

Approved 03-11-19

**Rules and Regulations
for
Hidden Hills Ranches Homeowners Association**

The following Rules and Regulations were adopted at a regular meeting of the Board of Directors in accordance with Article IX. Rules and Regulations and Architectural Control Guidelines of the Amended And Restated Declaration Of Covenants, Conditions And Restrictions (Covenants), filed in the office of the Teton County Clerk on June 20, 2017 in Book 947, pages 588-598. These Rules and Regulations supersede and replace in their entirety all previously enacted Rules and Regulations.

I. Purpose: The purpose of this document is to provide additional clarification related to the Covenants for the Hidden Hills Ranches Subdivision (Subdivision). The Section and Subparagraph references below refer to the corresponding sections in the Covenants. It is recognized that standards, requirements and recommended practices established by Teton County, fire protection agencies, insurance companies, and other regulatory agencies frequently change, as do technology and other needs of the Subdivision. As a result, this document may be modified as needed by a 60% majority vote by the Board of Directors (Board) of the Hidden Hills Ranches Homeowners Association (Association or HOA).

II. Assessments Both Lien and Personal Obligation: Clarification to Section IV, Subparagraph D.5. and D.6 of the Covenants). Annual and special assessments authorized in the Covenants shall be a lien upon the lot against which they were assessed.

A. Late Fees: Quarterly assessments are payable to the HOA at P.O. Box 165, Wilson, WY 83014, on the first day of January, April, July and October. Special assessments are payable on dates established by the HOA Treasurer. Any assessments that are delinquent for more than 35 days are subject to a 10% late fee. If assessments are delinquent for more than 60 days, an additional 10% late fee will be assessed on the accrued balance. The 10% late fee on the balance due will continue to be assessed for each subsequent 30 day period of delinquency. This late fee will be continuous even after a lien has been filed, and it will be continuous until restitution has been made.

B. Lien Filing/Collection Proceedings: The HOA shall have the right to file a notice of deficiency in the Teton County Clerk land records at any time after any assessment is overdue for more than 105 days (one quarter plus 15 days). Any notice of deficiency shall identify the lot and owner thereof and the amount of the deficiency. The Association shall file a notice of satisfaction in the Teton County Clerk land records only after the lot owner has paid the deficiency and all costs incurred by the HOA in collection, including late fees, attorneys fees, recording fees and interest upon the deficiency computed at the rate of 10% [per annum] from the due date of the assessment. Each assessment shall also be the personal obligation of the lot owner on the due date of the assessment. The HOA shall have the right to collect any assessment from the person who was the owner or co-owner on the date of assessment. Any person who fails to pay an assessment shall also be liable for interest and attorneys' fees and costs incurred by the HOA in collecting the unpaid assessment.

III. Renting and Leasing: No owner may rent or lease any portion of their property for less than ninety (90) days. All rentals shall be consistent with single family, residential use. "Family" means one or more individuals related by blood, marriage, adoption, or guardianship, or not more than four individuals not so related, occupying a dwelling unit and living as a single housekeeping unit. Any exceptions shall require prior approval by the Board of Directors. All leases shall:

- A. Be in writing, with an executed copy of the lease provided to the Secretary of the HHR HOA;
- B. Be exclusively limited to the specific individual(s) named in the lease and prohibit sub-leasing of any kind;
- C. Require tenant(s) to acknowledge and comply with all HOA Rules and Regulations and Covenants, as well as provide current contact information in case the HOA needs to provide emergency or immediate communications. Homeowners are accountable for the actions of their tenant(s) and any fines or penalties related to the tenants' actions will be charged to the homeowner.
- D. Any exceptions to these requirements shall require prior approval by the Board of Directors.
- E. Failure to comply with the above Renting and Leasing requirements may result in a maximum fine of \$500/week.

IV. Fire Safety:

A. External Open Burning:

- 1. A Lot Owner must be present to supervise any external open burning taking place on the property. This responsibility cannot be delegated to a property manager, contractor, rental tenant or guest of the lot owner without prior approval of the Board.
- 2. Burning of trash is prohibited.
- 3. All external open fires must comply with Teton County Open Burning or Recreational Fire Requirements. It is the Lot Owners responsibility to review the latest requirements and fully comply with them prior to starting any external open fire. A copy of the requirements can be found at <http://www.tetonwyo.org/617/Burning-Rules> and a simple flowchart can be found at <https://www.tetoncountywyo.gov/DocumentCenter/View/1519/Open-Burning-Rules-PDF>. Only wood and vegetation may be burned, and fires must be promptly extinguished if gusty or strong winds arise. Some, but not all, of the requirements for external fires include:
 - a) Recreational fires may be no bigger than 3' wide and 2' tall and contained in a fire pit. The fire pit must be 25' from all combustibles; it must be constantly

attended; and a hose attached to a water source or fire extinguishing equipment must be present.

b) For open burning of larger piles of slash or deadfall; the fire must be located 50' from combustibles; the fire must be attended at all times; a water hose or fire extinguishing equipment must be present; and the fire must be promptly extinguished if gusty or strong winds arise. Teton County Dispatch must be notified in advance at 733-2331. As a courtesy to the subdivision, all neighbors should be notified via email prior to any external open burning. It is recommended that such open burning be conducted in the spring or late fall/early winter when fire danger in the area is low.

4. External slash fires, deadfall fires and external recreational fires are not permitted within the subdivision whenever the fire danger level has been identified as "High" by the Bridger-Teton National Forest Service, even if the County has not issued an official fire ban.

5. The HOA Board reserves the right to take any emergency actions it believes necessary, should a Lot Owner start any external fire during a Teton County fire ban. Any associated cost incurred by the HOA will be at the Lot Owner's expense. Failure to comply with open burning rules and regulations may result in a fine of up to \$500/incident.

B. Fireworks: No fireworks are permitted in Teton County.

C. Fire Prevention/Lot Maintenance: We live in a designated Wildland-Urban Interface (WUI) area where individual safety is interlinked with community safety. Beyond the Rules and Regulations above, the Hidden Hills HOA provides the following recommendations to Lot Owners on Fire Safety in our community. They are based on FireWise Recommendations of the National Fire Protection Association and are strongly encouraged, but voluntary actions.

1. Every home should have a Wildfire Assessment performed by the Teton County Conservation District – which includes an assessment of the home and defensible spaces. These assessments are free of charge and compliance with the recommendations (if any) is completely voluntary. The Conservation District also has limited matching funds available to help implement recommendations if you wish to apply. Assessments can be scheduled at: <https://www.tetonconservation.org/wildfire-risk-reduction-request-for-wildfire-risk-overview>.

2. Lot Owners are requested to maintain the defensible space around their homes, clear deadfall on their property to minimize available fuels and to remove dead or diseased trees. The Wildfire Assessment will provide recommendations in this area tailored to each specific property.
3. Lot owners are requested to help maintain the road corridor by clearing undergrowth and deadfall within the road right-of-way. The HOA will help with removal/chipping of associated debris each Spring.
4. Lot Owners are encouraged to be aware of changes in Wildland-Urban Interface (WUI) building codes and recommendations. They are changing rapidly and small inexpensive actions (like adding fire screens to attic vents) could have a large impact on the survivability of a home during a wildfire.
5. Additional information on wildfire safety can be found at these sites:
<http://www.tetonwyo.org/149/Jackson-Hole-FireEMS-Department>;
<http://wildneighborhoods.org/helpful-tips/>;
<https://www.nfpa.org/Public-Education/By-topic/Wildfire/Firewise-USA>.

V. **Control of Noxious Weeds:** Wyoming State Law (W.S. 11-5-109/<https://wyoleg.gov/statutes/compress/title11.pdf>) requires homeowners to treat invasive/noxious weeds on their property. Several such weeds have been found in our community including thistles, houndstongue, leafy spurge, and spotted knapweed. Homeowners are encouraged to treat these and other noxious weeds on their properties and the HOA has sprayers and chemicals available for owners to use. Teton County provides a booklet with pictures and descriptions of noxious weeds for those unfamiliar with them.

VI. **Fences:** (Clarification Related to Section VII, Subparagraph J of the Covenants). All new or replacement fencing must comply with Teton County Land Development Regulations Section 5.1.2 for Wildlife Friendly Fencing and Special Use Fencing. No fencing on any lot can be within Teton County setbacks or less than 50 feet from any common road.

VII. **Construction And Remodeling:** (Clarification Related to Section VI, of the Covenants).

A. Architectural Committee approval is required for all new construction and major remodeling as defined in the Hidden Hills CC&R's. All such construction must comply with the CC&R requirements and any additional guidelines listed below.

B. If, after any plans, specifications and plot plan have been approved by the Architectural Committee and the Teton County Planning Department, the exterior appearance or building location or footprint is altered, the revised drawings must be submitted to the Architectural Committee for review and approval. Changes to the interior of the building do not require Architectural Committee review provided they are consistent with Single Family Residential use.

C. All construction must be completed within 18 months after commencement. Any exceptions must be approved by the Board of Directors.

D. No new construction or remodeling projects involving contractors, sub-contractors, or deliveries of materials may be commenced before 7:00 a.m. nor after 6:00 p.m. No commercial construction or remodeling that generates noise that could disturb neighboring properties or requires use of heavy equipment may be performed on Sundays or legal holidays. Any exceptions to this shall require prior approval by the Board of Directors.

E. No construction materials or heavy equipment may be parked or stored overnight on HOA roads, common land, road easements, or cul-de-sacs. The homeowner is expected to provide storage areas for such equipment and materials on their lot. No construction equipment or contractor vehicles should block normal movement of traffic on the road or block driveways. Any exceptions to this shall require prior approval by the Board of Directors.

F. The homeowner is responsible for ensuring that contractors comply with all rules and regulations.

G. All new construction or remodeling projects which will generate contractor and materials delivery traffic on subdivision roads are requested to make a voluntary donation to the road maintenance fund. The recommended donation amount is 0.25% of the estimated construction/remodel cost.

H. Extreme care must be taken to assure that trees and other vegetation not authorized for removal are not damaged. Also brush, surplus soil and other excavated debris must promptly be removed from the building site. Blowing dust from grading must be controlled by watering or other approved means. No grading shall occur outside the limit of disturbance noted on the grading plan. If any change is made to the limit of disturbance a formal request must be made to the Architectural Committee.

I. During construction erosion shall be minimized through proper soils stabilization and timely revegetation. The owner's contractor shall implement all control measures outlined in any approved erosion control and revegetation plan. These measures shall be maintained/repared throughout construction.

VIII. Fines: (Clarification Related to Section VIII of the Covenants) Without the ability to impose fines, the Association's only recourse in the event of a continuing Covenant violation is to file an action in the District Court of Teton County, Wyoming. Many Covenant violations are relatively minor in nature and can and should be handled by the Association without the huge expense of a court action and burdening the District Court accordingly. The Association shall have the ability to levy fines in lieu of Covenant violations as set forth below, though this right is not extended to individual owners. Nothing herein shall preclude the Association from enforcing a Covenant violation in the District Court or Circuit Court rather than fining an offending owner; such is in the Association's sole discretion.

A. The Association, or any owner shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, lien and charges now or hereafter imposed by the provisions of this Declaration, the By-laws, or the Rules and Regulations. Failure by the Association or by any owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter. If it should be necessary to bring any legal action in connection with the right of enforcement, remedies or

violation of the provisions of this Declaration, the Bylaws or any Rules and Regulation, the prevailing party shall be entitled to recover its costs and expenses in connection therewith including reasonable attorney's fees.

B. In the event that a violation of the Covenants or the Rules and Regulations is identified, the Board may notify (via email) the offending Lot Owner of the violation(s), asking them to rectify the violation, but also offering the Lot Owner the opportunity to meet with members of the Board to discuss and resolve the issue.

C. The Board will make every effort to resolve all Covenants or Rules and Regulations violations through communication with the offending Lot Owner, either through email, letter, or telephone contact from a Board member. However, if such friendly dialogue does not result in resolution, the Board will send an official Notice of Violation, after which the Lot Owner shall have 30 days to rectify the violation in the Notice, or 15 days to request a formal meeting with the Board to discuss and resolve the issue.

1. If the Lot Owner neither requests a meeting within 15 days nor rectifies the violation within 30 days, a fine will be immediately assessed by the Board in accordance with clause D below.

2. Upon a request for a meeting, the HOA President will schedule a special Board Meeting within 30 days.

3. The Board shall give the Lot Owner the opportunity to challenge the violation and attempt to resolve the issue. The Board shall then render a decision by majority vote of the Board, whether to proceed with the violation as originally stated, accept an alternative solution, or drop the issue.

4. Failure of the Lot Owner to meet the requirements of the Board Decision in the timeframe specified (but not less than 15 days), shall result in a fine being assessed by the Board on the date specified in the Decision.

D. Except as otherwise expressly provided in a specific rule, thirty (30) days from the date of the violation notice, a \$100 fine will be assessed to the offending homeowner's account every week until the violation is corrected. Such fines shall become immediately due and payable. The collection of fines will be dealt with in the same manner as any past due debt to the association. All costs associated with the collection of any fine, including attorney's fees, incurred by or attributable to any such violation(s), shall be assessed or billed to the violating owner's or tenant's account.

E. A fine levied by the Board following notice and a hearing shall constitute an assessment under the Covenants. The Association may take judicial action against any owner to enforce compliance with such Rules and Regulations or other obligations of owners arising under the Covenants, or to obtain damages for noncompliance therewith, as permitted by law. If it should be necessary to take any legal or other remedial actions in connection with the right of enforcement, the Association shall be entitled to recover its costs, including reasonable attorney's fees, from the offending owner.

The foregoing Rules And Regulations were adopted by 100% of the Board Of Directors at a regularly scheduled Board meeting on the 11th day of March, 2019.

Hidden Hills Ranches Homeowners Association,
a Wyoming non-profit corporation:



Maruta Litus, Secretary