

SPRING VALLEY PROPERTY OWNERS & RECREATIONAL CORPORATION
Policy Number 330 - ARCHITECTURAL CONTROL
COMMITTEE RULES AND REGULATIONS POLICY

Effective January 1, 2010

(Revised June 1, 2011)

I. GENERAL

A. Purpose

1. The Architectural Control Committee (ACC) is a committee established by the Spring Valley Property Owners and Recreational Corporation (SVPORC) and its members are appointed by the SVPORC Executive Board of Directors.

2. The purpose of the ACC is to assure that the community property values are maximized and the theme and appearance of the community is maintained. These rules and regulations are developed from the Declarations, Covenants, By-laws and Policies, with guidance from the SVPORC community and the Executive Board of Directors. It shall concern itself only with operation of a business, general aesthetics, workmanship, planning and purpose. The theme and appearance shall be consistent with other existing structures as well as a mountain community in which the beauty of the natural forest is maintained and the homes and other improvements blend into natural surroundings.

3. The ACC shall consider and act upon all matters properly submitted to it. In the furtherance of this function, the Architectural Control Committee may, by unanimous vote, from time to time adopt, amend and repeal rules and regulations to be known as the Architectural Control Committee Rules and Regulations Policy. In addition, the ACC has established fine schedules which have been approved by the Executive Board of Directors.

4. The ACC is a three member committee appointed, by the Executive Board of Directors, that meets during the first week of each month if submittals have been made in order to approve or disapprove plans which have been submitted prior to the last day of the preceding month. These decisions require a majority vote at an ACC meeting held prior to the fifteenth of the month. If such business operations, plans, or specifications are disapproved (or, if conditionally approved, unless the conditions thereof be complied with) the business or project construction shall not be undertaken, or if undertaken, a violation hereof may be abated by legal proceedings by any party having an interest in the enforcement hereof irrespective of the time of completion thereof, in addition to fines being assessed by the ACC. The ACC in no way shall confirm or guarantee any assumed geological conditions, safety or structural standards or construction methods. The ACC shall, in good faith, exercise discretionary approval or disapproval on the basis of minimizing interference with enjoyment of adjacent properties, protecting property values, and enforcing improvement use and occupancy in a pleasing but neither sterile nor uniform combination.

5. Decisions by the ACC may be appealed to the SVPORC Executive Board of Directors at the next scheduled Board meeting following the receipt of an unfavorable decision by the ACC.

B. Areas of Responsibility

1. The ACC has rules and regulations governing the following:

a. Building, remodel, painting/re-staining, or any change to the exterior of any structure in the community

- b. Additions of new structures to a lot
- c. Clearing of lots
- d. Installation of Septic systems
- e. Installation of driveways
- f. Installation of propane tanks
- g. Painting/staining of decks and structures
- h. Landscaping of lots
- i. Parking of items on the lot or community property during construction or approved work phase
- j. Operation of a Business

2. Any property owner wishing to undertake any project involving any of the above items needs to contact the ACC to understand the procedures for approval, prior to starting the project.

C. ACC Rules and Regulations

1. Construction. All structures shall be of new construction (except used brick, siding, or similar decorative materials may be used) and shall not be commenced until a Teller County approved building permit and structural plan set is obtained, together with written approval from the ACC as provided below. This includes exterior decks.

2. Date of Completion of Construction. The work of construction of all buildings and structures shall be prosecuted diligently and continuously from commencement of construction until the structures are fully completed. All structures shall be completed in external appearance, including finishing painting or staining within two years from the date of issuance of a building permit from Teller County Building Department unless the permit identifies a shorter period of time.

3. Residential Use of Temporary Structure Is Prohibited. No mobile homes, tents, trailers, boats, campers, or other building or any structure of a temporary character shall be installed or stored on any property or lot except solely as is permitted by the ACC and necessary during active construction, subject to a special permit issued by the ACC. Said permit shall be issued at the sole discretion of the ACC and may be revoked by the ACC at any time.

4. Exterior Finishes. No reflective finishes (other than glass) shall be used on exterior surfaces (other than the surface of hardware fixtures) including but without limitation to the exterior surfaces of any of the following: roofs, projections above roofs, retaining walls, doors, trims, fences, pipes, and equipment. The colors of all exterior surfaces shall be in harmony with the natural setting and surroundings. Except for chain-link and other livestock wire fencing, nails, bolts, and other approved connecting devices and hardware fixtures, all screens, and similar exterior structures shall be constructed solely of wood or approved earth-tone coated material within residential areas; provided that, subject to the limitations on reflective surfaces stated above, retaining walls may be constructed of other materials. All repainting and/or staining (in a different color) of exterior structures require the approval of the ACC. Color samples need to be submitted, along with the request to perform the work.

5. Parking. Each lot shall contain sufficient parking for at least one automobile for each dwelling occupied lot by one of the following means:

- a. A garage either attached to or detached from the main structure
- b. A carport either attached directly to the main structure or connected by roof or wall.
- c. Driveway large enough to accommodate at least two cars for off street parking.

6. Lighting. There shall be no exterior lighting of any sort either installed or maintained, the light source of which is visible from neighboring properties, which is turned on at dusk and stays on until dawn. Bare light bulbs and floodlights anywhere within the property are specifically prohibited within residential areas except when installed on motion detectors for safety purposes. The ACC may permit specific reflective, decorative or safety lighting within the parking areas as well as on paths and decks.

7. Fences and Screens. Screens are to be used to shield storage items and propane tanks from view of adjoining properties. Sufficient fencing shall also be erected on the premises to enclose and retain all permitted animals.

8. Propane Tanks. If the tank will be above ground, the tank must be partially enclosed by a screen no greater in perimeter than is necessary to screen the propane tank from view. The Owner must check with your propane supplier to see if they have any requirements for providing sufficient circulation/ventilation around the tank as well as service access.

9. Clearing of lots. No lot shall be cleared for building or any other purpose until a site plan has been submitted and written approval received, showing the reason for clearing, outlining property lines, proposed house location, and/or septic tank location, lot access and proposed tree removal. It is the responsibility of the property owner to immediately remove diseased trees and dead trees that have the potential for damage to adjacent properties or utilities or threaten the safety of the public. Selective thinning or liming of trees is also acceptable to create defensible space from wildfires.

10. Installation of Septic Tank. No septic tanks shall be installed or lots cleared for septic tank installation until a Teller County approved site plan has been submitted and written ACC approval received. The owners should submit detailed plans showing the location of the septic tank, trees needing to be removed, outline of property lines, proposed house location, and lot access. A copy of the septic permit must be provided to the ACC.

11. Installation of Driveway. No driveway shall be installed until a site plan is submitted showing the location of the driveway, a permit from Teller County is secured and written approval for the installation of the driveway is received from the ACC.

12. Landscaping of a Lot. No major landscaping shall be performed on a lot until a plan is submitted to the ACC showing the nature of the landscaping, the impact to the surrounding area and a means for irrigation (if required). This includes installation of retaining walls. Written approval is needed from the ACC before moving forward on a major landscaping project.

13. Spark arrestors. All Chimneys must have spark arrestors installed on them.

14. Rental Properties. See Policy #340 – Rental Policy for requirements.

D. Procedures.

1. No business, building, enclosures, walls, or other structure construction shall be commenced, erected or maintained upon the property nor shall any exterior addition to or change (including repainting/re-staining, changing color) or alteration therein be made, nor shall a lot be cleared of trees or excavated for use, nor any driveway or septic system installed, until after the details and written plans and specifications showing the nature, kind, shape, height, materials and location of the same shall have been submitted in writing to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the ACC along with any Teller County Required Permits. The SVPORC Building & Exterior Modification Contract (Attachment A of this Policy or Attachment A

of Policy 340) must be signed and submitted to the ACC as part of the submittal. All pages of the Architectural Control Committee Rules and Regulations or Rental Policy depending on which is being submitted, are considered a part thereof and must not be detached or altered when the Contract is submitted.

2. Any violation of the terms and conditions of the architectural control committee rules and regulations, unauthorized deviation from submitted and approved plans, violation of the SVPORC Rules and/or Declaration of Covenants/Bylaws, will result in a cease and desist or stop work order being placed on your property and/or fines levied for violations. The lot owner will be responsible for all legal fees, bonding fees, and any other fees associated with a cease and desist or stop work order as defined in the Policies.

II. CONTRACT

A. Required Agreement. The ACC has prepared an agreement (Attachment – A: SVPORC Building & Exterior Modification Contact and Attachment B – Rental Agreement) to outline the obligations of the ACC, the property owner, contractors and renters involved in any activities in the SVPORC Community. Attachment – A or B must be signed by the property owner (and the contractor for Attachment A). Completed packages as well as all requests for change and/or modifications, should be sent to the ACC Chairman. Refer to the SVPORC website for contact information at www.myspringvalley.org, email to info@myspringvalley.org, or write to SVPORC Attention: ACC Chairman, P.O. Box 513, Divide, Colorado 80814.

B. Approval. No work or operation of a business can be started on the lot until final written approval has been received by the Owner from the ACC, this includes lot clearing.

III. FINE SCHEDULE

SVPORC – ACC Rules & Regulations FINE SCHEDULE

\$ 1500.00	Failure to receive written approval from the Architectural Control Committee (ACC) before commencement any work or business covered in the ACC Rules and Regulations Guide.
\$ 50.00 Per Day	Any violation of parking regulations in reference to restricted items parked on owner's lot (per day after notification of violation).
\$ 2000.00 Per Occurrence	Any clearing of lot without prior ACC written approval.
\$ 1000.00	Septic tank or drain field installation or modification without prior ACC written approval. This fine would be in addition to fines for clearing of lot.
\$ 1000.00	Installation of a driveway without prior ACC written approval.
\$ 250.00 Per Occurrence	Installation or modification of landscaping without prior ACC written approval. Including propane tank screening, retaining walls or fences.
\$ 200.00 Per Day	Use of community property for storage of materials.
\$ 1000.00 Per Day	Beginning any work on a lot without a specified water hookup as defined in Section 2.E.2 of the ACC Rules & Regulations.
\$ 1000.00 Per Occurrence	Outdoor burning of any clearing or construction debris, in addition to any fines levied by County, State, and/or Federal agencies.
\$ 50.00 Per day	Failure to haul construction debris from lot, after requested to do so by the ACC.
\$ 50.00 Per Day	Failure to install or removal of spark arrestor on open chimney or fireplace.

1. Failure to complete construction within two years, without prior ACC approval: \$100.00 per week until completion as determined by a review by the ACC and the meeting of all terms and conditions of the building/modification contract with SVPORC.
2. The Board has the ability to assess fines, combined with interest, for otherwise unspecified violations as set forth in the SVPORC Covenant and Rule Enforcement Policy. All fines imposed shall accrue interest as identified in the SVPORC Collection Policy. All above fines are in addition to and do not supplant in any way all other legal remedies which the Association or other lot owners may have against the offending lot owner.
3. Any fine may be attached as a lien to the SVPORC property owned by any person with an outstanding balance, owing the SVPORC. Said lien may be foreclosed in the same manner as a lien for dues and assessments and all provisions of the Amended and Revised Protective Covenants, Bylaws, Covenant & Rule Enforcement Policy and Collection Policy.
4. Lot Owner shall be responsible for all fines, even if violation was committed by any agent of Lot Owner, including any contractors, subcontractors or renters.
5. If any collection action of any fine is necessary, Lot Owner shall pay, in addition to said fines and interest accrued, all reasonable collection costs (including title reports) and attorney fees incurred in such suit or action, including any attorney fees and costs incurred on appeal.

IV. ATTACHMENT

FOR THE EXECUTIVE BOARD OF DIRECTORS:

Z. G. Standing Bear
Corporation President

Deb Schneider
Secretary