

RULES AND REGULATIONS FOR THE USE OF THE COMMON LANDS AND AMENITIES OF THE CHURCH RANCHES SUBDIVISION

Created March 2000 and Revised September 2002, February 2018 and **June 2020**

To: The Members and Family Members of the Church Ranches Homeowners' Association

The Common Lands and Amenities of the Church Ranches Subdivision are for the exclusive use of the Church Ranches Homeowners' Association Members and Family Members and their Guests. The Church Ranches Homeowners' Association Board of Directors does not assume any liability for injury to any persons entering upon or making use of any of the Common Lands and Amenities, or for damage to any property of said persons. Members, Family Members and Guests who enter upon, or make any use whatsoever, of any of the Common Lands and Amenities do so entirely at their own risk. However, to promote the safety of, and enjoyment by, Members, Family Members and Guests entering upon, or making use of, any of the Common Lands and Amenities, the Church Ranches Homeowners' Association Board of Directors has approved and will be applying the following rules and regulations:

- 1) **Definitions**: For the purposes of these rules and regulations
 - a) "Association" means the Church Ranches Homeowners' Association, also referred to as the "CRHA";
 - b) "Board of Directors" means the CRHA Board of Directors elected at the CRHA Annual General Meeting;
 - c) "Church Ranches Subdivision" means the subdivision located in the Municipal District of Rocky View and commonly known as "Church Ranches";
 - d) "Common Lands and Amenities" means the parks and other amenities within the Church Ranches Subdivision including Alexa Lake (Lake 1), Cody Lake (Lake 2) and Cheyenne Lake (Lake 3), and the parklands surrounding such lakes and the streams and other facilities located within the Common Lands and Amenities;
 - e) "Family Member" means and includes all members of the household of a Member;
 - f) "Guest" means any person who is not a Member or Family Member;

- g) "Member" means and includes, with respect to every person who currently owns a Residential Lot within the Church Ranches Subdivision,
 - i) the person designated as Member by all the owners of the Residential Property where there is more than one such owner. In the absence of such designation, the first person named as owner in the Certificate of Title or as Purchaser in an Agreement for Sale relating to such Residential Lot shall be the Member, or
 - ii) the Developer in respect of any Residential Lots owned by the Developer, or
 - iii) any person designated by any corporation that owns a Residential Lot, or
 - iv) any tenant designated by a Member who owns a Residential Lot;
 - h) "Minor" is any person under the age of eighteen (18) years;
 - i) "Residential Lot" means any individual lot or units within the Church Ranches Subdivision and intended for use as a dwelling unit.
- 2) **Identification:** All Members and Family Members entering upon, or making use of, any of the Common Lands and Amenities shall identify themselves and their Guests to a person in authority when such identification is requested. A "person in authority" may be any security person retained by the CRHA Board of Directors to supervise or monitor the Common Lands and Amenities.
- 3) **Hours of Use:** Unless otherwise restricted by the CRHA Board of Directors pursuant to a posted notice, the Common Lands and Amenities shall be available for use at all times to Members and Family Members acting reasonably in the circumstances. Members and Family Members are expected to consider, by way of example, the time of the day and the noise or other nuisance that may result from such use.
- 4) **Guests:** Guests are permitted to enter upon and make use of the Common Lands and Amenities only when accompanied by a Member or Family Member. Each Member and Family Member who invites or permits any Guest to accompany him or her on, or to make use of, any Common Lands and Amenities will be responsible at all times for the supervision and conduct of such Guest and shall ensure that such Guest observes and abides by these rules and regulations.
- 5) **Minors:** The CRHA Board of Directors will not be monitoring or supervising the use of the Common Lands and Amenities by minors and assumes no responsibility or liability whatsoever for such monitoring or supervision. The parents or guardians of Family Members who are minors will be responsible to supervise their use and occupation of the Common Lands and Amenities and will be responsible for all damage to the Common Lands and Amenities that the minors may cause.

6) **Animals:**

- a) All pets entering or remaining upon any Common Lands and Amenities must be under a Member's or Family Member's control at all times. For the purposes of this paragraph, "control" is defined as having a pet within your sight and when given voice commands, the pet will respond accordingly such that the pet cannot charge at or chase after other people or animals, including wildlife. A leash is one means to ensure control.
- b) Owners must put their dogs on a leash when approaching other people or animals on the Common Lands and Amenities. Dogs may be taken off leash again once the other people or animals have passed at a safe distance.
- c) Members or Family Members shall be responsible for cleaning up and removing any defecation left by their pet.
- d) Dogs are not permitted on the beaches, docks or in the immediate swimming areas while the lakes are "open" for swimming. Dogs may swim outside of these areas at any time.
- e) No horses will be permitted on the Common Lands and Amenities at any time.

7) **General Use of Common Lands and Amenities:**

- a) No alcohol, cannabis in its various forms or its derivatives, illegal drugs or other illegal substances may be brought or consumed upon any Common Lands and Amenities.
- b) No littering shall be permitted at any time. Members, Family Members and Guests shall dispose of trash in the receptacles provided or, if a receptacle is not available, carry away all trash that they bring onto the Common Lands and Amenities.
- c) No fires or fireworks will be permitted at any time except
 - i) when the CRHA Board of Directors gives advance, explicit written approval; and
 - ii) when in strict compliance with the applicable laws of the Municipal District of Rocky View and the Province of Alberta; and
 - iii) when done in a designated area approved by the CRHA Board of Directors.
- d) No rowdiness will be permitted at any time. For clarification, "rowdiness" is behaviour that creates or may create a nuisance.
- e) No motorized vehicles, including those powered by gas, electricity or battery, are permitted on the Church Ranches Common Lands or Amenities except as provided in subparagraphs (i) and (ii).

- i) Vehicles belonging to the CRHA, its contractors or agents are permitted when being used to repair or maintain the Common Lands or Amenities or otherwise being used in furtherance of general community activities organized by the CRHA Board of Directors.
- ii) Vehicles that are used solely as a Mobility Aid are permitted. For the purpose of this paragraph, "Mobility Aid" means a device used to facilitate the transport, in a normal seated orientation, of a person with a physical disability as defined in s. 1(1) of the *Alberta Traffic Safety Act*.
 - (1) Any Member wishing to use a Mobility Aid on CRHA Common Lands must seek pre-approval from the CRHA Board of Directors by submitting the *Application for Approval of Mobility Device* form to the CRHA Board Secretary.
 - (2) If approved, the Mobility Aid must visibly display a marker while on any CRHA common land. The CRHA Board of Directors will provide the marker to the applicant Member within seven (7) days of the approval.
 - (3) Approval for the use of a Mobility Aid will be in effect for the calendar year in which the application was made and approved. If the need for a Mobility Aid continues, the Member must reapply to the CRHA Board of Directors for an extension of the approval to the next calendar year.
 - (4) Members may seek written permission from the CRHA Board of Directors for a temporary or one-time occasion use of a Mobility Aid for a Guest.
 - (5) Mobility Aids must be operated in a manner and in weather conditions that prevent damage to the pathways and any other areas of the Common Lands and Amenities. Some pathways may be restricted from use from time to time to prevent injury to the Mobility Aid user or damage to the pathway.
 - (6) Any person(s) using a Mobility Aid on the Common Lands or Amenities assumes full risk for doing so. The CRHA Board of Directors assumes no liability or responsibility whatsoever for such use.
- f) Bicycles, including e-bikes that are pedelecs (pedal-assist systems), rollerblades, scooters and skateboards are permitted within the Common Lands and Amenities. Such equipment may not be used in a manner or in weather conditions that would cause extensive damage to the natural landscape or to pathways and cannot be operated at speeds in excess of 20 km/hr. E-bikes that operate by throttle are not permitted.
- g) Cross-country skis, downhill skis, snowshoes, toboggans and skates are permitted within the Common Lands and Amenities provided that this equipment is not used in a manner or in weather conditions that would cause extensive damage to the

natural landscape or to pathways. Such equipment may only be used on frozen lakes when weather conditions permit.

- h) No Member shall discharge water, fish, living organisms or other substances of any kind into the lakes, streams or other waterways within the Common Lands and Amenities unless the Member has received approval for such discharge by a Special Resolution (Article 3.14 of By-Law Number One). Exception to this by-law is given to the CRHA Board of Directors who may request the Rocky View Water Co-Op to supply fresh water from their reservoir into the Church Ranches water systems and who may direct the lakes to be stocked with fish approved under licence through the *Fisheries (Alberta) Act*.
- i) Glass bottles, glass dishes, glass dishware and all other glass products are strictly prohibited at all times.
- j) No trees or other plant life on the Common Lands and Amenities shall be cut down, removed or damaged except as may be necessary for the CRHA Board of Directors to properly manage the Common Areas and Amenities.

8) **Boating:**

- a) No gas or electrically powered boats or other water vehicles may be used in or upon any Common Lands and Amenities at any time with the exception of those used by CRHA Contractors or agents to undertake duties approved by the CRHA Board of Directors.
- b) Wind surfers and sailboats are not permitted on the lakes, streams or other waterways within any Common Lands and Amenities at any time.
- c) Members and Family Members are entitled to use canoes, kayaks, rowboats paddleboats and other types of non-motorized boats and crafts within the Common Lands and Amenities. Members, Family Members and Guests assume the risk of using this equipment. The CRHA Board of Directors assumes no liability or responsibility whatsoever for such person(s).
- d) Members will store such equipment listed in 8(c) on the storage racks provided when the equipment is not in the water and while it is within the Common Lands and Amenities. Only one such piece of equipment may be left on the Common Lands and Amenities per Member or Family Member.
- e) All canoes, rowboats, kayaks, paddleboats and other such non-motorized boats or crafts left on a rack by a Member or Family Member will be done so at his or her own risk. The CRHA Board of Directors assumes no liability for any theft of or damage to any such equipment.

- f) Members, Family Members and Guests must each have a life jacket when on the water in a boat or other watercraft in accordance with the requirement of all applicable laws.
- g) No Member, Family Member or Guest shall bring a rowboat, kayak, paddleboat, canoe or other type of non-motorized boat or craft onto any lake, stream or other waterway, or remain on any lake, stream or other waterway, if hazardous conditions such as lightening or strong winds exist or arise.
- h) All rowboats, kayaks, paddleboats, canoes and such other non-motorized boats or crafts must be washed and thoroughly cleaned prior to using such equipment on any lake within any Common Lands and Amenities.

9) **Swimming Areas:**

- a) Swimming is permitted within the Common Lands and Amenities. People using the beaches and dock areas within the Common Lands and Amenities do so entirely at their own risk. The beaches and dock areas within the Common Lands and Amenities are not patrolled by lifeguards and the CRHA Board of Directors assumes no responsibility or liability whatsoever for such absence of lifeguards.
- b) No swimming is permitted in lakes or other waterways within the Common Lands and Amenities when a "No Swimming" sign is posted.

10) **Fishing:**

- a) All hooks used to catch fish shall be barbless.
- b) No live bait shall be permitted or used.
- c) Fishing for Brown Trout or Rainbow Trout shall be on a "catch and release" basis unless otherwise posted.
- d) Any Prussian Carp caught must be killed and properly removed. As it is an invasive fish species, it must not be returned to the water.

- 11) **Winter Use of Lakes:** The CRHA Board of Directors will not monitor winter use of the lakes within the Common Lands and Amenities. People using the lakes in winter do so entirely at their own risk. The CRHA Board of Directors assumes no liability or responsibility whatsoever for such use.

12) **Enforcement of Rules and Regulations:**

- a) If any Member or Family Member breaches any of these rules and regulations and such breach results in costs incurred or damages suffered by the Association, the Member shall be liable and responsible to reimburse the Association for all related costs and damages on demand.

- b) If any Member or Family Member invites a Guest upon any Common Lands and Amenities and such Guest breaches any of these rules and regulations and the breach results in costs incurred or damages suffered by the Association, the Member shall be liable and responsible to reimburse the Association for all related costs and damages on demand.
- c) If, in the opinion of the CRHA Board of Directors, any Member or Family Member, or any Guest of any Member or Family Member, breaches any of these rules and regulations, the CRHA Board of Directors may deny such Member or Family Member access to the Common Lands and Amenities for such period of time as is determined by the CRHA Board of Directors in its discretion.

13) **Receipt of Rules and Regulations**: A copy of these rules and regulations will be provided to each Member of the Association. The Member shall ensure that all Family Members and Guests are familiar with these rules and regulations.

14) **Amendment of Rules and Regulations**: The CRHA Board of Directors may amend these rules and regulations from time to time as required. The CRHA Board of Directors shall provide copies of all such amendments and replacements to each Member of the Association.

APPROVED BY THE CHURCH RANCHES HOMEOWNERS' ASSOCIATION BOARD OF DIRECTORS THIS 23rd DAY OF JUNE, 2020.

 President - Laurie Brazzoni

 Vice President - Gary Moroz

 Secretary – George Coutts

 Treasurer – Kelly Paulson