

# **Pine Valley Neighborhood Association**

## **Guidelines**

**(January 1999)**

**And**

# **Pine Valley Neighborhood Association**

## **Bylaws**

**(April 1996)**

**(Updated January 15, 2004)**

# Table of Contents

Pine Valley Neighborhood Guidelines	4
Introduction	4
General Purpose	4
Property Affected	4
Standards	4
Association, Membership, & Voting Rights	5
Functions of the Association	5
Purpose of Association	5
Maintenance of Entrances	5
Rules and Regulations	6
Operation of Association	6
Membership in Association	6
Board of Directors	6
Bylaws	7
Miscellaneous	7
Amendment of Guidelines	7
Limited Liability	7
Restrictions on the Use of Property	7
Land Use and Building Type	7
No Commercial, Industrial, or Agricultural Uses	8
Occupancy Limitations	8
No Nuisance Activity	8
Lighting, Noise, and Odors	8
No Hazardous Activities	8
Restriction on Animals	9
Restrictions on Signage	9
Garbage and Refuse Disposal	9
No Temporary Structures	10
Exterior Protrusions	10
Vehicular Parking, Storage, and Repairs	10

Property Maintenance	11
Maintenance of Property	11
Definitions	11
Pine Valley Neighborhood Association Bylaws	12
Article I: Name	12
Article II: Purpose	12
Article III: Area & Boundaries	12
Article IV: Membership	13
Article V: Dues	13
Article VI: Voting Rights & Quorum	13
Article VII: Annual General Meeting & Special Meetings	13
Section 1. Purpose	13
Section 2. Written Notice	14
Article VIII: Officers & Directors	14
Section 1. Election	14
Section 2. Duties	14
President	14
First Vice President	15
Second Vice President/Secretary	15
Secretary	15
Treasurer	15
Board of Directors	15
Article IX: Rules Governing Business at Meetings	15
Article X: Amendments	16
Article XI: Finances	16
Section 1. Fiscal Year	16
Section 2. Banking	16

# **Pine Valley Neighborhood Guidelines**

January, 1999

## **Introduction**

### **General Purpose**

Pine Valley is a community where diverse interests intermingle, thus creating a need for a forum in which various site maintenance and improvements should be evaluated for their impact and harmony with the natural and built environment of the neighborhood.

These Guidelines are not established to stifle current or future residents, but rather to ensure that disciplines will be in effect which will cause the neighborhood to remain an integrated and continuous development in which property values will be maintained or increased over time.

Additionally, these Guidelines are established to provide that the Property shall be maintained as a single-family residential area of high quality, value, desirability, and attractiveness.

### **Property Affected**

The following real property, known as Pine Valley Estates, is located in the City and County of Denver; State of Colorado. The Property is bounded on:

- the north by East Union Avenue (E. Temple Drive)
- the south by East Belleview Avenue
- the East by South Yosemite Street, and
- the West by South Wabash Street.

## **Standards**

These standards are established to:

1. Carry out the general purposes expressed in these Guidelines.

2. Prevent violation of any specific ordinance of the City and County of Denver.
3. Prevent any change in the existing state of property which would be unsafe or hazardous to any person or properties.
4. Minimize obstruction of views or unattractive views.
5. Assure that any change in the existing state of the property will be attractive and in harmony with the ordinances of the City and County of Denver.
6. Assure that materials and workmanship for all improvements are of high quality and durability comparable to those which currently exist in Pine Valley. An Owner, or his/her representative must consult with the City and County of Denver in that regard.

## **Association, Membership, & Voting Rights**

### **Functions of the Association**

#### **Purpose of Association**

The purpose of the Pine Valley Neighborhood Association is to further the common interests of Owners and to perform the functions hereinafter required or permitted to be performed by the Association.

#### **Maintenance of Entrances**

The Association shall maintain the entrance areas and improvements thereon. These entrances are located as follows:

- one at East Union Avenue and South Yosemite Street;
- two at East Chenango Avenue and South Yosemite Street; and
- one at East Belleview Avenue and South Wabash Street.

## **Rules and Regulations**

The Association shall be authorized to recommend and shall have the power to adopt additional Guidelines to regulate use of the Property and may provide for enforcement of any such rules and regulations through the ordinances of the City and County of Denver. Each Owner shall be obligated to comply with and to see that such Owners, tenants, guests, and invitees comply with the Guidelines contained hereby.

The Association shall also be authorized to establish the amount of dues for the next fiscal year at its annual meeting; those Owners in attendance at the annual meeting will constitute a quorum for voting on the business brought before the meeting. Notice of the annual meeting will be delivered to each residence thirty (30) days in advance of the meeting.

## **Operation of Association**

### **Membership in Association**

There shall be one Membership in the Association for each Lot which membership shall be appurtenant to the fee simple title to such Lot. The Owner of a Lot shall automatically be the holder of the Membership appurtenant to that Lot and the Membership for that Lot shall automatically pass with fee simple title to that Lot. If fee simple title to a Lot is held by more than one party, the membership appurtenant to that Lot shall be shared by all such parties in the same proportionate interest and by the same type of ownership as fee simple title to the Lot is held. Voting rights of the Owners are one vote for each Lot. Annual membership dues are \$20.00 per owner (Household) and are voluntary.

### **Board of Directors**

The affairs of the Association shall be managed by a Board of Directors which may, however, by resolution delegate any portion of its authority, to an Executive Committee or an Officer or Director of the Association.

## **Bylaws**

The purposes and powers of the Association and the rights and obligations with respect to memberships may and shall be amplified by provisions of the Bylaws of the Association. Such Bylaws may include reasonable provisions with respect to notices, record dates, and quorums for general meetings and Board of Directors meetings, but no such provision may be inconsistent with any provision of these Guidelines.

## **Miscellaneous**

### **Amendment of Guidelines**

Any provision contained in these Guidelines may be amended or repealed or additional provisions may be added to this document.

### **Limited Liability**

Neither the Association, the Board of Directors of the Association, nor any member, agent, or employee of any of the same shall be liable to any party for any act or for any failure to act with respect to any matter, if the act or failure to act was in good faith and without malice.

## **Restrictions on the Use of Property**

### **Land Use and Building Type**

No building or other structure shall be erected, altered, placed, or permitted to remain on any parcel other than one single family residential dwelling with an attached garage without the proper permitting and approval of the City and County of Denver.

### **No Commercial, Industrial, or Agricultural Uses**

Commercial or industrial uses shall be prohibited on any Parcel, Farming, ranching, and other agricultural uses are not permitted. No cultivation or plowing shall be permitted except for home gardens. No obnoxious or offensive activities or commercial businesses or trades shall be conducted on any parcel except home occupations as defined and permitted by the zoning resolution of the City and County of Denver, Colorado.

### **Occupancy Limitations**

No residential structure on any Lot shall be used or occupied by more than a single family, its servants, and occasional guests in accordance with the ordinances of the City and County of Denver.

### **No Nuisance Activity**

No noxious or offensive activity shall be conducted upon any Lot or within the property, nor shall anything be done or placed on any Lot or any other portion of the property, which is or which may become a nuisance or cause embarrassment, disturbance, or annoyance to others as governed by the ordinances of the City and County of Denver.

### **Lighting, Noise, and Odors**

No light shall be emitted from any Lot which is unreasonably bright or causes unreasonable glare, no sound shall be emitted from any Lot which is unreasonably loud or annoying, and no odor shall be emitted from any Lot which is noxious or offensive to others.

### **No Hazardous Activities**

No activities shall be conducted on the property, and no improvements shall be constructed on the property which are, or might be, unsafe or hazardous to any person or property.

### **Restriction on Animals**

No animals, including horses, birds, livestock, shall be kept on any Lot except Owners or tenants of Owners may keep dogs, cats, or other animals which are bona fide household pets so long as such pets are not kept for commercial purposes, do not make objectionable noises or otherwise bother or constitute a nuisance to other residents, and are kept within the boundary lines of the Lot of the Owner of such pet. Household pets, such as cats and dogs, when outside the boundary lines of the Owner shall be restricted by leash or chain: if pets relieve themselves on any Lot except that of the Owner, the Owner shall be responsible for immediately cleaning up any feces. Habitually barking, howling, or yelping dogs shall be deemed a nuisance.

### **Restrictions on Signage**

All signage must be in compliance with the zoning ordinance of the City and County of Denver, Colorado.

### **Garbage and Refuse Disposal**

No garbage, refuse, or cuttings shall be deposited on any street or any Lot unless placed in a suitable container provided by the City and County of Denver, solely for the purpose of garbage pickup. All containers for the storage or disposal of such materials shall be kept in a clean and sanitary condition and shall be stored inside a garage or other approved structure. Trash receptacles shall be placed out on the evening before or on the day of collection and returned out of sight after pick up on the same day.

Rubbish, refuse, garbage, toxic material, and other solid, semi-solid, and liquid waste shall be kept within sealed containers: shall not be allowed accumulate on any parcel, and shall be disposed of in a sanitary manner. No parcel shall be used or maintained as a dumping ground for such materials. No trash, litter, or junk shall be permitted to remain exposed upon any parcel and visible from the street or other parcels.

### **No Temporary Structures**

No structure of a temporary character, including trailers, campers, mobile homes, garages, tents, accessory, buildings, or vehicles, shall be erected or stored without proper permitting through the City. and County, of Denver.

### **Exterior Protrusions**

No satellite dishes or exterior aerials or antennas of any kind may be placed upon the exterior of any Structure or upon any part of a Lot without being in full compliance with City and County of Denver Code.

### **Vehicular Parking, Storage, and Repairs**

Any house trailer, camping trailer, boat trailer, hauling trailer, other trailer of any kind; vans; snow mobiles; motorcycles; boats or accessories thereto; truck (larger than 3A ton ); self-contained motorized recreational vehicle or motor home; other type of recreational vehicle, motor home, or recreational equipment; or other motor vehicle (except a passenger car) may be parked or stored on Lots only if such parking or storage is totally enclosed within the garage area of any Lot or screened from view of the street and other Lots, except that any such vehicle may be otherwise parked as a temporary, expedience for loading, delivery, or emergency. An exception to the above will be made for vehicles of guests and visitors for a period of time not to exceed fourteen (14) days in any one month. This restriction however shall not restrict trucks or other commercial vehicles within Pine Valley Estates which are necessary for construction, maintenance of existing properties, or moving into, or out of, the dwelling on any Lot. The vehicular ordinances of the City and County of Denver shall govern any violations.

Tractors, permitted vehicles, other than automobiles, snow removal equipment and garden or maintenance equipment shall be kept at all times, except when in actual use, in the garage or an enclosed structure.

Except as provided above, no abandoned or inoperable passenger cars or other vehicles of any kind shall be stored or parked on any Lot or street in front of any

Lot. An "abandoned" or "inoperable vehicle" shall be defined as any passenger car, truck, motorcycle, boat trailer, camper, house trailer, self-contained motorized recreational vehicle, or other similar vehicle, which for a period of one (1) week or longer does not have an operable propulsion system installed therein, has fiat tires, or has any other condition preventing the regular and normal operation and movement of the vehicle as specified by the vehicular ordinances of the City and County of Denver.

## **Property Maintenance**

### **Maintenance of Property**

All Lots, including all improvements on Lots and landscaping on any Lot shall be maintained in a clean, safe, and attractive condition.

Owners of Lots shall keep, or cause to be kept, all buildings, fences, and other structures located on the parcel in good repair. All landscaping shall be kept in a vigorous and healthy condition: any diseased or dying plant material and/or trees shall be removed immediately. Sodded areas shall be mowed as needed.

## **Definitions**

**Declarant.** "Declarant" shall mean the Pine Valley Neighborhood Association and its successors or assigns. No party shall be deemed a successor or assign of Declarant unless such part, is specifically designated as a successor or assign of Declarant.

**Property.** "Property" shall mean the real property described in and made subject to the provisions of these Pine Valley Guidelines.

**Lot.** "Lot" shall mean any parcel of the Property, shown on the Plat and identified therein as a Lot or site in Pine Valley Estates.

**Owner.** "Owner" shall mean the party, or parties who own fee simple title to a Lot or own that estate or interest with respect to a Lot which is most nearly equivalent to fee simple title.

**Association.** "Association" shall mean Pine Valley Neighborhood Association to be formed to be and constitute the Association to which reference is made in these Guidelines.

## **Pine Valley Neighborhood Association Bylaws**

April 1996

PINE VALLEY NEIGHBORHOOD ASSOCIATION  
DENVER, COLORADO 80237

### **Article I: Name**

The name of the organization shall be the Pine Valley Neighborhood Association, referred to as "the organization" in these bylaws.

### **Article II: Purpose**

The purpose of this organization is to preserve the residential integrity and improve and maintain the quality of life in the Pine Valley neighborhood of Denver, Colorado.

### **Article III: Area & Boundaries**

Whenever in these bylaws the phrase "the neighborhood" or "the area" or "the membership area" is used, the area referred to shall be that portion of the City and County of Denver, Colorado, which is bounded on the north by East Union Avenue, on the south by East Belleview Avenue, on the east by South Yosemite Street, and on the west by South Wabash Street.

## **Article IV: Membership**

Owners of each property located either partially or wholly within the organization's boundaries are eligible to be members if they are 18 years of age or older. Each property has one vote. Property owners have the option to allow tenants to vote for them if they notify the association in writing prior to their voting.

## **Article V: Dues**

Those members, per residence or address, wishing to be formally recognized and registered shall pay an annual and/or correspondence fee with the amount being established and approved by the membership at the annual general meeting. This fee will be collected each calendar year.

## **Article VI: Voting Rights & Quorum**

All binding action of the members of this organization or of the Board of Directors, unless otherwise provided by these bylaws, shall be by a majority vote of the members present. The members present at any meeting of the then constituted Board of Directors shall constitute a quorum. When not assembled, the Board of Directors may act upon submission by majority vote of the members thereof.

## **Article VII: Annual General Meeting & Special Meetings**

### **Section 1. Purpose**

The annual general meeting of the members of this organization shall be held for the purpose of electing officers each calendar year at such time and place as the Board of Directors may determine.

## **Section 2. Written Notice**

Written notice of this election meeting shall be mailed or hand delivered to all registered and non-registered members at least seven (7) days prior to the meeting. This notice shall be part of an annual newsletter and/or report which summarizes the organization's activities of the prior calendar year.

Special meetings of the members of this organization may be called by the President and/or the Board of Directors, at such time and place as the President or Board of Directors may determine.

## **Article VIII: Officers & Directors**

### **Section 1. Election**

The President, Vice President, Secretary, and Treasurer and a maximum of five additional members of the Board of Directors will be elected by the membership at the annual general meeting.

In the event that a vacancy occurs among the officers or Board of Directors, the Board of Directors may name an acting officer or director to fill the vacancy until the next annual meeting or until a special meeting is called to elect a person to fill said vacancy.

### **Section 2. Duties**

#### **President**

The President shall preside at executive and general meetings and represent the organization at all official functions and meetings or appoint another member to act on his or her behalf. The President also may appoint special committees on an as-needed basis.

### **First Vice President**

The First Vice President will assume those functions and duties assigned to the President in the event of his or her absence, and assist the President in carrying out his or her functions.

### **Second Vice President/Secretary**

The Second Vice President shall have charge of the documents and papers belonging to the organization, keep records of all proceedings at executive and general meetings, be responsible for making all official communications, and notify the general membership of important activities using the best means available.

### **Secretary**

The Secretary is responsible for overseeing that quarterly newsletters are available to the membership.

### **Treasurer**

The Treasurer shall be in charge of all financial records and transactions of the organization and provide a written report of such to the organization for the quarterly newsletter upon the request and/or at the annual meeting.

### **Board of Directors**

The Board of Directors shall function as stated in these bylaws and determine the operating procedures for the organization.

## **Article IX: Rules Governing Business at Meetings**

The order of business at board meetings will be determined by the Chairperson of the board or the presiding member of the board.

The order of business at general meetings of the organization should be as follows:

- a Call to order,
- Minutes and Treasurer's report,
- Reports from Chair and/or committees,
- Old business,
- New business, and
- Adjournment.

Any questions or conflicts as to the order or conduct of the general meeting shall be resolved by Robert's Rules of Order.

## **Article X: Amendments**

All amendments to the bylaws shall, be submitted in writing to the Board of Directors at least ten days prior to the meeting in which the amendments are to be voted upon. The membership will vote on amendments at any general meeting or at a special meeting called for this purpose. Those amendments receiving a majority vote from the quorum will become a part of this organization is bylaws.

## **Article XI: Finances**

### **Section 1. Fiscal Year**

The fiscal year of this organization shall be fixed by the Board of Directors.

### **Section 2. Banking**

The money of the organization shall be deposited in the name of the organization in a bank or savings institution. The money only may be withdrawn by the Treasurer or President or persons authorized to do so by the Board of

Directors and only shall be expended for the benefit of the organization or the neighborhood it serves.

The organization or any of its duly authorized agents or representatives shall not incur any debts which exceed its bank or savings account balance.

THE ABOVE BYLAWS were approved and adopted by the Board of Directors of this organization on the 29th day of August, 1996.