

the DRB proposed adoption of guidelines for approval of open fires to reduce and/or eliminate the causes of fire, prevent loss of life, property destruction, and to provide guidance on how these potentially devastating risks are managed within the community.

AUTHORITY: The Colorado Common Interest Ownership Act (“CCIOA”), the Nonprofit Corporation Act, the Declaration, and the DRB Governance and Process.

- CCIOA states that the Association may enact rules and regulations of the Association and exercise any other powers necessary and proper for the governance and operation of the Association. C.R.S. § 38-33.3-302 (a).
- The Declaration at §11.07(b)(i) provides that hazardous activities such as open fires should not be conducted in the community unless contained in a barbeque grill or fire pits approved by the DRB. Owners are entitled to use and enjoyment of their Lots free of nuisance.
- The Barton Creek Reserve Design Review DRB Governance and Process requires the DRB to review proposals for improvements to lots within Barton Creek Reserve and may amend its rules after changes are published for a minimum 2 weeks to the membership before the changes are effective.
- The Owners in Barton Creek Reserve at the annual meeting on June 15, 2022 discussed and generally supported strict regulation of open fires to protect the residents, improvements and forest in the community.

EFFECTIVE: Upon Approval by the DRB following the 2 week period for review and