

Ruby Ranch Homeowners Association

Short Term Rental Rules

Whereas, the Ruby Ranch Covenants provide for "the right to periodically rent" provided that certain conditions are met, including, for example, that the rental activity "does not result in objectionable noise..., increase traffic volumes or amount of parking...and...conforms with the single-family residential character" of the Ranch (Article VII, Section 17);

Whereas, the Ruby Ranch Homeowners Association ("HOA") has twice adopted rules regulating short term rentals ("STR") within the Ranch. The first regulations were adopted at the Annual Meeting in 2006. Revised rules were adopted at the Annual Meeting in 2016;

Whereas, in December 2018, Summit County adopted STR Regulations for Unincorporated Summit County ("County Regulations"), which includes Ruby Ranch. The County Regulations became effective July 1, 2019;

Whereas the County Regulations apply to and govern STR within the Ranch;

Whereas the HOA desires to provide clear interpretive and supplemental rules consistent with County Regulations and the Ruby Ranch Covenants;

The HOA acknowledges and incorporates the County Regulations, rescinds its previous STR Rules to the extent inconsistent with the County Regulations, and restates, revises, and reissues the following Rules which address matters which are interpretive of, and/or supplemental to, the County Regulations, as follows:

1. No owner may engage in a short-term rental of property without first executing a contract with both the HOA and the Willow Brook Metropolitan District ("WBMD") that, among other things, acknowledges the Renting Owner's responsibility for all the acts or omissions of any renters and indemnifies the HOA, WBMD and individual homeowners against damages to property or person as well as claims brought by renters. [2016 HOA Rule 1 revised]
2. The Renting Owner shall provide to the HOA officers evidence of insurance covering the short-term rental activities to be conducted on the rental property. [2016 HOA Rule 1 revised]
3. The Renting Owner shall promptly provide the WBMB manager:
 - a) The permit number of each STR permit approved by the County, the identity of and contact information for the Responsible Agent, the approved occupancy limit, the approved number of outside parking spaces, the parking plan, and the trash disposal plan, all as defined in the County Regulations;
 - b) Written contemporary notice of the filing of an application for a Class 2 Conditional Use Permit pursuant to County Regulations 3821.14, together with a brief description of the proposal "to deviate from the occupancy, parking or other site standards" made therein;
 - c) A copy of any advertisement(s) of the rental property; and
 - d) Any changes to the information required in this section. [2016 HOA Rule 9 revised]

4. The WBMD manager shall timely maintain a webpage including, for each rental property, the identity of and contact information for the Responsible Agent, the approved occupancy limit, and the approved number of outside parking spaces provided in response to Rule 3 (a), above. [2016 HOA Rule 9 revised]
5. All rentals must be consistent with the single-family residential character of the Ruby Ranch subdivision as provided in the Covenants. [2016 HOA Rule 4].
6. Consistent with this basic Covenant requirement, rental for commercial activities (such as corporate retreats, seminars and the like), weddings, and events such as receptions or parties are not allowed. [2016 HOA Rule 5 revised].
7. Homes shall not be occupied by short-term renters for more than 180 days in any calendar year. [2016 HOA Rule 3].
8. The Renting Owner and their Responsible Agent shall take appropriate and reasonable measures to ensure that all rentals are consistent with the requirements of Rules 5 - 6 above. [2016 HOA Rule 4 revised].
9. Renting Owners shall not advertise or allow renters to bring animals onto their property. Service Animals, as defined by Federal and State Law are exempt from this provision, provided that renters conform to the Covenant restrictions concerning animals on the property, including limitations on the number of animals and control restrictions. [2016 HOA Rule 11 revised]
10. Renting Owners shall include Attachment A to these Rules among the materials required by County Regulations Section 3821.10(B) to be posted in a prominent location.
11. Renting Owners shall take reasonable and appropriate measures to ensure that all HOA Rules relating to the dumpsters are followed by their Responsible Agent and renters. Responsible Agents shall not place trash or recycle outside the dumpsters. [2016 HOA Rule 13 revised].
12. Renters shall not trespass on private property or enter any fenced common areas, the barn, or the hayfields, whether fenced or unfenced. [2016 HOA Rule 6].
13. Permanent gate codes shall not be disclosed to Renters. Renting Owners shall supply their renters with remote control units. In addition, a rental gate code may be provided and changed quarterly, which may be provided to renters. [2016 HOA Rule 10].
14. Temporary daytime parking at trailhead access points (as designated on the Ruby Ranch map) is allowed. Car placards must be used to avoid towing. [2016 HOA Rule 8].

Suggestions:

1. Disputes between neighbors arising from rentals should first be addressed by direct communication between the involved property owners and/or their Responsible Agents. [2016 HOA Rule 12]
2. Rental Owners should provide a map of the Ranch showing private property and the location of the hiking trail access point on the Emerald trailhead by the tanks, since the trailhead and trail are not adjacent to any private property. [2016 HOA Recommendations, bullet point 2]

Rule 10 Attachment A

OWNER REQUIREMENTS

Items 1-7 are a checklist for the Owner's use in providing renters information and notices required by County Regulations. Items #8-9 derive from the Ruby Ranch Homeowners Association Short-Term Rental Rules.

1. "All advertising for a short-term vacation rental property shall include the Summit County short-term vacation rental permit number, immediately following the description of the short-term vacation rental property, along with the relevant occupancy and parking limitations." (Regulation Section 3821.11).
2. "An owner shall post a sign or notice conspicuously inside the short-term vacation rental property, which includes the responsible agent's current contact information and/or the owner's current contact information, the street address of the short-term vacation rental property and the short-term vacation rental permit number." (Regulation Section 3821.10 (A)).
3. "The Good Neighbor Guidelines, parking plan and trash disposal requirements shall be posted in a prominent location within the short-term vacation rental property." (Regulation Section 3821.10 (B)).
4. "A copy of the County-approved parking plan for the short-term vacation rental property shall be provided to all renters *in the rental agreement* and posted in a prominent location within the property." (Regulation Section 3821.09 (A)(emphasis added)).
5. "Maximum Capacity Verbiage: "This short-term rental unit has a maximum capacity of ____ overnight guests, and this limit cannot be exceeded for any reason." Good Neighbor Guidelines, p. 2, column 1. Fill in your permitted occupancy number on the copy of the Guidelines provided to your renter.
6. "Renters shall be informed of the Summit County noise ordinance which is enforced by the County Sheriff's Department." (Regulation 3821.09). The Good Neighbor Guidelines mention the noise ordinance: "Be considerate of the neighborhood and your neighbors' right to the quiet and peaceful enjoyment of their home and property, especially after 11 p.m. The Summit County Sheriff's Office may be contacted if Summit County's noise ordinance is not followed." The specified time for Ruby Ranch is 9 p.m. Please strike "11" p.m. on the Good Neighbor Guidelines and substitute "9" p.m.
7. "In the event of a fire ban within Summit County, the [responsible] agent is required to notify renters of the current fire restrictions and provide renters with instructions on how to access the Summit County Alert System for real-time information during their stay." (Regulation Section 3821.07 (C)).
8. To ensure that renters do not trespass on neighbors' property, Owners shall prepare and provide renters a map and/or verbal guidelines clearly defining their property lines.
9. Provide the attached document, "Renters Responsibilities," to all renters preferably before they arrive at Ruby Ranch and post it in a "prominent location" within the rental property.

RENTER RESPONSIBILITIES

Please observe the following rules at all times:

1. Ruby Ranch is a private single-family community. All rentals must be consistent with this single-family residential character. Please be friendly and courteous. Treat your neighbors as you would like to be treated. Respect your neighbors and their property. Be considerate of the neighborhood and your neighbor's right to the quiet and peaceful enjoyment of their home and property, especially after 9 p.m.
2. Rental for commercial activities (such as corporate retreats, seminars and the like), weddings and events (such as receptions or parties) is not allowed.
3. Your safety and the safety of your neighbors are of primary importance. The speed limit within Ruby Ranch is 15 mph in good weather conditions. Slow down. People (including children) and horses may be walking on the roads. Wildlife (such as elk, moose and deer) is present and may dart across roads unexpectedly.
4. Roads are very slippery in winter conditions. BE CAREFUL. Follow each of the County driving recommendations specified in the Good Neighbor Guidelines, including, but not limited to, making sure your vehicle is 4WD or AWD and equipped with snow tires with minimum 1/8 tread.
5. Parking is not allowed on Ruby Ranch roads, except daytime parking at trailhead access points. Car placards must be used to avoid towing.
6. Ruby Ranch trailheads lead to Eagles Nest Wilderness, a federally protected wilderness area which is subject to many federal restrictions prohibiting such things as bicycles, motorized vehicles and mechanical equipment. Please familiarize yourself with the federal restrictions before entering.
7. Renters shall not trespass on private property or enter any common areas, the barn, or the hayfields, whether fenced or unfenced. This means that renters are only allowed on the property they are renting (as shown on the attached map), the roads and marked hiking and cross-country skiing trails (except in an emergency, such as a wildfire evacuation).
8. Skiing, snow-boarding, sledding and other similar outdoor activities are only allowed in Ruby Ranch to the extent the Owner may allow it on the property you are renting.
9. Motorized recreational vehicles (such as trail bikes, snowmobiles, unlicensed motorcycles and all-terrain vehicles) are not allowed on any roads, private lots or common area tracts anywhere within Ruby Ranch.
10. No hunting, fireworks, drone operation or discharge of firearms is permitted anywhere within Ruby Ranch.
11. Do not approach or feed horses without the horse owner's permission.
12. Pets are not allowed.