

# BEAR CREEK LAND OWNERS' ASSOCIATION



82 E. Coach Drive, Antonito, Colorado, 81120

## GENERAL RULES FOR ALL OWNERS & GUESTS, Revised 1-27-2024

### Section 1: Common Sense and the Golden Rule.

- a) These rules apply to owners, their children, and their guests, tenants, boarders, and contractors.
- b) Use common sense and **be considerate of your neighbors.**
- c) There are trails and paths that cross owners lots or lead to the river. Please ask for owner permission to use trails that are not official Forest Service trails.
- d) Regardless of the fire condition set in the National Forest, **no open fires are permitted in Bear Creek.**
- e) Solicitation and commercial activity are not permitted in Bear Creek, and the Members' Directory is for members use only.
- f) Cabin rental must strictly comply with the Bear Creek Policy on Property Rentals.
- g) Pets must be kept on leash or under voice control and within sight at all times.
- h) Let your neighbors know if you are hosting a group of 20 or more people, and advise your guests regarding parking and compliance with these rules.
- i) To avoid conflicts, please reserve the Gazebo well in advance of its intended use by contacting a member of the Board by email or telephone.

### Section 2: Fishing

- a) *The Pond* is only for the use and enjoyment of members and their guests and families. Owners and parents are responsible for the conduct of guests and children who fish the pond and must ensure the fishing rules are understood by all.
  - 1. Treble hooks are prohibited for all ages.
  - 2. Only barbless hooks may be used for fishing in the pond.
  - 3. Members or guests fishing the pond must present their equipment for inspection when requested to do so by any board member or their designated representative.
  - 4. Adults are encouraged to practice "catch & release" using only artificial flies and lures with single barbless hooks (no treble hooks). An adult may keep two 16 inch or longer fish a day.
  - 5. Children under 12 and handicapped children may fish with poles, single barbless hooks, and bait – but not minnows or other live fish - and the limit is two fish per day of any size. In the event of uncertainty about a child's age, the board member present shall have the right to determine eligibility to fish with bait.
  - 6. *The river* may be fished on either side within the Bear Creek subdivision.
  - 7. Stay within the 25-foot easement along each bank, and away from private structures.
  - 8. Respect the lot owner's privacy and property. Colorado Fishing Regulations apply to river fishing and must be obeyed. Release all fish less than 16 inches.

### Section 3. Garbage

- a) Garbage disposal units are for member's household use only.
- b) Construction material is not allowed in the trash area and must be hauled away.
- c) Flatten or Crush cardboard boxes and place corrugated cardboard in the dumpster/trailer allocated for this use.
- d) Do not place leaves, trimmings, pile needles, etc., in the trash dumpsters. They may not be burned, and members are responsible for hauling them away.
- e) If you make a mess, clean it up, and close the gates to keep the bears out.

### Section 4: Vehicles, ATVs, Campers.

- a) **The speed limit is 15 MPH**, all the time, everywhere, for all vehicles of every type.
- b) When passing walkers, if needed, slow down below 15 mph to reduce dust.
- c) Owners and parents are responsible for the conduct of guests and children who operate ATVs.
- d) **No vehicle, including an ATV of any size, is allowed off the roads, and trespassing is prohibited. Turning**

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**"donuts" in the roads is strictly prohibited.**

- e) When in Sheep Creek Bear Creek, ATV operators shall, as a matter of courtesy, stay on marked roads and obey posted speed limits.
- f) The use of tents, trailers, motor homes, or other types of camping equipment may be used by owners for a cumulative period of two weeks each calendar year. Camping is not allowed in common areas. Open fires are not permitted. No waste of any kind may be left on the lot.
- g) No motor vehicles, trailers, ATVs, or other equipment may be left in a roadway maintained by the Association, or block access to an owner's driveway.

## **Section 5: Water, Plants and Trees:**

- a) Water supplied by the BCLOA water system is for household domestic use only.
- b) **No outside irrigation using BCLOA water is allowed.** Shrubs, plants, trees, grass, etc., requiring irrigation outside of the house **may not be watered with water from the BCLOA water system.** (This rule is derived from the Bear Creek Water Augmentation Plan as directed by the State and the Covenants). Only Planters physically sitting on a deck or attached to an owner's primary residence may be watered using water from the BCLOA water system.
- c) The term "planter" is defined as any container, pot, planter, window sill box, vessel, vase, hanging basket etc. used to grow plants.
- d) The term "primary residence" refers to the house and attached elevated decks only. Any detached structures, including garages, sheds, poles, etc., are not considered to be part of the primary residence.
- e) The term "deck" refers to an elevated outdoor living space structure attached to the primary residence as defined above. No ground-level irrigation or watering is allowed regardless of the ground covering, whether it be flagstone, brick, gravel, grass, etc.
- f) Do not take your neighbor's rocks or plants without their expressed permission.
- g) Live Trees, with a trunk diameter of more than 4 inches, cannot be removed unless their removal complies with (a) a "written defensible space plan" prepared by the Colorado State Forest service, a fire chief, a fire marshal, (b) a construction site plan approved by the Architecture Committee, or a written request approved by the Board. Owners are encouraged to remove dead branches from live trees and fallen trees and to thin smaller trees and shrubs in compliance with defensible space guidelines. Members are encouraged to make use of the Association's chipper when scheduled

**Section 6. Construction and Remodeling** are strictly controlled by the Architectural Committee, whose approval is required for any type of exterior building or remodeling. See the Bear Creek website for details.

- a) **No construction work may commence** within Bear Creek **without the prior approval** of the Architectural Committee.
- b) Be judicious about your construction on weekends and Holidays. Contractors are not permitted to work on these days. Exceptions will be granted on a case- by-case basis.
- c) Once construction is completed, members must make reasonable efforts to maintain their property in a condition that will not degrade their neighbor's property values.

## **Section 7. Other restrictions in the Covenants**

- a) **Nuisances** include private and public nuisances as recognized by Colorado law. By way of example only, a nuisance may include, but is not limited to, the accumulation of junk, trash, garbage, refuse, rubbish, dead fall and slash, as well as noxious or offensive activities, odors, or septic tank discharge. Members shall not create, through action or omission, a nuisance that affects their neighbors or the association.
- b) **No hunting or discharge of firearms** are allowed anywhere in Bear Creek. Members, their families, and guests may use BB guns, pellet guns, and bows and arrows on their lots; but no projectile from

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these devices shall be allowed to leave the owner's property. These devices may not be used within common areas.

- c) **Animals.** No animals, including horses, may be raised, bred or permanently kept on any lot, except ordinary household pets, which may not be kept, bred, or maintained for commercial purposes. See Article VIII, Section 4 of the Declaration of Covenants for further information.

**Section 8. General Fines and Enforcement:** Subject to any Policy or Procedure for the Enforcement of Covenants and Rules:

- a) Unless the violation of these Rules is egregious or presents a direct and immediate threat to the health, safety and welfare of the community and its residents, a first violation will be handled by either a verbal or a written warning. A verbal warning need not be followed by a written warning.
- b) Violations of these rules may result in fines being imposed in accordance with the Bear Creek Land Owners Association Covenant and Rule Enforcement Policy

Revised 1-27-2024

  
Gary Burke, President