

Policy for Basketball Equipment in High Country West

The intent of this policy is to provide the residents of High Country West with a set of guidelines and rules for use of basketball equipment. The process for reporting observed violations, the procedure for notifying offenders and the guidelines for enforcing the policy are explained. In the event of any conflicting statement between this Policy and the "Declaration of Covenant, Conditions and Restrictions" or the "Declaration of Restrictions", the "Declaration of Covenant, Conditions and Restrictions" or the "Declaration of Restrictions" will take precedence over and supersede that portion of the Policy.

- **Policy statement for basketball equipment permanently attached to existing structures**
 1. No backboard and/or basketball hoop shall be permanently attached to a homeowners dwelling or any other existing fixed structure on the property.
- **Policy statement for transportable/movable basketball equipment**
 2. *Daylight hours* - Between the hours of 9:00 AM and sunset transportable equipment is permitted in the front yard of the residence. The equipment must be properly maintained and not be viewed as an eyesore in the neighborhood. In the event of a dispute over visual aesthetics, the Architectural Committee will determine what is and is not in keeping with the intent of this policy and/or any other documented community restrictions that might apply.
 3. *Evening and night hours* - Between the hours of sunset and 9:00AM the following morning, transportable basketball equipment must be moved to the side yard and placed behind the side yard fence, or moved to the back yard area. Concealment of the equipment with a cover or other camouflage material while still in the front yard is not an acceptable alternative to this policy.

Residents may notify the Architectural Committee of a possible policy violation by filling out a "Report of Possible CC&R Violation" form or by submitting a letter addressed to the High Country West Architectural Committee. All policy violations must be submitted in writing before they can be acted upon. The information furnished by the resident on the notification must include his or her name and mailing address along with the date and time that the violation was observed. The Architectural Committee will review and verify all complaints for validity. The originator of the complaint will be notified of the disposition and follow-up process.

Subsequent action taken by the High Country West Architectural Committee will be dependent upon the number of outstanding policy violation notifications that the offending property owner has received. All verified property owner violations of this policy acted upon by the Architectural Committee or the Board of Directors will be considered active and enforceable for a period of one year from the date of the last violation.

The ***first*** time that a basketball hoop is found to be in violation of the above policy, a letter from the Architectural Committee will be sent to the property owner, giving the owner three days to comply with the policy.

Observation of a ***second*** violation will result in the Architectural Committee sending a certified letter, return receipt requested to the offending property owner, giving the owner three days to comply with the policy.

Observation of a ***third*** violation will result in the Board of Directors sending a certified letter, return receipt requested to the offending property owner, inviting the owner to attend the hearing at the next regularly scheduled board meeting. This letter should be sent not less than 10 days, nor more than 60 days prior to the next Board meeting. The property owner has the opportunity to express "his or her side of the issue" at this hearing. In the absence of compelling reasons for non-compliance or failure of the owner to attend the hearing, the owner will be fined \$50.00.

The ***fourth***, and each violation thereafter, will result in the same procedure as the third violation, i.e. a hearing and potential \$50.00 fine.