

DURANGO WEST METROPOLITAN DISTRICT NO. 2

RESOLUTION 2022-04

A RESOLUTION ESTABLISHING RULES AND REGULATIONS FOR THE DISTRICT GREENBELT AREAS AND PENALTIES FOR VIOLATIONS

WHEREAS, Durango West Metropolitan District No. 2 (the "District") is authorized to provide parks and recreation services for the use and benefit of its residents; and

WHEREAS, pursuant to its parks and recreation authority the District owns certain properties in the District suitable for parks and recreation purposes which are described as greenbelts, open space, out lots, picnic areas, playground, tennis courts, basketball courts, and ponds (collectively the "Greenbelt areas"); and

WHEREAS, the District is responsible for maintaining, regulating and setting policy for the use of Greenbelt areas; and

WHEREAS, the Board of Directors of the District (the "Board") has determined that comprehensive rules and regulations for the District Greenbelt areas should be adopted to ensure that all residents can safely enjoy the benefits the Greenbelt areas provide;

NOW THEREFORE, be it resolved by the Board of Directors of the Durango West Metropolitan District No. 2:

1. The Board hereby adopts the rules and regulations for the Greenbelt areas as set forth on Exhibit A, attached hereto.

2. Residents violating any of the adopted rules and regulations for the Greenbelt areas will be punished as follows:

- a. The Board reserves the right to respond to violations of this policy with written warnings or fines of up to \$500; and
- b. Restitution costs may be charged if the District incurs any expenses for removal, cleanup or restoration as a result of a violation.

3. All fines authorized by this resolution shall be added to the monthly billing for the property owner. Property owners are responsible for the actions of the members of the property owner's household, the property owner's tenants or the property owner's guests who violate this resolution. Fines shall be subject to all penalties, interest and collection procedures of the District and, until paid shall constitute a perpetual lien on the property which may be foreclosed by the District as provided by statute.

3. Official written notice of the violation shall be served by email addressed to the property owner at the address in the District's billing records.

4. Permission for special events or other exceptions to the rules and regulations must be brought before the Board for approval. Approval for an exception shall be granted only when necessary to prevent unreasonable hardship based on unique circumstances.

5. This resolution is necessary for the safety and welfare of the residents of the District and for the protection of the Greenbelt areas and shall be effective immediately.

Adopted this 21st day of September, 2022.

DURANGO WEST METROPOLITAN DISTRICT NO. 2

BY: *Cathy Van Hof Tle*
President

ATTEST:

Jane Loney
Secretary

EXHIBIT A

DURANGO WEST METROPOLITAN DISTRICT NO. 2

RULES AND REGULATIONS FOR GREENBELT AREAS

1. Overnight camping on the District Greenbelt areas is prohibited. Overnight camping shall include, but is not limited to, tents, tarps or any dwellings that create a living space and are left overnight.
2. No fires of any type are permitted anywhere within the Greenbelt areas.
3. No motorized vehicles are permitted in the Greenbelt areas including motorcycles, motor bikes, e-bikes, or ATVs except as permitted by District management for the purpose of servicing or maintaining District property.
4. No trash, litter, refuse, rocks, grass cuttings, tree trimmings, gravel, sand or other materials are to be placed in the Greenbelt areas. No needles, rocks, gravel, sand or other materials shall be placed on trails in the Greenbelt areas for any reason except as permitted by District management for the purpose of servicing or maintaining District property.
5. Encroachments on the District Greenbelt areas are prohibited. Encroachments shall include, but are not limited to, private dwellings, storage units, fences, recreational equipment, paths, ramps and other structures or "improvements" within the Greenbelt areas. Recreational improvements and uses installed or approved by the District for the use and benefit of all District residents are permitted. The district reserves the right to charge for any costs related to the encroachment onto district property.
6. No person shall engage in any activity on any Greenbelt areas which constitutes a hazard to the safety of other persons, including but not limited to the use or discharge of any fireworks or weapons, including firearms, B-B guns, pellet guns, bows, or slingshots.
7. Conducting any commercial activity or business promotion within the Greenbelt areas is prohibited.
8. No person shall remove, damage, destroy, deface, or otherwise vandalize any greenbelt property, structure, sign, or vegetation.
9. No person shall hunt, trap, harass, or harm any wild animal, bird, or plant life.