

**RESOLUTION OF  
SONOMA VILLAGE AT UTE CREEK  
HOMEOWNERS ASSOCIATION, INC.  
ADOPTING POLICY REGARDING CERTAIN GAS GRILLS  
AND OTHER OUTDOOR COOKING DEVICES**

**SUBJECT:** Adoption of Policy prohibiting use and storage of certain grills and other outdoor fire devices on the decks, patios and verandas.

**PURPOSES:** To adopt rules and regulations prohibiting use and storage of certain grills and other outdoor fire devices on the Limited Common Element decks, patios and verandas, and set forth enforcement procedures for same.

**AUTHORITY:** Declaration of Covenants, Conditions and Restrictions of The Sonoma Village at Ute Creek Homeowners Association (“Declaration”), Articles of Incorporation, Sonoma Village at Ute Creek Homeowners Association, Inc. (“Articles”), Bylaws of Sonoma Village at Ute Creek Homeowners Association, Inc. (“Bylaws”), and Colorado Law.

**EFFECTIVE**

**DATE:** April 30, 2008

**RESOLUTION:**

Whereas Article 4, Section 4.8 and Article 6, Section 6.20 of the Declaration, and Article VII, Section 1 of the Bylaws, authorize the Board to adopt and enforce reasonable rules and Regulations governing the use of the Units and the Common Elements, including the Limited Common Element decks, patios and verandas;

Whereas due to the City of Longmont adopting the 2006 International Fire Code and, pursuant to the same, notifying the Association of certain prohibited practices concerning the use of barbecues and other outdoor fire devices, the Board finds it is necessary for the proper management of the Community to adopt rules and regulations which prohibit use and storage of certain grills and other outdoor fire devices, as defined below, and sets forth procedures for the Association’s enforcement of violations of same;

The Board of Directors, on behalf of the Association, hereby adopts the following:

1. Definition of Outdoor Cooking Devices. As used in this Resolution, “Outdoor Cooking Devices” shall mean the following cooking devices:

- a. Chimineas,
- b. Charcoal Grills,
- c. Gas grills with a propane tank larger than 2.5 pounds, and
- d. Open fire pits.

The Board reserves the right to add more devices to the above definition, if they fall within the fire devices prohibited under City of Longmont code.

- 2. Outdoor Cooking Devices Prohibited. Other than as allowed in Section 3, no Outdoor Cooking Device shall be used or stored on the Limited Common Element decks, patios or verandas.
- 3. Exception. This Resolution does not apply to:
  - a. Gas grills that are directly connected to natural gas lines in your building (and installed in compliance with manufacturer’s installation instructions and the mechanical code).
- 4. Enforcement. Violation of this Resolution may result in imposition of a fine against the Owner, after notice and an opportunity for a hearing, in addition to any other remedies available to the Association pursuant to its governing documents and Colorado law, including removal of the prohibited item. The following fine schedule has been adopted for all recurring violations of this Resolution.

a. First Violation:	Notification of potential fine and opportunity for a hearing
b. Second Violation:	\$50 Fine
c. Third Violation:	\$100 Fine
d. Fourth Violation:	\$150 Fine
e. Fifth and Subsequent Violations:	\$200 Fine

Violations may be turned over in the sole discretion of the Board to the Association’s attorney to take appropriate legal action.

- 5. Definitions. Unless otherwise defined in this Resolution, initially capitalized or terms defined in the Declaration shall have the same meaning herein.

6. Supplement to Law: The provision of this Resolution shall be in addition to and in supplement of the terms and provisions of the Declaration and the law of the State of Colorado governing the Community.
7. Deviations. The Board may deviate from the procedures set forth in this Resolution if in its sole discretion such deviation is reasonable under the circumstances.
8. Amendment. This Resolution may be amended from time to time by the Board of Directors.

**PRESIDENT'S**

**CERTIFICATION:** The undersigned, being the President of the Sonoma Village at Ute Creek Homeowners Association, Inc., 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 4/28/2008 and in witness thereof, the undersigned has subscribed his/her name.

**SONOMA VILLAGE AT UTE CREEK  
HOMEOWNERS ASSOCIATION, INC.**  
A Colorado nonprofit corporation

BY: \_\_\_\_\_

President

