



COMMUNICATION - TRANSPARENCY - COLLABORATION

Open Space Policy and Procedures

PURPOSE: To adopt policy and procedures that protect the natural features and ecosystem of the Open Space, and reinforce the PineRidge HOA Community Wildfire Protection Plan (CWPP) and Fire Mitigation Policy.

EFFECTIVE DATE: February 12, 2019

RESOLUTION: The PineRidge Homeowners Association (“Association”) does hereby adopt the following Policy and Procedures for 22 acres of Open Space:

A. Background:

1. The Open Space was deeded to the PineRidge Homeowners Association (Association) for ownership and maintenance per the original recorded plat in 2000. The Open Space is governed by the Board of Directors in accordance with the Master Declaration of Covenants, Conditions and Restrictions (CCRs), the Community Standards and Guidelines, the CWPP, the Fire Mitigation Policy and this Open Space Policy. PineRidge Open Space is adjacent to 12,000 acres of Wildland Urban Interface and, combined with the steep topography, Ponderosa pine trees and Gambel oak brush understory, the threat of wildfire is rated high to extreme. The Association worked with Colorado State Forest Service, Douglas County Fire Mitigation Specialists and South Metro Fire Rescue Authority to develop the CWPP. It is reviewed every year by the Board in conjunction with the PineRidge HOA Fire Mitigation Policy for mitigation action.
2. Douglas County retains a 50’ wide easement for a future equestrian/pedestrian trail that runs throughout the Open Space. Douglas County has expressed no immediate plans to develop this trail; however, that can change at any time. The affect to the overall Open Space will undoubtedly change.
3. Having an enforceable set of rules is critical to ensuring the Open Space retains its natural, scenic, historic, and ecological integrity. Members hold a nonexclusive easement to access and enjoy the open space; nevertheless, that easement does not include a right to alter the Open Space without Board knowledge and written authorization.

B. General Policy: This policy and procedures, while not in contradiction to the Master Declaration, may be in addition to the CCRs and other rules and governing documents of the Association. Users of the Open Space do so solely at THEIR OWN RISK.

4. No person shall alter in any way, damage, destroy, mutilate, deface, or remove any tree, shrub, plant, grass, dead or downed wood, rock, boulder, gravel, or dirt except as specifically authorized by the Board. Any such action will be considered vandalism of property owned by the Association.
5. No person may plant, use, or otherwise encumber the Open Space as an extension of their own property. Any personally-owned property or any other property that is moved into or allowed to remain on the Open Space shall become the property of the Association.

6. No person shall willfully harm, harass, trap, confine, catch, or possess any wildlife within the Open Space. No feeding of wildlife is permitted. Wildlife means living animals that are not domesticated.
7. Pets must be under the owner's or handler's physical control at all times and be on a leash no longer than 10 feet. Owner or handler will be responsible for any damages caused by their animal and must pick up and take out pet excrement after their pets.
8. Depositing or burying any refuse, trash, litter, household or commercial garbage or trash including, but not limited to, brush, lawn trimmings, and tree branches is prohibited.
9. Draining hot tubs into the open space is prohibited.
10. Smoking of any substance is prohibited.
11. Open fires of any kind are prohibited.
12. Carrying, possessing or discharging of a device with a projectile is prohibited. This includes, but is not limited, to firearms, B-B guns, pellet guns, paint ball guns, airsoft-type guns, archery equipment, and sling shots.
13. Technical rock climbing with the use of ropes or any other climbing hardware is prohibited.
14. Overnight camping in the Open Space is prohibited.

C. **Vandalism Damages:** The Open Space is a unique asset, not only to our community, but also to the natural environment of surrounding public and private lands. The Open Space contains numerous rock outcroppings and very old heritage trees that cannot be replaced. Any alteration, removal or damage to them is vandalism and will be prosecuted to the fullest extent of the law. Professional consultants will be hired to evaluate the vandalism for a damage assessment. Similar heritage trees have been valued at \$6500 each. All damages and costs associated with an event of vandalism, including legal fees, will be assessed to the violator. The Board may also choose to impose a fine not to exceed \$500.

D. **Enforcement:** This policy and procedures are in addition to, and not in lieu of, all federal, state, and county laws, Association Master Declaration and Rules and Regulations. Any person in violation is subject to fines as established by the Board, and shall also be required to reimburse the Association for all expenses incurred in the enforcement of these provisions.

E. **Miscellaneous:**

1. Failure by the Association to enforce any provision of these policies and/or procedures in this document shall in no event be deemed to be a waiver of the right to do so thereafter.
2. The provisions of these policies and/or procedures shall be independent and severable. The invalidity of any one or more of the provisions hereof by judgment or court order or decree shall in no way affect the validity or enforceability of any of the other provisions, which other provisions shall remain in full force and effect.
3. This policy and procedures document may be reviewed and amended from time to time by the Board.

PRESIDENT'S CERTIFICATION: The undersigned President of the PineRidge Homeowners Association certifies that the foregoing Resolution was approved and adopted by the Board of Directors of the Association, a a duly called and held meeting of the Board of Directors of the Association on February 12, 2019.

PineRidge Homeowners Association

By: _____
Arlene J. Armata, President

Date: _____