



LITTLE ELK CREEK VILLAGE  
HOME OWNERS' ASSOCIATION  
Post Office Box 420  
Snowmass, CO 81654-0420

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**THE LITTLE ELK CREEK VILLAGE HOME OWNERS ASSOCIATION  
POLICY AND PROCEDURE REGARDING  
ADOPTION, AMENDMENT AND ENFORCEMENT OF POLICIES, PROCEDURES, RULES AND REGULATIONS**

Resolved and Adopted September 8, 2010  
Amended August 9, 2023

The following policy and procedure has been adopted by the Board of Trustees ("Board") of The Little Elk Creek Village Home Owners Association ("Association") pursuant to Colorado statutes and the Governing Documents of the Association, for adoption and amendment of policies, procedures and rules.

1. Adoption or amendment of any policy, procedure or rule shall be performed only at a meeting of the Board that is open to all Owners or their representatives, whether in person or by online meeting access, where the meeting agenda identified policy updates as an agenda item.
2. The Board shall consider the following criteria when adopting or amending a policy, procedure, rule or regulation:
  - a. Reasonableness and necessity;
  - b. Impact does not create separate groups of Owners;
  - c. Consistent with other Association policies in effect at the time;
  - d. Reasonably relates to the preservation, protection and enhancement of property values; and
  - e. Consistent with:
    - (i) the Association's governing documents;
    - (ii) applicable federal and state statutes and case law; and
    - (iii) local laws and ordinances;
3. Adoption or amendment of any policy, procedure, rule, or regulation requires a quorum of the Board, and an affirmative vote of a majority of the Board members who are in attendance at the meeting in person or by on-line access.
4. Any policy, procedure, rule or regulation, and any amendment thereto, shall be effective fifteen days after delivery of notice to Owners of its adoption. Posting on the Association's website, mailing of notice, or publication in an Association's newsletter is considered adequate notice. Failure to receive an adopted and published policy, procedure, rule or regulation is not a defense to enforcement by the Association.
5. No policy, procedure, rule or regulation shall be adopted during an executive session. A policy, procedure, rule or regulation may be validly adopted only during a regular or special meeting, and after the Board returns from its executive session, if an executive session has been utilized.

6. In the event that any court of competent jurisdiction finds any provision(s) of this policy or any policy, procedure, rule or regulation duly adopted and published by the Association void or otherwise unenforceable, the other provisions of such policies, procedures, rules and regulations shall be deemed severable and shall remain in full force and effect.
  
7. The Board of Trustees of the Association shall have the full right to determine the manner of enforcement of the Association's Governing Documents, including all Policies, Procedures, Rules and Regulations, and the decision to waive or de facto waiver of enforcement of any provision of the Governing Documents, including all Policies, Procedures, Rules and Regulations, does not constitute a continuing waiver of such enforcement as to the initial violation, any subsequent violation, or a similar alleged violation on any other property.

SECRETARY'S CERTIFICATION: The undersigned, being the Secretary of The Little Elk Creek Village Home Owners Association, a Colorado non-profit corporation, certifies that the foregoing policy and procedure regarding **ADOPTION, AMENDMENT AND ENFORCEMENT OF POLICIES, PROCEDURES, RULES AND REGULATIONS** was amended by the Board of Trustees of the Association, at a duly called and held meeting of the Board on August 9, 2023, and in witness thereof, the undersigned has subscribed her name.

THE LITTLE ELK CREEK VILLAGE HOME OWNERS ASSOCIATION,  
a Colorado non-profit corporation

By:   
Sharon Caulfield, Secretary