

RULES AND REGULATIONS FOR OPEN SPACE of  
GLENEAGLE CIVIC ASSOCIATION (GCA) HOME OWNER'S ASSOCIATION

EL PASO COUNTY, COLORADO

WHEREAS, the Gleneagle Civic Association (GCA) Home Owner's Association (the "Association") has been conveyed as a common element and is maintaining Open Space as defined in Attachment A for the members of the association; and

WHEREAS, the Board of Directors of the Association desires to adopt rules and regulations governing activities within Association Open Space; now therefore,

BE IT ORDERED BY THE BOARD OF DIRECTORS (the "Board") OF THE ASSOCIATION THAT:

AUTHORITY

Section 1: Rules and Regulations are adopted by the Gleneagle Civic Association Home Owner's Association of El Paso County, Colorado. under authority of the Colorado Common Interest Ownership Act (CCIOA)

ADMINISTRATION

Section 2: The Board hereby designates the Covenants Control Committee to enforce these rules and regulations in accordance with the Covenants Enforcement Policy as enacted by the GCA Board of Directors.

AREA COVERED

Section 3: These rules and regulations apply to all Open Spaces owned, controlled, and/or maintained by the Association as common elements of the Association

DEFINITIONS

Section 4: As used in these rules and regulations:

(a) "Alcoholic beverage" means any beverage containing more than one-half of one (.5%) or alcohol by volume, which is suitable for use as beverage, either alone or diluted.

(b) "Board" means the Board of Directors of the Gleneagle Civic Association Home Owner's Association of El Paso County, Colorado

(c) "Association" means Gleneagle Civic Association Home Owner's Association of El Paso County, Colorado

(d) "Fireworks" shall have the definition as any incendiary device both legal and illegal

(e) "Open Space" is a common element owned and maintained by the Association for recreation and enjoyment of Association members.

(f) "Person" means any present or future homeowners, tenants, future tenants, renters, occupiers, or any other person that might use in any manner the property described in the Declaration or subsequent amendments to the Declaration or the Gleneagle Civic Association Home Owners Association, including guests of the same.

(g) "Pet" means any domesticated animal permitted by the GCA Covenants and customarily kept for pleasure rather than utility.

(h) "Special event" means an organized activity intended for more than ten (10) persons to share a common purpose as a group.

(i) "Vehicle" means any motorized device moving on wheel, runners, tracks, or any other propulsion system. This definition specifically includes cars, trucks, motorcycles, snowmobiles, golf carts, and ATVs.

(j) "Wildlife" means living animals that are neither human nor domesticated.

(k) "Firearms" means any device, such as a rifle or pistol, from which a projectile is fired by gunpowder or other propellant.

#### HOURS OPEN

Section 5: Unless otherwise posted, the Open Space shall be open to the Association homeowners, their guests, and other persons defined above from one hour before sunrise to one hour after sunset. If hours are posted, no person shall enter into or remain within the Open Space at any time other than during such times as designated on such signs. Unauthorized entry or use shall constitute trespass.

#### VEHICLES

Section 6: No vehicles other than emergency vehicles within the Open Space. Unauthorized vehicles use shall constitute trespass.

#### WILDLIFE

Section 7:

(a) No person shall willfully harm, harass, trap, confine, catch, or possess any wildlife within the Open Space.

(b) Fishing shall not be permitted within the Open Space.

(c) No feeding of wildlife is permitted.

#### PLANT LIFE

Section 8: No person shall alter in any way, damage, destroy or remove any plant, tree, shrub, vine, wildflower, grass, fern, moss, leaves, cones, dead or downed wood, or any rocks, boulders, gravel, or dirt or any features of the former Gleneagle Golf Course within the Open Space except as specifically authorized by the Board. Any such action will be considered vandalism of property owned by the Gleneagle Civic Association.

#### FIRES

Section 9: No person shall light, build or maintain a fire within the Open Space other than within a propane barbecue grill.

#### FIREWORKS

Section 10: No person may possess, light or ignite fireworks, model rockets or any type of incendiary device (legal or illegal) within the Open Space.

#### FIREARMS

Section 11: Discharge of firearms is strictly prohibited. Discharge of any other device that uses springs or air pressure to fire, launch, or otherwise power a projectile is strictly prohibited. This includes all devices commonly defined by law as firearms, including antique and black powder firearms, bows, crossbows, BB guns, pellet guns, all other similar devices that may present a hazard to users of the open space.

#### ANIMALS

Section 12: No person may bring into or possess in the Open Space any animal other than a pet. Any person bringing a pet into the Open Space shall secure it by a leash at all times. Any person bringing a pet into the Open Space must remove his or her pet's waste. All pets taken into the Open Space must possess current tags as required by El Paso County and Colorado laws and ordinances. No horses are allowed in the open space.

#### GLASS BEVERAGE CONTAINERS

Section 13: No glass beverage containers are permitted in the Open Space.

#### ALCOHOLIC BEVERAGES

Section 14: No person shall bring an alcoholic beverage into the Open Space unless such use is in conjunction with a Special Event pursuant to a permit issued by the Board.

#### USE OF LOUDSPEAKERS

Section 15: No person shall use any loudspeaker, public address system or amplifier within the Open Space unless such use is in conjunction with a Special Event pursuant to a permit issued by the Board.

#### DUMPING AND LITTERING

Section 16: All persons shall remove any trash they generate, to include pet waste, while using the Open Space,. No person shall bring into the Open Space any trash, refuse, or waste material. This includes yard clippings, leaves, branches and/or tree limbs.

#### SOLICITING

Section 17: No person shall solicit funds or donations, or sell or offer to sell services or goods, or distribute circulars in the Open Space. This rule does not apply to the following.

(a) Persons soliciting donations or conducting fundraising events for and on behalf of non-profit organizations, who have secured prior written permission from the Board;

(b) Concessionaires or lessors and persons employed by concessionaires or lessors when selling goods or services, or charging for amusements pursuant to a written contract authorized by the Board

#### CAMPING

Section 18: Overnight camping in the Open Space is prohibited.

#### SWIMMING

Section 19: No person shall engage in swimming or any other water sport activity in the Open Space.

#### ICE SKATING, CROSS COUNTRY SKIING, SLEDDING

Section 20: No person shall engage in ice skating in the Open Space. Cross-country Skiing and sledding is allowed at one's own risk and must not cause damage to the Open Space.

#### SPECIAL EVENTS

Section 21: No person shall solicit for, hold or sponsor a special event in the Open Space without the prior written permission of the Board. No event open to the general public will be held or sponsored in the open space without prior written permission of the Board.

#### COMMON AREA USE

Section 22: Intended use of the open space is for walking, jogging, bicycling and peaceful enjoyment by the community. Users of the Open Space do so solely at THEIR OWN RISK. No Persons may plant, use, or otherwise encumber the Open Space as an extension of their own property. Mowing anywhere on the Open Space is prohibited without the prior written permission of the Board. 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 Gleneagle Civic Association. The picnic shelters are to be used on a first-come, first serve basis and will not be reserved by or for any person except for Board-sponsored events or uses, and will not be posted as reserved by any person.

#### EFFECTS ON EXISTING LAW

Section 23: These rules and regulations are in addition to, and not in lieu of, all federal, state, and county laws, rules and regulations applicable within the Open Space.

#### SEVERABILITY

Section 24: The provisions of these rules and regulations are severable. If any word, phrase, clause, sentence, section provision or part of these rules and regulations should be held invalid or unconstitutional, it shall not affect the validity of the remaining provisions, and it is hereby declared to be the intent of the Board that these rules and regulations would have been adopted as to the remaining portions, regardless of the invalidity of any part.

#### AMENDMENTS

Section 25: These rules and regulations may be reviewed and amended from time to time by the Board.

#### POSTING

Section 26: Notice of these rules and regulations, or the indirect reference to these rules and regulations, shall be posted at appropriate access ways to the Open Space.

#### EFFECTIVE DATE

Section 27: These rules and regulations shall become effective on the date of the Board's adoption of these rules and regulations.

PENALTIES

Section 28: A person who violates any of the provisions of this Order shall be subject to fines as established by the Board and shall also reimburse the Association for any and all damages caused to the open space or to the Association in general and any and all expenses incurred by the Association in the enforcement of the provisions of this Order, including without limitation reasonable fees for attorneys, expert witnesses, and other costs incurred by the Association.

ADOPTED this 10<sup>th</sup> day of August 2017.

  
Secretary, Board of Directors