



RULES AND REGULATIONS

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By Joint Resolution

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TWIN BUTTES
METROPOLITAN DISTRICT NOS. 1-4
692 TWIN BUTTES AVENUE
DURANGO, CO 81301

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1. INTRODUCTION

The Twin Buttes Metropolitan District (referred to as the “District”) has established these Rules and Regulations that govern various aspects of the Twin Buttes community life. Our legal authority is derived from state and local laws, as well as the Amended and Restated Master Declaration of Covenants, Conditions, Restrictions and Reservation of Easements for Twin Buttes (“Master Declaration”), that are binding for all residents. The District reserves the right to make any lawful additions and/or revisions to these Rules and Regulations when and as they may become advisable to promote the peace, health, safety, and welfare of the people residing at Twin Buttes. The Rules and Regulations are designed to maintain the quality of life and property values in the community. They cover a range of topics, including property maintenance, parking, pet ownership, and recreational facilities. By adhering to these Rules and Regulations, we can collectively work towards a well-maintained, secure, and enjoyable community for everyone. Please take the time to familiarize yourself with them, and feel free to reach out to our District office if you have any questions or need further clarification. By upholding these Rules and Regulations, we collectively maintain the integrity of our community, promoting a high quality of life for everyone.

2. VEHICLE PARKING, STORAGE AND REPAIRS

The District has established parking guidelines to ensure safe roadways for drivers and pedestrians.

2.1 Parking

Vehicles shall be parked only in the garage or the driveway of the residence. Temporary parking for loading, delivery, emergency, or for guests of an owner at the residence is allowed in designated on-street parking areas. This parking restriction shall not restrict trucks or commercial vehicles which are necessary for construction or for Twin Buttes property maintenance. It is the vehicle owner’s responsibility to move the vehicle, regardless of time, if snowplowing becomes necessary.

Notwithstanding other provisions in the Declaration, Rules and Regulations or Design Standards and Guidelines, vehicles required to be available at designated periods at the Unit Owner’s/Occupant’s residence as a condition of the Unit Owner’s/Occupant’s employment, may be parked providing all of the following criteria are met:

- i. The vehicle has a gross vehicle weight rating of ten thousand pounds or less;
- ii. The Unit Owner/Occupant is a bona fide member of a volunteer fire department or is employed by a primary provider of emergency firefighting, law enforcement, ambulance, or emergency medical services;
- iii. The vehicle bears an official emblem or other visible designation of the emergency service provider;

- iv. Parking of the vehicle shall can be accomplished without obstructing emergency access to or interfering with the reasonable needs of other Unit Owners to use streets, driveways, and guest parking spaces.

2.2 Storage

Stored vehicles and vehicles which are inoperable or do not have a current operating license shall not be permitted on a residential site or on a street adjacent to a residential site except within an enclosed garage. A vehicle is considered "stored" if, for example, it is up on blocks or covered with a tarpaulin and remains on blocks or so covered for seventy-two (72) consecutive hours without the prior approval of the District.

2.3 Repair Work

No activity such as, but not limited to, maintenance (other than washing and polishing and activities normally incident thereto), repair, rebuilding, dismantling, repainting, or servicing of any kind of vehicles, trailers, or boats, may be performed on any residential site unless it is done within a fully enclosed garage or other building which screens the sight and sound of the activity from the street and from adjoining residences, nor shall any such activity be performed upon a street adjacent to a residential site.

2.4 Violations

The District makes every effort to resolve parking violations amiably. In the event the District determines a violation has occurred, a written notice describing the violation will be personally delivered to the owner or will be conspicuously placed on the vehicle if the owner cannot be found. If the vehicle is not removed within a reasonable time thereafter, as stated in the notice, the District shall have the right to remove the vehicle at the sole expense of the owner.

3. PETS

A maximum of four pets, which may consist of up to two dogs, two cats, or other common household pets like birds, are allowed on a residential site. Livestock, poultry, and reptiles are not permitted.

Pet Rules:

- a. Dogs must be on a leash when not in an enclosed yard area.
- b. Pets may not be kept or bred for commercial purposes.
- c. They must not make objectionable noises or constitute an unreasonable nuisance.
- d. Owners must properly dispose of all pet waste.
- e. Owners are financially responsible for any damage caused by their pets.

4. TEMPORARY STRUCTURES

Temporary structures of any kind, such as house trailers, tents, shacks, storage sheds, or outbuildings, are only permitted on residential sites during construction and are otherwise prohibited.

5. PLAYGROUND EQUIPMENT, TRAMPOLINES, BASKETBALL HOOPS, POOLS

The installation of playground equipment, trampolines, trampoline fences, basketball goals, hoops, backboards, nets, or similar sports equipment on a residential site requires prior written approval from the Design Review Committee. Above-ground swimming pools are not permitted on residential sites. However, during seasons suitable for children's use, a reasonably sized, child-appropriate, temporary "kiddy" pool is allowed.

All outdoor play equipment, except for public facilities, should be stored out of view when not in use. Temporary, portable basketball backboards and poles must be constructed using standard manufacturers' materials and are not allowed on public streets. They should be stored out of sight from adjacent properties and streets when not in use.

6. PARKS

6.1 LOCAL TWIN BUTTES COMMUNITY PARKS

6.1.1 PAULS PARK, with its pond and its pickleball court, is a private amenity available to only the Owners and Residents at Twin Buttes, and their **accompanied** guests. See the Pickleball Court Rules below for more detail.

6.1.2 SUNSET WEST PARK and ROWE PARK are two additional Twin Buttes community parks for the use and enjoyment of all Twin Buttes community members and their accompanied guests.

Community Parks are open daily from 7:00 a.m. to sunset.

6.2 CITY TWIN BUTTES PARKS

6.2.1 HISTORIC TRAM PARK, along with its picnic shelter and playground, are facilities provided by the City of Durango for the enjoyment of everyone, regardless of whether they are residents of Twin Buttes, Durango, or visitors. If you wish to reserve the park or report any issues regarding Historic Tram Park, contact Durango Parks and Recreation at (970) 375-7300.

City Parks are open daily from 5:00 a.m. to midnight, per Durango Municipal Code, Sec. 18-33.

PLEASE HELP US MAINTAIN THE QUALITY OF OUR PARKS BY PROPERLY DISPOSING OF YOUR TRASH AND YOUR PET'S WASTE.

7. PICKLEBALL COURT RULES:

- 7.1 The term “Owner” is defined in Sec. 1.37 of the Master Declaration of Covenants, Conditions, Restrictions and Reservation of Easements, as any person holding fee simple title to property in Twin Buttes.
- 7.2 A Resident refers to any individual who meets both of the following criteria: i) resides at Twin Buttes, and ii) has a mailing address within Twin Buttes.
- 7.3 Owners and Residents possess exclusive access privileges for utilizing the Pickleball Court at Pauls Park.
- 7.4 Guests of Owners and Residents are permitted to use the court, provided they are accompanied by an Owner or a Resident.
- 7.5 Only Owners and Residents are authorized to make reservations via Pickleplanner.com. Login credentials should not be shared with individuals other than the Owner or Resident.
- 7.6 To confirm their status as Owners or Residents when using the Pickleball Court, individuals should carry a Twin Buttes Metro District-sanctioned pass or an equivalent pass on their person and or vehicle (*e.g.*, displaying the Pickleplanner App on a mobile phone indicating the account status as an Owner or Resident).
- 7.7 Anyone, whether an Owner or Resident, or Guest of an Owner or Resident, providing instructional services for compensation, must receive approval from the President of the Board of Twin Buttes Metro District No. 1.
- 7.8 Instructors seeking approval must submit the following documentation to the President of Twin Buttes Metro District No. 1:
 - a) Certification as a Pickleball Instructor from the Professional Pickleball Registry, Inc.; and
 - b) Proof of current liability insurance with a minimum coverage of **\$5,000,000**, naming **Twin Buttes Metro District No. 1** as an additional insured.
- 7.9 Pets are not permitted on the court.
- 7.10 Only appropriate footwear, that being gum rubber court shoes or equivalent, is allowed on the court.
- 7.11 The use of roller skates, roller blades, or similar devices is not allowed on the court.

8. TRASH DISPOSAL; GARBAGE AND WILDLIFE

The deposition of trash, garbage, refuse, rubbish, or cuttings on streets or residential sites is strictly prohibited unless they are appropriately placed in designated containers, specifically designated for garbage pickup and shielded from view. All equipment used for the storage or disposal of these materials must be maintained in a clean and sanitary state. Please ensure that trash receptacles are only placed outside for collection on the designated day for trash pickup, avoiding any other days.

Black Bears searching for high calorie meals from trash cans are common in Durango. To reduce their presence at Twin Buttes, the use of wildlife-resistant trash containers is encouraged, which can be supplied by the City of Durango. Additionally, it is advised to remove bird feeders at the conclusion of summer, before bears start feeding in preparation for hibernation. At a minimum, trash and recycling containers must be secured or stored inside the garage to prevent wildlife from accessing their contents.

9. SIGNAGE AND FLAG DISPLAY

- a. Flags. The display of up to two (2) flags on a Unit Owner's property, in a window of the unit, or on a balcony of the unit is permitted, provided the flag(s) do not exceed 5 square feet collectively. Bracket holders are permitted without prior approval. Permanent free-standing flagpoles must be approved by the District or Design Review Committee before installation and may not exceed the peak of the roof. Flags must be kept/flown at all times in a neat and attractive condition.
- b. Signs. Approval by the District or Design Review Committee is required for all commercial signs with the following exceptions: one sign advertising the home for sale or for lease, not to exceed six feet (6') in height and three feet x four feet (3' x 4') in dimension. The sign shall be removed within seven (7) days after closing/transfer of the property.
- c. Vendor signs. Vendor signs shall be immediately removed upon completion of the work being done on the residential unit.
- d. Political Yard signs. Temporary political yard signs shall be removed within seven (7) days after the election.

Signs must be free standing and cannot be attached to trees, light poles, windows, traffic signals, utility boxes, or other fixed objects. Signs may not be placed in the streetscape or median areas. All signs and flags must be removed within seven (7) days following the conclusion of the event for which it was erected. The District may remove and dispose of any signs that violate these rules.

10. HOLIDAY LIGHTING AND DARK SKIES

Holiday lights are permitted from November 15 through February 15.

Every residence must adhere to the use of exterior lighting that complies with the City of Durango's dark sky standards. Recessed bulbs are mandatory for canned lights. No light emitted from residential properties should be excessively bright or produce unreasonable glare.

11. APPEARANCE STANDARDS - UNSIGHTLINESS

We all take pride in our beautiful community, and one of the ways we can contribute to its overall appeal is by ensuring that our homesites are well-maintained and aesthetically pleasing. All landscaping must be well maintained, including keeping up with weed removal, replacing dead or dying plants or trees, keeping walkways clear, wrapping young tree trunks to protect from hungry wildlife, etc.

Unsightly conditions, structures, facilities, equipment, or objects that are visible from neighboring properties or public/private roads are not allowed on any residential site. This includes, but is not limited to, the need to screen service areas, storage spaces, and compost piles from view, and prohibiting clotheslines on residential sites. Furthermore, storing or allowing the accumulation of items such as lumber, grass, plant waste, shrub or tree clippings, metals, bulk materials, scrap, refuse, or trash is only permitted within an enclosed structure or when suitably screened from view.

11.1 STREETSCAPES

For property owners with a streetscape in front of their lot, it is important to understand that this area is considered part of your lot boundary. Consequently, you are responsible for its upkeep and ensuring that it maintains an attractive appearance.

12. INSURANCE RISKS

No residential site may be utilized in a manner that presents an unusual fire hazard, poses a risk to the insurance coverage for other residential sites within Twin Buttes, or results in increased insurance premiums. However, the Design Review Committee may grant approval for such use if the owner undertakes adequate safety measures at their own expense, and any insurance premium increases are borne by the owner in question. It's important to note that this regulation does not restrict the regular use of barbecue grills on outdoor terraces or patios, subject to reasonable oversight by the District in accordance with the Rules and Regulations.

13. HAZARDOUS ACTIVITIES/FIRES

It is not permitted to engage in any activities that pose a threat to the well-being of any individuals or property. Discharging firearms, setting off explosive fireworks, or igniting open fires is strictly prohibited,

with the exception of fires in attended and contained barbecue units, indoor or outdoor fireplaces, or fire pits. The burning of trash, leaves, or similar materials is also not allowed.

14. LEASES

Owners of residential sites at Twin Buttes have the right to lease their residence or other dwelling unit (e.g. ADU), subject to the following conditions:

- a. All leases shall be in writing and copies shall be provided to the District upon request.
- b. Every lease shall provide that the tenant and his, her or their family members (collectively “tenant”) are subject to the Master Declaration and any Rules and Regulations.
- c. The owner and the tenant shall be jointly and severally liable for any violation of the restrictions committed by the owner's tenant(s), without prejudice to the owner's right to collect from the tenant(s) any sums paid by the owner on behalf of the tenant(s).
- d. Any lease for a term of twenty-nine (29) days or fewer is considered a Short-Term Lease and is currently NOT ALLOWED at Twin Buttes by the City of Durango.

15. DESIGN REVIEW COMMITTEE

The design review process at Twin Buttes places a strong emphasis on achieving a high standard of design quality and aesthetics within the community. All construction projects, including landscaping, as well as any modifications to existing improvements (e.g., alterations to existing structures, including renovations, changes in paint colors, home expansions, as well as the addition of fences and decks) are required to undergo evaluation by the Twin Buttes Design Review Committee. For details on the process, please contact the DRC Manager at info@twinbuttesmetrodistrict.org.