/these position(s) are listed in a formal job description, a copy of which is on file in the office. Basic responsibilities include taking supervision and direction from the Maintenance Supervisor on assignments in the general maintenance and repair of the common elements of the property.

The Maintenance office is located next to unit 168. Office hours are from 8:00 AM to 5:00 PM Monday through Friday. *Closed on Saturdays, Sundays and specified Legal Holidays.* Maintenance Office phone 303-757-3426. If no answer in an emergency call the Canyon Club Office.

- d) Canyon Club contracts with several providers and/or vendors for services, included but not limited to:
  - trash removal
  - laundry room, clubhouse and mailroom maintenance
  - pesticide control
  - asphalt and concrete work

**C. Financial Responsibilities:**

1. Canyon Club operates on a fiscal year beginning October 1 and ending on September 30 of the following year. Normally changes in maintenance fees, if any, will take effect October 1.
2. Copies of annual budget and/or monthly financial statements will be provided to homeowners upon request.
3. Monthly maintenance dues go toward paying insurance, for property liability, fidelity for Directors and Officers, employees and all of the services, also for maintenance of the office equipment, service equipment and all common areas. In addition, a certain amount of money is set aside as a reserve fund for large capital expenditures such as paint, fences, roofs, landscaping, etc. which are projected.

Water and sewer charges are also paid for the entire complex. The electric and gas bills are paid for the service in all the common areas. Each owner and tenant is expected to cooperate in minimizing all these expenses by:

- Maintaining all faucets and toilets in their units.
- By not clogging the drains.
- By turning off lights and closing doors in the laundry and in the clubhouse.

**D. Insurance**

1. Canyon Club maintains a master insurance policy, a copy of which is in the office. It provides coverage for all common elements including:
  - Fire and extended coverage for all the real property.
  - Comprehensive general liability.
  - Section 2D requires Association to insure fixtures installed by developer.
2. Unit owners and renters are responsible for coverage of personal belongings within their units. It is strongly recommended that each unit owner and/or tenant carry his own insurance policy to protect against loss to personal property and/or for personal liability. Each person should consult with his/her insurance agent on individual insurance requirements.

**E. Owners Maintenance Responsibility**

1. Each unit is equipped with its own gas furnace, air conditioning unit and hot water heater. Maintenance and/or replacement of each of these appliances are the unit owner's responsibility. It is recommended that the air filter for the furnace be changed every three months. Clean filters make the furnace run more efficiently and help reduce dust in the unit.
2. It is the obligation of the unit owners to maintain all improvements and utilities contained within their own unit. Unit owners shall reimburse the costs to repair or replace common elements damaged by the unit owner's negligence as set forth in Article X, Section 4 of the By-laws of the Association.

If any damage is caused to another unit by lack of maintenance of utilities or articles in a unit, the owner(s) of the unit causing the damage will be responsible to cover all expenses related to the damage. The name and address of any unit owner responsible for

damage to another's property will be given to the damaged party so they may seek restitution.

Hot water heaters deserve special mention because of their ability to cause considerable property damage. If an owner is uncertain about the age of the hot water heater, especially on the second floor, the Association suggests that it be replaced before it cracks or leaks and causes property damage to the lower unit.

**F. Architectural Changes to the Exterior**

Unit Owners must have prior written approval of the Canyon Club Board before installing **ANY** item that will be seen from outside the unit. All architectural requests regarding the exterior which is visible from the outside must be submitted, along with plans and pictures to the Architectural Committee who will review them for compliance, and then submit same to the Board for approval. A copy of the Architectural Guidelines is available at the office.

**G. Information**

The Canyon Club Newsletter is published monthly and is the Association's way of communicating with all residents. Owners and tenants contributions are welcome. Deadline is the 25th of each month. Submissions should be given to the office.

## II. COMMON RULES

1. Unit owners will be held accountable for infractions of the common Rules and Regulations. Owners are also responsible for infractions committed by tenants, their family members, invitees, licensees, guest or pets.
2. When renting a unit the owners must provide a copy of the current Rules and Regulations to the tenant upon occupancy.
3. The Community Bulletin Board is available, with prior approval of the Office Administrator, for personal announcements (e.g. items for sale), and for official notices from the Canyon Club Association.
4. No structure of a temporary or permanent character, including but not limited to tents, park benches, storage sheds, etc. shall be permitted to be kept or stored on any portion of the premises at any time without prior written approval of the Board of Directors.
5. No advertising signs, billboards, unsightly objects, or nuisances shall be erected, placed, permitted to be placed or to remain on the premises.

*Exception:* Maximum of two (2) signs of not more than 30"x20" size saying "For Rent" or "For Sale" may be placed on the unit window or on the fence/railing. Political signs, not more than 30"x20" size, may be displayed in the windows; to be removed immediately after election.

*Exception:* Cingular cell tower/antenna.

The homeowner may display the American flag and or service flag on personal property, in unit window or on a unit patio, subject to the policy adopted by the Association, if any.

No sign shall be allowed outside a unit. This includes signs for garage sales, and directions to clubhouse per the Declaration of the Canyon Club Condominiums.

6. All walkways, steps and roadways shall be kept clear at all times for general safety and emergency traffic. No personal property, including but not limited to: furniture, wood, bicycles, barbecues, grills, hibachis or other items of personal property will be left or stored on general common elements. This includes planters and hanging baskets that might impede access to these common elements by other residents, guests, maintenance people and emergency personnel.



7. Toys, bicycles or other items left in common elements will be turned into the Office Administrator. If not claimed within 30 days, said items will be donated to charity.
8. Balconies and patios shall be kept clean and neat at all times. Storage of any item not normal for patio use is strictly prohibited. Prohibited items include, but are not limited to:
  - rubbish, trash and trash cans
  - boxes
  - tires
  - scrap lumber
  - auto parts
  - clotheslines
  - laundry
  - rugs
  - dead plants
  - liquor or beer bottles and containers
  - furniture not normally suitable for patio
9. Supervised use of electric grills is permitted only on private balconies and patios. Charcoal or gas propane grills are prohibited on upper level floors as defined by the City and County of Denver Fire Codes:
  - The use of barbecue cookers and/or smokers, whether charcoal, LPG or compressed gas, inside of buildings, on roofs, or on balconies that are located above the first floor, and one above the other is prohibited.
  - Only a fuel container capacity equal to or less than one (1) pound LPG gas can be used on balconies, **but only** if they can be transported by exterior stairs serving the balcony. LPG gas containers greater than one (1) pound may be located on ground level patios when there are no balconies located directly above or within ten (10) feet.

Gas grills are available at the pool area for all residents use.
10. The private use of any utility it: electrical, water from common elements is prohibited.
11. Roller skating, roller blading and skateboarding is only permitted on ground level.
12. Keys to laundry room, pool and exercise room are available from the Office Administrator.

13. Laundry Rooms are located next to occupied units; therefore they will only be used between the hours of 7:00 AM and 11:00 PM as a courtesy to those units. Operation of laundry machines located above and below other units have the same restrictions.
14. Legal action may be taken to recover actual cost of repairs or replacement caused by damages to Canyon Club property.
15. Littering of the Common elements is forbidden. This includes, but is not limited to, dropping cigarette butts and candy wrappers.
16. Be aware that between the hours of 10:00 PM and 7:30 AM there are City Ordinances in place restricting noises. See Section XI Paragraph B. You are expected to be considerate of your neighbors at all times.

### **III. GUIDELINES FOR MOVING IN OR OUT**

1. Moves are permitted only between the hours of 7:00 AM and 10:00 PM.
2. Any vehicle used in the move, including, but not limited to, trucks, vans and cars, must park only on hard surface areas without blocking the normal flow of walking or driving traffic.
3. Unit owners will be held financially responsible for any damage to Canyon Club property caused during a move of themselves or by their tenants, family members, invitees and agents.

#### IV. RENTAL/LEASING OF UNITS

1. Per City and County of Denver Ordinances, each unit shall be used as a single family residential dwelling. Leasing for transient or business purposes is not permitted.
2. The procedures for leasing a unit as stated in Article X, Section 6 of the By-Laws must be followed.
3. Canyon Club Declarations require:
  - Any non-owner residing in Canyon Club Condominiums shall be subject to these Rules and Regulations in the same capacity as would an owner, subject to all rights and liabilities contained herein. Any fines or violation assessments incurred by a non-owner resident *and* not paid within thirty (30) days shall be the liability of the owner and shall be added to and due with the next regularly scheduled common expense assessment payment.
  - A written lease of six months or longer must be obtained from all renters. A copy of the lease and the addendum must be delivered to the Association Office within thirty (30) days of occupancy.
  - An Occupant Information Sheet must be completed by the resident and delivered to the Office Administrator within thirty (30) days of occupancy.
4. There shall not be more than the person(s) or family listed on the lease residing in a unit, according to the Zoning Ordinance of the City and County of Denver.
5. Non-owner residents as well as their family members, guests and invitees are subject to Provisions of the Associations Governing Documents.
6. For your protection, before renting:
  - Obtain and verify prior residence and landlord references.
  - Obtain proof of employment, present and past.
  - Obtain proof of bank accounts.
  - Obtain contact name(s)/information for emergency purposes.
  - Obtain a written lease of a six (6) month minimum term.

7. Copies of Lease and Addendum "A" must be sent to the Office within thirty (30) days of occupancy.
8. Verify that the tenant completed and filed an Occupant Sheet (Addendum "B") with the Office within thirty (30) days of occupancy.
9. Supply a copy of current Declaration, By-laws, Rules and Regulations and any other policies and procedures adopted by the Association to each new tenant no later than the date of occupancy.

## V. USE OF AMENITIES

The use of any one or all of the following amenities is at the user's own risk. Canyon Club assumes no liability for any injuries or damages to person(s) or property(s).

1. General rules for all amenity areas.
  - Posted rules must be obeyed.
  - No pets, bicycles, or roller skates are permitted.
  - Running, pushing or horseplay is not permitted.
  - Loud playing of radios, stereos, tape decks, etc. is forbidden.
  - Guests must be accompanied by an adult resident.
  - The police will be called immediately if any person(s) is observed drinking alcohol in common, or any person is presumed to be intoxicated or using illegal drugs. Violators can be restricted from further use of the amenities.
  - All amenities will be terminated if HOA dues are not current.
2. Pool, Whirlpool/Hot Tub Area
  - May not be reserved for private functions.
  - No glass containers are allowed.
  - Available daily 10:00 AM to 10:30 PM
  - No Life Guard is on duty; use at your own risk.
  - No diving in the pool.
  - For health and safety reasons:
    - Small children may not enter the Whirlpool/Hot Tub unless supervised by an adult.
    - Use of toys that may break, get into the filter system or can be swallowed by young children (such as water balloons) are not allowed
  - Guest limit:
    - Saturday, Sunday and Holidays - Two (2)
    - Any other time – Five (5)

3. Game Room
  - May not be reserved for private functions.
  - No glass containers are allowed.
  - Available daily 10:00 AM to 10:30 PM
  - As a courtesy to other residents, if someone is waiting to use the pool table, you are limited to one (1) hour of play.
  
4. Sauna
  - May not be reserved for private functions.
  - No glass containers are allowed.
  - Available daily 6:00 AM to 10:30 PM
  - For health and safety reasons infants and small children are not allowed in the sauna.
  
5. Fitness Room
  - May not be reserved for private functions.
  - No glass containers are allowed.
  - Available daily 6:00 AM to 10:30 PM
  - Use of equipment is at your own risk.
  - Use of equipment by persons sixteen (16) or younger is prohibited unless supervised by adult resident.
  - Equipment malfunction must be reported to the Canyon Club Office Administrator as soon as possible.
  
6. Community Club House
  - Is for Association functions and for use by owner(s)/residents for personal use not business functions.
  - Reservation of the Clubhouse is made with the Office Manager. A Clubhouse Use Agreement form will be completed and signed; a copy of which will be provided to the signers by the Canyon Club Office Administrator.

- A security deposit (the amount will be specified on the Clubhouse Use Agreement form at the time of reservation), will be required and deposited no later than two (2) weeks before the event.
- In case of a non-owner resident/tenant using the Clubhouse, this form must also be signed by the Unit Owner. The Unit Owner will be held responsible for all damages caused by the resident or the resident's guests including those in excess of the damage deposit.
- The signers) of the Clubhouse Use Agreement will be responsible for the general housekeeping of the facility. The signers have the option of cleaning the Clubhouse or having it cleaned at their expense, within 24 hours after completion of use. In the event the Clubhouse is not properly cleaned or repaired following use, the costs of cleaning and repair will be deducted from the security deposit. In the event the security deposit is insufficient, the signers will be billed for any excess. If the bill has not been paid within seven (7) days, legal action will be taken.
- The signers (host) of the Clubhouse Use Agreement must be present for the duration of the function.
- Alcoholic beverages may be served, but not sold. No alcoholic beverages, by Colorado Statue, shall be made available to any person under the age of 21.
- When alcoholic beverages are going to be served and fifty (50) or more people are expected to attend, the signers are responsible to hire a security guard. The name of the security company furnishing the guard or the name and badge number of the off duty police officer hired must be furnished to the Office Administrator three (3) days prior to the function.
- No monetary considerations in the form of admission fees, donations or otherwise, may be charged by the signers, except in the case of approval of the Canyon Club Condominium's Board.
- Infraction of these Rules and Regulations can invoke termination of the function and future restrictions by the Board for the use of the facility.
- No signs, placards, or other notices can be posted advertising the function without approval by the Board.



## VI. MOTOR VEHICLES

1. No one shall operate a motor vehicle, motorcycle or recreational vehicle on the premises that emits loud or offensive noise or too much exhaust that disturbs other residents.
2. Residents will park their motor vehicle in the carport space provided for their unit.
3. Carports shall only be used for the parking of motor vehicles with current license plates. Carport is not to be used as storage areas, including unlicensed cars or trailers, etc.
4. Derelict or abandoned motor vehicles and recreational vehicles are not permitted in Canyon Club property. Offending vehicles will be removed at owner's expense.
5. Speed limit signs, stop signs and yield signs may be erected at the Board's discretion. Residents and their guests will be expected to observe same. City and County of Denver driving and parking laws, such as handicap parking, speed limits, no parking, stop signs, etc. will be enforced.
6. No vehicles larger than SUVs or pickups are permitted to park on Canyon Club property, thoroughfares, assigned or other parking spaces.
7. No motor vehicle shall be parked in a way that impedes or prevents ready access to any entrance or exit of building, carport, fire lane, no parking or parking lot.
8. No repair to any vehicle shall be made on the premises that will incapacitate the vehicle for more than 24 hours.
9. Any person making minor repairs on the premises is responsible for the proper disposal of waste products. To conform with State and Federal mandates no oil changes are allowed on Canyon Club property.
10. Each unit is permitted one vehicle per licensed driver, plus one additional vehicle for the unit as a whole. Each of these vehicles must display a Canyon Club vehicle ID sticker (available through the office) in the lower right section of either the rear window or rear right bumper. Motorcycles, scooters and similar vehicles must also be stickered, but may be displayed on windscreen. Vehicles parked in "reserved" parking that do not display a Canyon Club ID sticker will be towed at owner's expense unless the office has been notified before hand.

11. The use of the common parking areas is limited to motorcycles with boards for kickstand and passenger cars of residents and their guests.

12. Other vehicles including, but not limited to, recreational and commercial vehicles, trucks, trailers, or boats of any kind shall not be permitted in the parking areas or common areas.

*Exceptions:* small vans or trucks with a gross loaded weight of less than 10,000 pounds.

13. Vehicles parked in unassigned parking areas at Canyon Club must be moved no less than every 14 days. Vehicles which have not been moved within 14 days will be towed at owner's expense. Special circumstances (i.e. – extended vacations, hospitalization), may be called into the office for special consideration and approval.

14. Winter snowstorm parking procedures:

1st day of storm: Park on the south and east sides of the street

2nd day of storm: Park on the north and west sides of the street

Note: Storms are not an excuse to park in the "No Parking" areas or yellow marked streets, curbs or fire lanes.

## VII. PETS

1. Domesticated household pets are permitted. No exotic animals (this includes, but is not limited to, pot belly pigs, snakes, etc.), livestock or poultry of any kind shall be raised, bred or kept in or on the property. The number of pets allowed per unit are limited to two (2).

*Exception:* Birds in one cage and fish in fish tanks.

2. The City and County of Denver has and enforces a leash law. This law requires dogs to be on a leash when in public domain.

Animal Control telephone number: **303-689-0076**

**Canyon Club Rules and Regulations require:** All dogs, cats or any other domesticated household pets are to be on a leash at all times when on the common grounds. A person capable of controlling the animal must hold the leash.

3. No animal may be leashed to any stationary object, such as a tree, in the common areas, or left unattended, nor should they be left unattended in a car. Unleashed or unattended animals will be turned over to the appropriate shelter or city authority.
4. In compliance with the City and County of Denver Ordinance, pets must be curbed. Feces made by pets must be cleaned up immediately. Feces made by pets on the common areas of Canyon Club also must be cleaned up immediately.
5. Offensive pet odors from balconies and patios are not permitted.
6. Pet owners and/or unit owners will be held responsible and liable for any

property damage, injury or disturbance which pets may cause or inflict.

7. To help protect you and your pets in the event of an emergency, you must provide the Office Administrator with a description of all your pets. Update this information when there is a change.
8. Do not feed wild life including, but not limited, to squirrels and birds. They could decide to take up residence in your or your neighbors' attic area and can attract rodents. It will be your financial responsibility to have them removed.
9. Barking dogs: please see Section XI, Subsection A.

#### **VIII. GENERAL USE - PROPERTY RESTRICTIONS**

No unit shall be permitted to fall into disrepair, pursuant to all governing documents, rules and Architectural Guidelines.

## **IX. CITY ORDINANCES**

### **A. Division 3. Sec. 8-46 Barking Dog Nuisance**

1. It shall be unlawful for any owner, possessor or keeper of any dog to permit such dog, by loud and persistent or habitual barking, howling or yelping, to disturb any people or neighborhood.
2. In any prosecution for a violation of this section, the fact that any loud dog barking which disturbed any people or neighborhood occurred either:
  - a) Between 10:30 PM and 7:30 AM; or
  - b) When none of the residents who reside at the place where the barking dog is being kept are at home, shall create a reputable presumption that the dog barking is unlawful.

### **B. Sec. 38-101 Prohibited Noises**

Between the hours of 10:00 PM and 7:00 AM, no person shall use or operate or allow be used or operated any musical instrument, loudspeaker, public address system, radio, tape player, disc player, television set, or other sound amplifying equipment in such a manner as to be plainly audible when crossing a property line or within dwelling unit which is not the source of the sound.

### **C. The Uniform Fire Code requires:**

1. All roadways and walkways shall be clear for emergency traffic.
2. No fireworks are permitted.
3. The use of barbecue cookers and/or smokers, whether charcoal, LPG or compressed gas inside of buildings, on roofs, or on balconies that are located above the first floor, and one above the other is prohibited.

Only a container capacity equal to or less than one (1) pound LPG gas can be used on balconies, but only if they can be transported by exterior stairs serving the balcony.

Gas greater than one (1) pound may be located on ground level patios when there are no balconies located directly above or within ten (10) feet.

**Animal Control Telephone number:** 303-689-0076

**Police Department:** 911

**Fire Department:** 911

## **X. DEFINITIONS AND ADDENDUMS**

- ADULT:** Shall refer to anyone at least 18 years of age.
- AGENT:** Shall refer to the person(s) who legally represents a home owner. The owner of the unit being represented by an agent must provide the Office Administrator with this information in the form of a letter or other legal documents (i.e. Power of Attorney).
- ASSOCIATION:** Shall mean and refer to Canyon Club Condominium Owners Association.
- BOARD:** Shall mean the duly elected Board of Directors for the Canyon Club Condominium Association.
- CARPORTS:** Shall refer to the assigned, covered parking elements.
- COMMERCIAL VEHICLES:** Shall include, but not limited to, any vehicle that is or can be considered to be of use in the transaction of business matters, such as the pickup and delivery of goods, the towing or carrying of other vehicles, advertising and promotion, etc. Vehicles serving dual purpose, personal and business, are accepted.