

Wedding Canyon Estates Owners Association
Noxious or Offensive Behaviors Policy and Procedure
Pursuant to C.R.S. §38-33.3-209.5(1)(b)(IV) &
the Declaration of Covenants, Conditions & Restrictions
Article 7, Section 7.4

BE IT RESOLVED, the Association hereby adopts the following procedures to be followed for enforcing policies rules and regulations and other governing document of the Association.

1. Scope:

To adopt a procedure and policy outlining procedures to be followed for enforcing noxious and offensive behaviors in the Association.

2. Specifics:

No noxious or offensive behaviors shall take place or be permitted near or upon any of the Lots, nor shall anything be done on any portion of the Subdivision, which may be or become an annoyance or nuisance to the community, HOA, HOA management agent, or Owner of any Lot.

Nuisances and obnoxious behaviors include actions such as:

- Owner/s, Resident/s, Agents, hired Contractors or Guest/s yelling, screaming, cussing at, showing lewd hand gestures (the middle finger or any racist signals) or otherwise harassing other Owner/s, Resident/s or Guest/s in the Association.
- Threatening Owner/s, Resident/s or Guest/s for any reason in the Association
- Owners breaking county, state, federal or other civil laws and codes on their Lot or within the Subdivision.

Violations may be observed by the Board of Directors, the management company, a committee member or by one or more Association Owners. Violations submitted by Owners must be reported via written correspondence through e-mail, digital communication, or first-class mail service. The complaint must state the violation observed specifically citing the Governing Document, CC&R article, number, and letter (if applicable), and include a picture of the violation (if applicable), who the violating party was, what was observed, the date, place and time of the violation and any other pertinent information such as license plate numbers, etc. If full details are not provided with a complaint, action beyond additional observation may not be made. The Board may investigate the complaint further and will make additional observations if required.

Violation Complaint Submission Forms and accompanying documentation are not available to the public or Owners for viewing at the HOA management company or Association addresses. Forms are received and considered by the Board in Executive Sessions only at the next scheduled Board meeting. This means if you are an Owner

receiving a Violation, you will be provided no information on how the Violation was brought to the attention of the Board.

Any complaint that is found to be in violation of a municipal code will be reported to the appropriate authorities by the Board immediately for Association health and safety reasons.

If a violation is confirmed by the Board or management company and fully documented, the following actions will be taken:

1st Notice: A letter of notification and photo, if available, will be sent to the Owner (and lease tenant if it is known that the residence is being used as a rental) stating that a Violation has occurred while referring them to the governing documents which appear to be in violation. The 1st Notice letter allows the Owner to forward documentation if they believe the Violation did not occur. The Owner has ten (10) days to respond to the letter or to correct the Violation or dispute it in accordance with the Dispute Resolution Policy.

2nd Notice/Violation: If this Policy is violated a second time after ten (10) days from the first notice of violation, the Owner shall be automatically fined \$100.00.

3rd Notice/Violation: If this Policy is violated again within 24 hours of the Second Violation, the Owner shall be automatically fined \$200.00.

In any thirty (30) day period where an Owner has three or more violations of this policy for noxious and offensive behaviors, the Owner shall be automatically fined \$500.00 for all additional violations.

This violation shall be per occurrence. An occurrence is defined as a violation of this Policy separated by a subsequent violation after one (1) hour of time has passed between the violations.

This Policy extends to any violation of this Policy from the date of the first notice of violation. Meaning, ten (10) days after the first notice for violation of this Policy has been sent to the Owner, the Owner shall be fined in accordance with this Policy for every subsequent violation no matter how much time has passed between the first notice and subsequent violations.

Owners are responsible for any fines that may be levied against their property due to non-compliance of their tenants.

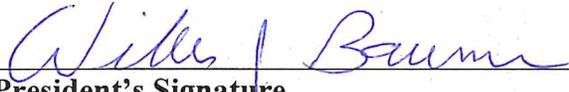
Non-payment of fines will fall under the Dues Collection Policy.

Voting rights will be suspended for any Owner who is or has been in Violation of the CC&Rs in the previous thirty (30) days.

3. **Definitions:** Unless otherwise defined in this Resolution, initially capitalized or terms defined in the Declaration shall have the same meaning therein.
4. **Supplement to Law:** The provisions of this Resolution shall be in addition to and in supplement of the terms and provisions of the Declaration and the law of the State of Colorado governing the Project.
5. **Deviations:** The Board may deviate from the procedures set forth in this Resolution if in its sole discretion such deviation is reasonable under the circumstances.
6. **Amendment:** The Board of Directors may amend this procedure from time to time.

President's Certification: The undersigned, being the President or elected Director of the Association, certifies that the Board of Directors of the Association adopted the foregoing resolution and in witness thereof, the undersigned has subscribed his/her name.

Wedding Canyon Homeowners Association



President's Signature

Effective Date: 5.25.2022