

**RESOLUTION
BOARD OF DIRECTORS OF THE
ROXBOROUGH VILLAGE METROPOLITAN DISTRICT**

A RESOLUTION ADOPTING RULES AND REGULATIONS FOR THE PROPERTY AND IMPROVEMENTS OWNED, MAINTAINED, AND/OR OPERATED BY ROXBOROUGH VILLAGE METROPOLITAN DISTRICT, AND ASSOCIATED PENALTIES, PURSUANT TO SECTIONS 18-9-117 AND 32-1-1001, C.R.S.

WHEREAS, pursuant to Section 32-1-1001(m) of the Colorado Revised Statutes (“**C.R.S.**”), the Board of Directors (“**Board**”) of the Roxborough Village Metropolitan District, a political subdivision of the State of Colorado (“**District**”), is authorized to adopt and amend rules, and regulations not in conflict with the constitution and laws of this State for carrying on the business, objectives, and affairs of the Board and the District;

WHEREAS, pursuant to Section 32-1-1001(n), C.R.S., the District, by and through the Board, is authorized to have and exercise all rights and powers necessary or incidental to or implied from the specific powers granted to the District by Article 1 of Title 32 of the Colorado Revised Statutes;

WHEREAS, pursuant to § 32-1-1001(1)(j)(I), C.R.S., the Board is authorized to fix and from time-to-time to increase or decrease fees, rates, tolls, penalties, or charges for the services, programs, or facilities the District provides. Until paid, all such fees, rates, tolls, penalties, or charges shall constitute a perpetual lien on and against the property served, and any such lien may be foreclosed in the same manner as provided by Colorado law for the foreclosure of mechanics’ liens;

WHEREAS, the Board has determined that it is in the best interest of the residents of the District to adopt rules and regulations (“collectively, “**Regulations**”) pertaining to the parks, trails, facilities, open spaces, parking lots, waters, buildings, signs, vegetation, rocks, structures, roads, and other properties or improvements, whether natural or man-made, that the District owns, maintains, and/or operates (collectively, “**Property/Improvements**”);

WHEREAS, pursuant to Section 18-9-117(1), C.R.S., and in addition to any authority granted by any other law, the District, by and through the Board, may adopt orders, rules, and regulations as are reasonably necessary for the administration, protection, and maintenance of public property under its control, management, or supervision, including: the preservation of property, vegetation, and wildlife; restriction or limitation of the use of its public property; necessary sanitation, health and safety measures; camping and picnicking; public meetings and other individual or group usages; prohibition of activities or conduct on public property; use of all vehicles; and, regulation of fires; and,

WHEREAS, pursuant to the foregoing authority, on June 21, 2022, the Board adopted *Rules and Regulations For Roxborough Village Metropolitan District Parks and Open Space Pursuant To Section 18-9-117 And Section 32-1-1001, C.R.S.* (“**2022 Rules and Regulations**”). On June 21, 2023, the Board adopted the *First Amended and Restated Rules and Regulations For*

Roxborough Village Metropolitan District Parks and Open Space Pursuant To Section 18-9-117 And Section 32-1-1001, C.R.S. (“**First Amended Rules and Regulations**”).

NOW, THEREFORE, be it resolved by the Board of Directors of Roxborough Village Metropolitan District that:

Section 1 – 2022 Rules and Regulations and First Amended Rules and Regulations

Superseded: These *Rules and Regulations for the Property and Improvements Owned, Maintained, and/or Operated by the District, and Associated Penalties, Pursuant to Sections 18-9-117 and 32-1-1001, C.R.S.*, are hereby adopted, and hereby supersede and replace the 2022 Rules and Regulations and the First Amended Rules and Regulations, which are void and of no force or effect as of the date the Board adopts this Resolution.

Section 2 – Permitted, Restricted, and Prohibited Activities: For purposes of this Section 2, “**Prior Authorization**” means the prior written approval of the District Manager.

a. Permitted and Restricted Activities

1. Property/Improvements are open dawn to dusk.
2. Only domestic pets (dogs and cats) are permitted, and they must be restrained by means of a leash or similar restraint that is always under the physical control of a person, and their waste properly disposed of in a receptacle designated by the District for that purpose.
3. Shelter/field use with prior reservation.
4. Possession or consumption of alcohol (fermented malt beverages/vinous liquor) for personal/private use only. Any event providing alcohol must have Prior Authorization AND must: a) have all State and local licenses and permits for serving alcohol; and, b) comply with all State and local laws for alcohol possession and consumption. Alcohol is prohibited on any field or playing surface, including softball fields, soccer fields, tennis courts, basketball courts, volleyball courts, skate parks, or playground areas.
5. Walking, jogging, running, hiking, and biking on designated trails only. Maximum trail speed for bicyclists is 15 mph.
6. Temporary canopies or shade devices are permitted for daily use; provided, they are secured, not left unattended, and do not interfere with others’ use and enjoyment of the Property/Improvements.
7. Vehicles, trailers, or campers may ONLY be parked at designated parking lots and ONLY between dawn and dusk.
8. Fishing only with a valid permit issued annually by the District Manager.

b. Prohibited Activities

1. Enter, use, or engage in any activity on any portion of the Property/Improvements between dusk and dawn, or any Property/Improvements that are closed to, or prohibit, such entry, use, or activity, including seasonal closures, without Prior Authorization.
2. Removing, destroying, defacing, damaging, impairing, or interfering with any building, structure, facility, sign, vegetation, rock, or other natural or man-made Property/Improvements.
3. Construct, place, or maintain any kind of road, trail, structure, sign, fence, marker, enclosure, communication equipment, swing, rope, tree house, or other improvement without Prior Authorization.
4. Start or maintain a fire outside of designated areas. Start or maintain any type of fire, including

- an outdoor fireplace, grill, or camp stove, anywhere when a fire ban is in effect.
5. Feed, hunt, trap, catch, molest, take, harass, harm, kill, or attempt to release or relocate any mammal, bird, reptile, or amphibian, or disturb their habitat.
 6. Release invasive animals, including domestic pets.
 7. Plant or transplant trees, shrubs, plants, or other vegetation without Prior Authorization, or allow for the release of invasive plants or their seeds.
 8. Allow a domestic pet to harm, kill, chase, or otherwise harass any mammal, bird, fish, reptile, or amphibian.
 9. Having a vicious dog as defined in Douglas County Resolution No. R- 998-100 (Control and Licensing of Dogs and Pet Animals).
 10. Possess or discharge any firearm, or any other device capable of discharging a projectile by any means whatsoever, including B-B guns, pellet guns, paint ball guns, air guns, slingshots, and wrist rockets.
 11. Possess or use archery equipment, including bows, longbows, crossbows, arrows, darts, and bolts.
 12. Ignite a model rocket, except for school or organized clubs that have Prior Authorization AND they comply with a) all Regulations; b) any additional conditions imposed by the District Manager; c) current Federal Aviation Administration regulations; and d) the safety guidelines of an organization such as the National Association of Rocketry. Model rocketry is prohibited during fire bans.
 13. Launch or operate any Unmanned Aircraft System (“*UAS*”), including model airplanes and drones, except in accordance with current Federal Aviation Administration regulations and by following the safety guidelines of an organization such as the Academy of Model Aeronautics. Further, it is prohibited to:
 - Fly a UAS over a person or moving vehicle, within 25 feet of a person, or over areas without a direct line of sight.
 - Operate a UAS in a careless or reckless manner, or in any way that may cause a nuisance to others.
 - Engage in any UAS operations during a fire ban.
 14. Use, ignite, or discharge any fireworks or explosives.
 15. Golfing or hitting golf balls.
 16. Any type of camping.
 17. Parking a semi or other commercial truck, except commercial Food Trucks with a valid District-issued permit.
 18. Glass containers.
 19. Unauthorized amplified sound.
 20. Swimming, wading, or using a boat or other flotation device.
 21. Engage in an activity that unreasonably endangers the health, safety, or welfare of any person or animal.
 22. Engage in disorderly conduct (Section 18-9-106(1), C.R.S.).
 23. Misuse of public property.
 24. Interfere or attempt to interfere with law enforcement, County, or District personnel, or to give false or misleading information with the intent to mislead them in the performance of their duties.
 25. Engage in a commercial concession enterprise or operation, or request a donation, except commercial Food Trucks with a valid District-issued permit. This provision does not prohibit a club or a non-profit or charitable organization from using the Property/Improvements for not-for-profit activities, provided that the District has issued the club or a non-profit or charitable organization a permit to engage in such activities and the permit holder complies with these Regulations, and all state and local laws.

26. Deposit, dump, or leave any refuse, trash, litter, household or construction debris, commercial garbage or trash, brush/branches, lawn trimmings, Christmas trees, or any other physical item of any nature, in, under, or upon the Property/Improvements, except that refuse, trash, debris, and litter may be deposited in refuse receptacles specifically designated for such purpose by the District.
27. Violation of any federal, state, or local law, statute, ordinance, resolution, regulation, rule, or code that is in any manner related to the Property/Improvements.

Section 3 – Restricted Operations of Motorized Vehicles and Equipment: Operating any type of motorized vehicles or equipment on or through the Property/Improvements is prohibited, except for the following:

3.1 *District Vendor and Contractors.*

3.1.1 District vendor and contractor motorized service vehicles and equipment required for services to be performed on non-paved areas of the Property/Improvements, such as mowing equipment, tree trimming, planting or mulching equipment, and equipment required to complete repairs, are permitted to operate on non-paved areas to the extent necessary to perform such services.

3.1.2 Except for the motorized vehicles and equipment identified in Section 3.1.1, above, all other vendor and contractor motorized vehicles and equipment shall only operate on concrete or paved areas unless the District Manager has issued an access permit to the contractor or vendor.

3.2 *Emergency Services.* Law enforcement, fire, search and rescue, ambulances, and other emergency services agencies are authorized to operate motorized vehicles and equipment in the Property/Improvements in the performance of their duties and services.

3.3 *Agency Easements, Licenses, and Rights-of-Way.* Public agencies, directly or through designated third-party contractors, are authorized to operate motorized vehicles and equipment to install, repair, maintain, or replace facilities located in their easements, licenses, or rights-of-way within the Property/Improvements, but only to the extent and in such manner as is authorized in the applicable easement, license, or right-of-way agreement or dedication.

3.4 *Power-Driven Mobility Devices.* The following motorized vehicles or equipment are permitted to operate only on the concrete or paved areas within the Property/Improvements:

3.4.1. Class I and II electrical assisted bikes as defined by Section 42-1-102, C.R.S.

3.4.2 Wheelchairs, which are defined under Part 35 of the federal Americans with Disabilities Act (ADA) to mean a manually operated or power-driven device designed primarily for use by an individual with a mobility disability for the main purpose of indoor, or of both indoor and outdoor, locomotion.

3.5 *Other Power-Driven Mobility Devices.* “*Other Power-Driven Mobility Devices*” means any mobility device powered by batteries, fuel, or other engines - whether designed primarily for

use by individuals with mobility disabilities - that is used by individuals for the purpose of locomotion, including golf cars, electronic personal assistance mobility devices (EPAMD's), such as the Segway® PT, or any mobility device designed to operate in areas without defined pedestrian routes, but that is not a wheelchair within the meaning of Section 3.4.2, above.

3.5.1 Other Power-Driven Mobility Devices that are powered by fuel (internal combustion engines) are prohibited in all Property/Improvements.

3.5.2 Other Power-Driven Mobility Devices that are powered by electricity, referred to collectively herein as Electric Personal Assistance Mobility Devices ("**EPAMD's**") are permitted to operate only on concrete or paved trails and parking lots within the Property/Improvements, and subject to the following restrictions:

3.5.2.1 Cannot carry no more than 2 persons.

3.5.2.2 Cannot exceed 250 pounds.

3.5.2.3 Cannot exceed 36" maximum width.

3.5.2.4 Cannot exceed 10 MPH.

Section 4 – Notice of Rules and Regulations For District Property and Improvements: The Board hereby adopts and approves the "Notice of Rules and Regulations - Roxborough Village Metropolitan District," which summarize the Regulations established in this Resolution, and which are set forth in **Attachment A**, and directs that they be posted within the Property/Improvements.

Section 5 – Variances: The Board authorizes the District Manager to grant written variances for good cause shown to any one or more of the Regulations.

Section 6 – Criminal Penalties: Pursuant to Section 18-9-117(3)(a) and (b), C.R.S., when the Regulations have been prominently posted as required by Section 18-9-117(2), C.R.S., any violation of the Regulations is unlawful and violators shall be subject to criminal penalties enforceable by the Douglas County Sheriff's Office or authorized county enforcement personnel who have been designated pursuant to Section 29-7-101(3)(a), C.R.S.

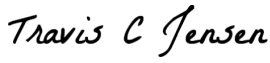
Section 7 – Civil Remedies: Anyone violating any Regulation is subject to any and all legal and equitable remedies available to the District under Title 32, C.R.S. or other applicable laws, including but not limited to, the imposition of fines/penalties and/or in establishing a mechanic's lien on the violator's property and/or foreclosing on such mechanic's lien, and recovering the legal fees, costs, and expenses the District incurs in collecting such fines/penalties. The Board shall have the authority to establish a Schedule of Fines/Penalties at any time and from time-to-time in its sole discretion. The initial Schedule of Fines/Penalties is attached hereto as **Attachment B**.

Adopted the **20** day of December 2023.

ATTESTED:

By: 

Mark Rubic, Board President

By: 

Travis Jensen, Board Secretary

ATTACHMENT A

NOTICE OF RULES AND REGULATIONS ROXBOROUGH VILLAGE METROPOLITAN DISTRICT

“Prior Authorization” means prior written approval of the District Manager, who can be reached at (303) 779-4525.

Permitted and Restricted Activities:

1. Possession or personal consumption of alcohol (fermented malt beverages/vinous liquor) for personal/private use only. Any event providing alcohol must have Prior Authorization AND must: a) have all State and local licenses and permits for serving alcohol; and, b) comply with all State and local laws for alcohol possession and consumption. Alcohol is prohibited on any field or playing surface, including softball fields, soccer fields, tennis courts, basketball courts, volleyball courts, skate parks, or playground areas.
2. Property/Improvements are open dawn to dusk.
3. Only domestic pets (dogs and cats) are permitted, and they must be restrained by means of a leash or similar restraint that is always under the physical control of a person, and their waste properly disposed of in a receptacle designated by the District for that purpose.
4. Shelter/field use with prior reservation.
5. Fishing only with a valid permit issued annually by the District Manager.
6. Temporary canopies or shade devices are permitted for daily use; provided, they are secured, not left unattended, and do not interfere with others' use and enjoyment of the Property/Improvements.
7. Walking, jogging, running, hiking, and biking on designated trails only. Maximum trail speed for bicyclists is 15 mph.
8. Vehicles, trailers, or campers may ONLY be parked at designated parking lots and ONLY between dawn and dusk.
9. The operation of motorized vehicles and equipment MUST comply with the District's restrictions on the operation of motorized vehicles and equipment within the Property/Improvements. Any individual wishing to operate a motorized vehicle or equipment MUST first familiarize themselves with the District's policy on Restricted Operations of Motorized Vehicles and Equipment that is included in the District Board's Resolution Adopting Rules and Regulations, which can be obtained from the District Manager at (303) 779-4525.

Prohibited Activities:

Class A Violations:

1. Enter, use, or engage in any activity on any portion of the Property/Improvements that are closed to, or prohibit, such entry, use, or activity, including seasonal closures, without Prior Authorization.
2. Allow a domestic pet to harm, kill, chase, or otherwise harass any mammal, bird, fish, reptile, or amphibian.
3. Removing, destroying, defacing, damaging, impairing, or interfering with any building, structure, facility, sign, vegetation, rock, or other natural or man-made Property/Improvements.
4. Construct, place, or maintain any kind of road, trail, structure, sign, fence, marker, enclosure, communication equipment, swing, rope, tree house, or other improvement without Prior Authorization.
5. Start or maintain a fire outside of designated areas. Start or maintain any type of fire, including an outdoor fireplace, grill, or camp stove, anywhere when a fire ban is in effect.
6. Feed, hunt, trap, catch, molest, take, harass, harm, kill, or attempt to release or relocate any mammal, bird, reptile, or amphibian, or disturb their habitat.
7. Release invasive animals, including domestic pets.
8. Plant or transplant trees, shrubs, plants, or other vegetation without Prior Authorization, or allow for the

release of invasive plants or their seeds

9. Have a vicious dog as defined in Douglas County Resolution No. R- 998-100 (Control and Licensing of Dogs and Pet Animals).
10. Possess or discharge any firearm, or any other device capable of discharging a projectile by any means whatsoever, including B-B guns, pellet guns, paint ball guns, air guns, slingshots, and wrist rockets.
11. Possess or use archery equipment, including bows, longbows, crossbows, arrows, darts, and bolts.
12. Use, ignite, or discharge any fireworks or explosives.
13. Swimming, wading, or using a boat or other flotation device.
14. Engage in an activity that unreasonably endangers the health, safety, or welfare of a person or animal.
15. Interfere or attempt to interfere with law enforcement, County, or District personnel, or to give false or misleading information with the intent to mislead them in the performance of their duties.
16. Deposit, dump, or leave any refuse, trash, litter, household or construction debris, commercial garbage or trash, brush/branches, lawn trimmings, Christmas trees, or any other physical item of any nature, in, under, or upon the Property/Improvements, except that refuse, trash, debris, and litter may be deposited in refuse receptacles specifically designated for such purpose by the District.
17. Engage in disorderly conduct (Section 18-9-106(1), C.R.S.).

Class B Violations:

1. Violating any of the Restricted Activities listed above.
2. Ignite a model rocket, except for school or organized clubs that have Prior Authorization AND they comply with a) all Regulations; b) any additional conditions imposed by the District Manager; c) current Federal Aviation Administration regulations; and d) the safety guidelines of an organization such as the National Association of Rocketry. Model rocketry is prohibited during fire bans.
3. Launch or operate any Unmanned Aircraft System (“*UAS*”), including model airplanes and drones, except in accordance with current Federal Aviation Administration regulations and by following the safety guidelines of an organization such as the Academy of Model Aeronautics. Further, it is prohibited to:
 - Fly a UAS over a person or moving vehicle, within 25 feet of a person, or over areas without a direct line of sight.
 - Operate a UAS in a careless or reckless manner, or in any way that may cause a nuisance to others.
 - Engage in any UAS operations during a fire ban.
4. Golfing or hitting golf balls.
5. Any type of camping.
6. Parking a semi or other commercial truck, except commercial Food Trucks with a valid District-issued permit.
7. Glass containers.
8. Unauthorized amplified sound.
9. Misuse of public property.
10. Engage in a commercial concession enterprise or operation, or request a donation, except commercial Food Trucks with a valid District-issued permit. This provision does not prohibit a club or a non-profit or charitable organization from using the Property/Improvements for not-for-profit activities, provided that the District has issued the club or a non-profit or charitable organization a permit to engage in such activities and the permit holder complies with these Regulations, and all state and local laws.
11. Violation of any federal, state, or local law, statute, ordinance, resolution, regulation, rule, or code that is in any manner related to the Property/Improvements.

To report violations or accidents call 911 and provide the specific location. The full text of the *Resolution Adopting Rules and Regulations* can be obtained from the District Manager at (303) 779-4525. These Rules and Regulations are enforced pursuant to the authority granted by law, including Sections 18-9-117 and 32-1-1001 of the Colorado Revised Statutes.

ATTACHMENT B

SCHEDULE OF FINES/PENALTIES

	First Violation	Second Violation	Three or More Violations
Class A Violations	\$250	\$350	\$500 Each Violation
	First Violation	Second Violation	Third Violation
Class B Violations	\$50	\$150	Constitutes a Class A First Violation and any further violations will constitute either a Class A Second Violation or a Class A Three or More Violations, as applicable.