

**RESOLUTION
OF THE
BATTLEMENT MESA SERVICE ASSOCIATION
ADOPTING POLICIES AND PROCEDURES
REGARDING CHILD CARE HOMES**

SUBJECT: Adoption of a policy and procedure regarding child care homes within the Battlement Mesa P.U.D.

PURPOSE: To adopt a policy and procedure to be followed when a resident intends to operate a child care service in his/her home within the Battlement Mesa P.U.D.

AUTHORITY: The Declaration, Bylaws and Articles of the Association and Colorado law.

**EFFECTIVE
DATE:** January 1, 2006

RESOLUTION: **Whereas** the Battlement Mesa Service Association (BMSA) is responsible for upholding the Covenants, for protecting the property values in Battlement Mesa and for maintaining the quality of life that residents expected when they purchased their homes, and

Whereas it is not the purpose of the BMSA to encourage or discourage home businesses,

Now therefore be it resolved that the following procedures and guidelines are hereby adopted and shall be published to the Members:

All applicants must fill out a BMSA Child Care Home Application and submit it to the Board of Directors prior to commencing with the Child Care Home. The applications are available in the office of the BMSA manager. It is not necessary for the applicant to solicit responses from neighbors.

In the case of Child Care Homes, (as defined by the State of Colorado and the Garfield County Zoning Resolution), the BMSA Board of Directors shall do the following upon receipt of an application for a Child Care Home in a residential area.

- Encourage input from the neighbors of the proposed home business site.

- Notify, by letter, all property owners within 150 feet of the proposed Child Care Home.
- Place a notice for thirty (30) days in front of the future Child Care Home site.
- Notice will identify point of contact to express opinions/concerns.
- If there are objections within the notified area, the BMSA Board of Directors will review those objections before making a decision.
- There can be no more Child Care Homes than 1% of the total lots within a Delegate Area; the applications will be subject to Board approval when reviewing traffic and noise concerns in a specific area. In the event the calculation of the percent is .5 or higher it will be rounded up to the higher number.
- In case of fewer than 100 lots in a Delegate Area, at least one Child Care Home may be authorized.

If the application for the Child Care Home is allowed:

- Facility and operator must be insured according to State of Colorado Regulations. The BMSA shall be listed as a Certificate Holder on Child Care Home operator's insurance policy. A copy of the Certificate of Insurance shall be provided to BMSA.
- Facility and operator must be permitted and licensed according to State of Colorado Regulations. Copy of license shall be provided to BMSA.
- Facility shall comply with Section 8.4, No Annoying Light, Sounds or Odors, of the Covenants, Conditions & Restrictions of Battlement Mesa.
- Limit the number of children in the Child Care Home to eight (8) including the children of the resident.
- Limit play outside to after nine in the morning and before seven in the evening. Play time outside shall not be longer than one and one half hours of supervised activity in the morning, as well as one and one half hours of supervised activity in the afternoon.
- Children and activities shall be restricted to the securely fenced licensed property and are not permitted on adjoining properties.
- Operator must provide safe vehicle access at the front of the facility for drop-off and pickup of children.
- No signs advertising the Child Care Home will be allowed on the property.

Temporary approval will be issued to the Child Care Home for a probationary period of one year. Neighbor input, either pro or con, will be considered during the probationary period or any time thereafter. Based upon this input further approval or denial will be evaluated.

BMSA does not condone unauthorized Child Care Homes. Unauthorized Child Care Homes must go through the appropriate procedures for approval.

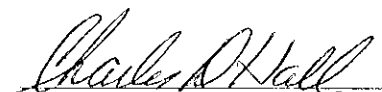
It is up to the BMSA through its Covenant Protection Committee, its Manager and its own Directors to bring the non-authorized Child Care Homes to the attention of the BMSA Board of Directors whenever possible.

PRESIDENT'S

CERTIFICATION: The undersigned, being the President of the Battlement Mesa Service Association, a Colorado nonprofit corporation, certifies that the foregoing Resolution was adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors on December 20, 2005 and in witness thereof, the undersigned has subscribed his/her name.

**BATTLEMENT MESA SERVICE
ASSOCIATION,**
a Colorado nonprofit corporation

By:

 , President