

Section 13**Policy and Procedure Regulating Burning and Trash Disposal Within the Subdivision**Authority:

This section is adopted pursuant to Article VI, Section 5.a. of the Covenants providing the Board of Directors with the authority to adopt reasonable rules and regulations for ensuring compliance with the Covenants and interpreting any of the provisions of the Covenants.

Policy:

Article V, Section 11, of the Covenants regulates burning and trash disposal on any lot within the Subdivision. The Board of Directors has determined that the safety and welfare of the community depend upon the strict application of this Covenant provision. The purpose of this Policy and Procedure is to provide clear rules and procedures regulating those activities.

Rules and Procedures:

Trash, slash, or garbage shall not be permitted to accumulate upon any Lot except in properly covered and secured trash containers that shall be emptied on a regular basis to avoid overflow and unreasonable odors or conditions resulting therefrom. Open burning of trash or construction debris shall not be permitted at any time within Fairway Pines. This section shall not be construed to prohibit fireplaces or barbeques provided fireplaces/barbeques are properly screened to arrest sparks. Fire pits are also permissible with the following restrictions:

1. A recreational fire pit must be at least twenty-five (25) feet from a structure or any combustible material, such as tall grass or trees, etc. (Conditions which could cause a fire to spread within 25 feet of a structure shall be eliminated prior to ignition of fire pit).
2. A fire pit screen designed for the fire pit structure must be in place at all times to eliminate sparks outside of the fire pit. Combustible materials to be used in fire pits are restricted to types of firewood commonly used in indoor fireplaces, or propane/natural gas with cast logs.
3. A minimum of one 10 lb. portable fire extinguisher with a minimum 4-A rating shall be immediately accessible, and within 25 feet of the fire pit at all times during fire pit usage.
4. There shall be a required safety inspection of all fire pits by a qualified inspector before initial use is permitted. Homeowner must contact the Board for a list of qualified inspectors, and the cost of such inspection (if any) is the responsibility of the homeowner.
5. When hazardous conditions exist in the area, or winds are considered high, use of a fire pit is prohibited.

6. If a fire ban has been issued by Ouray County, the Fire District, or by the Association, use of a fire pit is not permitted during the fir ban period under any condition.

Use of coal as a heat source in fireplaces, furnaces, or stoves is prohibited at all times. The Board may impose greater restrictions as necessary for fire safety within the community. Emergency burn bans issued by the Board, or a relevant government agency, shall be promptly obeyed. Fines of up to \$250 per occurrence for violation of this Section may be assessed by the Board following a required hearing.

Adopted July 21, 2015



Association Administrator