



# Grass Mesa Homeowners Association. *An Elk Peaks Managed Association*

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## Rules and Regulations

This set of Rules and Regulations was designed to provide a cohesive and enjoyable living environment for all who reside in Grass Mesa Homeowners Association. Each ***Homeowner/Tenant, along with family members and guests***, is responsible for being knowledgeable of and in total compliance with the provisions of these Rules and Regulations. For a more detailed interpretation, please refer to the Declaration of Covenants, Conditions, and Restrictions of Grass Mesa.

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**Accessory Dwelling units (ADU's):** No accessory dwelling units shall be permitted on any Lot less than twenty (20) acres in size.

**Agricultural Use:** Crops and other agricultural products, including live animals, produced in a clearly incidental and secondary manner to the use of said Lot for residential purposes may be sold from such Lot.

**Animal Fencing:** Fencing of any Lot shall be the responsibility of the Lot owner thereof, and shall be constructed and maintained in good condition sufficient to assure confinement of any animals kept on such Lot and shall be in accordance with standards administered by the Architectural Committee and described in the Architectural Guidelines.

**Architectural Control:** No building shall be placed, erected or altered on any Lot, **if Garfield County requires a building permit**, until the construction plans and specifications for such building, including the location for the proposed construction upon a Lot, have been approved by the Architectural Committee and the Board of Directors of the Association. In the event the Architectural Committee and Board of Directors fails to approve or disapprove such plans and specifications within thirty (30) days after the complete architectural plans and related documents have been properly submitted, as required in the Architectural Guidelines, will be deemed approved.

**Commercial Use:** No part of the Lot shall be occupied or used for any commercial or business purpose, except (a) for a home occupation, (b) profession conducted entirely within a building by the owners thereof or, (c) permitted Agricultural Uses provided such use is clearly incidental and secondary to the use of said property for residential purposes. No display, stock in trade, signs or other external advertising of any such home occupation, profession or agricultural use shall be permitted.

**Completion of Structures and Improvements:** Construction or installation of any structure or improvement on any Lot shall proceed promptly and diligently upon commencement thereof. Failure to complete any structure or improvement within one (1) year after the date the same is commenced shall constitute a Covenant Violation which may be enforced by an affirmative injunction requiring the removal of the partially constructed or installed structure. Such one-year time period may be extended under unusual circumstances at the sole discretion and with the written approval of the Architectural Committee and the Board of Directors.

**Firearms:** The discharge of firearms within or upon any Lot (a) shall be conducted in a manner which does not endanger an owner or occupant of any portion of any other Lot, (b) shall be at the sole risk of the person carrying on such activity, (c) such person shall be absolutely liable for the consequences of such activity and, (d) shall not violate any applicable federal, state or local law, regulation, or ordinance.

**Household Pets:** Lot Owners may keep a reasonable number of dogs, cats, or other domestic animals which are bona fide household pets so long as such animals are not kept in such number or in such manner as to violate any zoning ordinance or other governmental requirements or to create a Nuisance.

**Laws and Regulations:** Nothing shall be done on or in connection with any Lot which is in violation of any applicable federal, state or local law, regulation, or ordinance, including, but not limited to, building and zoning regulations.

**Maintenance of Property; Hazardous Materials or Chemicals:** No Lot shall be permitted to fall into disrepair and shall be kept and maintained in a clean, safe, attractive and sightly condition and in good repair. No hazardous materials or chemicals shall at any time be located, kept or stored in, on or at any Lot except for normal household and /or farm products kept in normal household / farming quantities.

**Mobile Homes:** Effective July 1, 2021, mobile homes may be placed and maintained upon any Lot for a period not to exceed one (1) year provided that any such mobile home is skirted and has received all required County and other governmental approvals. Any such mobile



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home may thereafter be maintained permanently on any Lot provided it is (a) sided, (b) has a pitched roof, (c) is placed upon a permanent foundation, (d) is approved by the Architectural Committee and, (e) has received all required County and other governmental approvals.

**Non-Household Animals:** Horses, cattle, sheep, goats, pigs, rabbits, poultry and other farm animals may be kept upon any Lot provided that (a) all such animals shall be properly maintained in pens, fences or other appropriate enclosures or shall otherwise be under control at all times, (b) no animals shall be permitted to create a health hazard within the Lots, (c) the total number of such animals, if kept for feedlot or other similar agricultural purposes, does not exceed a total of one hundred (100) animals and does not deplete the natural vegetation or otherwise “overgraze” such Lot.

**Open Fires:** No out-of-doors open fires shall be lighted or permitted in the Grass Mesa HOA except (a) when in a contained barbeque unit in use for cooking purposes or (b) when in an attended, fire district approved, permanently constructed fire pit.

**Prohibition of Nuisance:** No noxious or offensive activity shall be carried on within the Lots, nor shall anything be done thereon which may be or become an annoyance or nuisance to the owners or occupants of any portion of Grass Mesa HOA.

**Residential Use:** Lots shall be used for residential purposes except as provided in the Commercial Use provision of these Rules or are designated as a Commercial Lot used for oil and gas extraction.

**Setbacks:** No building shall be constructed within twenty-five (25) feet of any Lot boundary line or within twenty-five (25) feet of the closest established easement boundary line including all road easements as described on the Grass Mesa HOA Road Plat which was recorded in the Garfield County records as Reception No. 636525 on September 15, 2003.

**Signs:** No Lot shall have one or more signs erected, placed, permitted, or maintained thereon which sign or signs have a total combined size of more than ten (10) square feet.

**Structures:** Only one detached, single family dwelling, not to exceed three (3) stories in height shall be erected, altered, placed or permitted to remain on any Lot; provided that a private garage, private guest house, private stable or barn or other non-residential outbuildings may be constructed on a Lot.

**Subdivision:** No Lot within the Grass Mesa HOA (a) shall be subdivided into smaller Lots without the written approval of the Grass Mesa HOA Architectural Committee and Board of Directors, (b) no application to subdivide any Lot shall be submitted for approval to Garfield County until the Architectural Committee and the Board of Directors has reviewed and approved a Request for Subdivision of lot, (c) a special assessment fee, in the amount of \$10,000 per each resulting subdivided lot, has been paid to the Grass Mesa HOA and, (d) no Lot shall be subdivided into a Lot of less than ten (10) acres.

**Temporary Structure:** No structure of a temporary nature such as an RV, tent, travel trailer, garage, barn, or other outbuilding or basement shall be used upon any Lot as a residence, either temporarily or permanently; provided, however, an RV or travel trailer shall be permitted on a Lot during construction of a permanent residence thereon for a period not to exceed one year. RV's and travel trailers may be utilized for residential purposes on any Lot for a period not to exceed ninety (90) days in any twelve-month (calendar year) period, except during the construction of a permanent residence and for only one year.

**Vehicles:** Inoperable vehicles shall not be stored or maintained on any Lot for a period in excess of thirty (30) days, unless such vehicle is stored in a garage or is otherwise screened from view from all commonly used roadways within the Grass Mesa HOA. Unlicensed vehicles shall not be stored or maintained on any Lot for a period in excess of sixty (60) days, unless such vehicle is stored in a garage or is otherwise screened from view from all commonly used roadways within the Grass Mesa HOA.

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*Every violation of these “Rules and Regulations” is declared and deemed to be a nuisance. Subject to the rights of reasonable contest, each Homeowner/Tenant shall promptly comply with the provisions of all applicable laws, regulations, and ordinances with respect to the Grass Mesa Homeowners Association without limitations. Rules approved by the Board, February 25, 2021.*