

BATTLEMENT MESA SERVICE ASSOCIATION

RULES & REGULATIONS

The Battlement Mesa Service Association (BMSA) is a Colorado, Non-Profit Corporation, Homeowners Association (HOA) and is the master homeowner's association for Battlement Mesa. The BMSA is directed by an elected board of directors made up of one delegate from each subdivision (village) located in Battlement Mesa. Under the umbrella of the BMSA are several homeowner sub-associations that function independently with individual board of directors elected by the homeowners within those associations.

All properties within Battlement Mesa are members of the BMSA and pay HOA dues to the BMSA for management and maintenance of common areas, parks, open space, and improvements owned by the BMSA. The original BMSA subdivision (village) property owners pay a full HOA assessment to the BMSA while sub-association property owners pay an assessment to the BMSA that is 50% of the full assessment. Sub-Association property owners also pay assessments to their individual homeowner association.

The original BMSA subdivisions (villages) are as follows:

Battlement Creek Village
Monument Creek Village
Saddleback Village
Saddleback RV Park
Saddleback Commercial Center
Stone Ridge Village
Tamarisk Meadows
Tamarisk Village
Town Center (Battlement Mesa Plaza)
Willow Creek Village
Willow Park & Willow Ridge Apartments

The BMSA Sub-Associations (villages) are as follows:

Canyon View
E¹ Eagles Point
Fairway Villas
Mesa Ridge Townhomes
Valley View

Architectural Guidelines & Requirements:

1. All properties located within the Battlement Mesa Service Association (BMSA) boundaries are subject to the Association's architectural standards. Each subdivision (village) located in Battlement Mesa is located within the boundaries of the BMSA and therefore must comply with the architectural standards as established by BMSA, Board of Directors. Sub-Association properties must also comply with the architectural standards adopted by their respective villages.
2. All new home construction and landscaping must receive approval from the architectural committee prior to construction. An architectural application must be completed and submitted to the architectural committee for approval. Architectural applications are available at the office or online at the **BMSA** website. www.battlementmesacolorado.com.

3. The architectural standards also apply to all exterior modifications to existing residences, garages, porches, decks, patios, sheds, or other improvements. This includes new roof shingles, exterior painting of the home and trim, replacement or repainting home doors, garage doors and trim. If you are planning to make a modification to the exterior of your home but aren't sure whether approval is required, give the BMSA office a call just to confirm. We are happy to assist you and provide guidance. Architectural applications are available at the office or the BMSA website. www.battlementmesacolorado.com.
4. The architectural standards also apply to modification of existing landscaping on the property. This applies to removing or adding lawn areas, xeriscaping, removing or adding trees, shrubs, boulders, gardens, removing or adding fences, etc. If you are planning to make a modification to your landscaping but aren't sure whether approval is required, give the BMSA office a call just to confirm. Architectural applications are available at the office or the BMSA website. www.battlementmesacolorado.com.

Covenants & Restrictions:

- The following list of covenants and restrictions are the most common areas of resident questions and where the most frequent resident violations occur. A full list of the covenants and restrictions can be viewed at the office or the BMSA website. www.battlementmesacolorado.com

Garbage Cans:

- The regulations prohibit the storage of a garbage can except within the garage or behind a six foot (6') high privacy fence.
- The regulations also restrict the placement of the garbage can at the curb to 12 hours prior to the day of pickup, the garbage can must be removed no later than 12 hours after the day of pickup. Each subdivision (village) has a specific day of pickup established by the garbage collection company.

Household Pets:

- The regulations prohibit animals, livestock, birds, poultry or insects (bee keeping) being raised, bred or kept on any residential property within the **BMSA** boundaries. Dogs, cats, and other domestic animals are allowed so long as they are not being kept for commercial purposes. The number of pets cannot exceed zoning regulations or governmental restrictions (Garfield County).
- When outside, pets must be leashed or restrained within an enclosure. Pets that create a nuisance may cause the owner to be cited for a covenant violation. An excessive barking dog is one of the most common reported nuisances associated with pet ownership.
- An owner's right to keep pets includes the responsibility to pay for any damage caused by their pets, as well as any cost incurred by the BMSA because of the owner's pets.

Maintenance of Property:

- The covenants related to maintenance of property are wide ranging and cover nearly all exterior aspects of the home and property. Unsightly, is a term used within the declaration of covenants and restrictions to identify property conditions that require attention to maintain the property in good condition.
- Home and Improvements: The home, garage, other structures, and improvements are required to be maintained in good condition.
- The exterior of the home and garage should be maintained with replacement roof covering when needed as well as repainting the siding and trimming when the paint has become aged or damaged. Broken windows or damaged doors should be repaired or replaced. Porches, decks, patios, fences, sheds, and other improvements must be repaired and maintained in good condition.
- Yard and Property: All yards are required to be landscaped and the landscaping maintained in good condition.
- Yards must be mowed on a regular basis to ensure the turf does not exceed six (6) inches in height, yards should be adequately watered to avoid yellowing turf and dead areas.
- Xeriscape or gravel landscape areas and gardens should be kept free of weeds and depleted gravel should be refreshed or replaced when needed.
- Trees and shrubs should be adequately watered and cared for to maintain an attractive appearance. Dead or dying trees and shrubs should be removed. Front yards should be kept clean and clear of items to create a neat and attractive street appearance for the neighborhood. Items such as tires, crates, boxes, pallets, children's toys, tools, bicycles, construction materials, etc. should be stored within a garage, shed or behind a six foot (6') high privacy fence. Items located behind a privacy fence should be kept in a neat and organized manner. It is understood that children will often be playing with toys in the front yard, and it is not the intent to preclude children from enjoying the use of the front yard. Toys in the front yard only become a covenant issue if the toys are left out for excessive periods of time.
- Rear and side yard landscaping must also be maintained in good condition. Lawn turf should be mowed, watered, and maintained similarly as the front yard. Xeriscape and garden areas should be kept clear of weeds and dead or dying trees and shrubs should be removed.

Parking Restrictions:

- There are several areas of parking restrictions within the BMSA that are defined in a variety of ways and these restrictions vary from village to village. Therefore, it is important to understand the restrictions for the village in which you live.
- **Abandoned Vehicle:** The regulations identify an abandoned vehicle as a vehicle that has been parked in one location for a period exceeding two weeks. This regulation applies to all vehicles whether the vehicle is operable or not and applies to vehicles parked on the street or in the driveway. The purpose of the regulation is to avoid vehicle clutter in neighborhoods both from a visually aesthetic appearance and street congestion. This regulation applies to all villages.
- **Vehicle Repair:** The repairing of vehicles in the driveway or on the street is prohibited in all villages. Vehicle repair must occur within the garage. The repair of vehicles as a business is prohibited in all residential neighborhoods.
- **All-Terrain Vehicle (ATV):** The regulations pertaining to ATVs in Battlement Creek, the Reserve, Canyon View, Fairway Villas, Stone Ridge, and Willow Creek prohibit the parking of an ATV on the property except within a garage. In Monument Creek, Eagles Point, Saddleback Village, Tamarisk Meadows, and Tamarisk Village the parking of an ATV is allowed within the garage or in the backyard if it is behind a six-foot (6') high privacy fence.
- **Boats & Trailers:** The regulations pertaining to boats and trailers in Battlement Creek, the Reserve, Canyon View, Fairway Villas, Eagles Point, Stone Ridge, and Willow Creek prohibit the parking of a boat and trailer or any other type of trailer on the property, except within a garage. In Monument Creek, Saddleback Village, Tamarisk Meadows, and Tamarisk Village the parking of a boat & trailer or any other trailer is allowed behind a six foot (6') high privacy fence. Trailers which are being used in connection with construction or remodel of a home, trailers which are being used for the purpose of delivering items to the property or cleanup of a property are allowed for a period of time specific to the project. Owners should call the management office in these circumstances to determine an appropriate period of time for the trailer to be at the property.
- **Inoperable Vehicle:** This regulation applies to vehicles that are unable to be operated due to the condition of the vehicle. Vehicles which have been in an accident and unable to be driven or have mechanical issues that do not allow the vehicle to be operated, or the vehicle has a flat tire, must be located within a garage, or removed from the village. This regulation applies to all villages.

- **Recreational Vehicle (RV):** The Recreational Vehicle (RV) regulations refer to a vehicle that is used for the purpose of overnight sleeping and camping. The regulation also encompasses RV trailers. In all villages an RV may be parked at a residence for a period not to exceed 72 hours in a 30-day time frame for the purpose of loading or unloading the RV prior to or returning from a trip as well as winterizing the RV. The regulations in Battlement Creek, Canyon View, Eagles Point, Fairway Villas, the Reserve, Stone Ridge, and Willow Creek villages prohibit the parking of an RV at the residence, except within a garage. In Monument Creek, Saddleback Village, Tamarisk Meadows, and Tamarisk Village the parking of an RV is allowed in the backyard if it is located behind a six-foot (6') high privacy fence.

Short-Term Rental of Residential Properties:

- The use of residential homes for the purpose of short-term rentals (Air B&B) is prohibited. The BMSA covenants prohibit the rental of residential homes for a period of less than 30 days.