POUDRE TECH METROPOLITAN DISTRICT

RECREATION AMENITIES USE POLICY

1. **District Recreation Amenities Use Generally:** The lakes, beaches, pavilions, gazebos, trails, paths, tennis courts, landscape tracts and turf fields within Water Valley (the “Recreation Amenities”) are available for use by the general public during the hours of operation set forth below, subject to this Recreation Amenities Use Policy (“Policy”) on a first come, first serve basis, except as set forth in Section 3 below.

**HOURS OF OPERATION:**
- Parks, gazebos, pavilions and tennis courts: 5:00 a.m. – 10:00 p.m.
- Beaches and Lakes: 5:00 a.m. – 10:00 p.m., with the exception of watercraft use that may occur after sunset, subject to the Policy set forth in Section 6.

2. **Recreation Pass Required:** All members of the public residing in Water Valley (“Residents”) and members of the public not residing in Water Valley (“Non-residents”) are required to have a “Recreation Pass” issued by the District in their possession while using the Recreation Amenities, with exception of the paths and trails. If a Recreation Pass is not in the person’s possession, they and their guests will be asked to leave the area until a Recreation Pass is presented and may be subject to a fine. Recreation Passes are revocable by the district’s manager, or their designee (the “District Manager”), as set forth in Section 7 of this Policy, if the Recreation Pass holder violates any regulation in this Policy, commits any act of vandalism, engages in unruly conduct or behavior that endangers the Recreation Pass holder, others, or district owned property or adjacent property. Parents or legal guardians of minor children will be held responsible for the actions of their minor children and may have their Recreation Passes revoked as a result of the actions of their minor children. Non-residents are required to pay reasonable fees as may be established by the Board from time to time in order to obtain a Recreation Pass. All Residents and Non-residents wishing to obtain a Recreation Pass are required to complete a “Resident Recreation Pass Application and Agreement” or “Non-Resident Pass Application and Agreement” which may be obtained from the District Manager at the address below:

   c/o Advance HOA, 1613 Pelican Lakes Point, Suite 200, Windsor, CO 80550

3. **NOT USED.**

4. **Prohibited Activities:** Unless specifically authorized in writing by the District, the activities described in this Section 4 are prohibited within the Recreation Amenities.

   - Except as set forth in this Policy, allow personal property, including but not limited to chairs, umbrellas, firepits, sand toys, folding tables, sporting equipment, etc. to remain on the Recreation Amenities at the end of the hours of operation.
• Enter or remain in or refuse to leave during those times when the Recreation Amenities are not open for public use.

• Deposit, leave or bury refuse, trash or litter except in designated trash receptacles.

• Place or post signs.

• Camp overnight.

• Install any structure, including but not limited to, tents, booths, stands, awnings, tree houses, rope swings, inflatable amusements or canopies, except that temporary awnings and umbrellas or other temporary portable structures for shade are permitted as long as such structures are not left unattended and are removed when user leaves.

• Destroy, vandalize, deface or damage any property, buildings, structures, signs, equipment, fences, gates or locks regulating access.

• Use any amplified sound system that produces audible sound beyond 25 feet.

• Stick or place any handbill, poster, placard, sticker, or painted or printed matter on any public building, fence, power or light or telephone pole, or any other public structure.

• Smoke, except in designated smoking areas if provided.

• Play or practice golf or archery.

• Sell, serve, or dispense any alcoholic beverages unless a special event permit is obtained. The private, personal consumption of alcohol is permitted for persons 21 years of age or older and in compliance with all applicable State and local laws and regulations.

• Consume or possess any illegal drugs.

• Consume or possess marijuana.

• Bring into, possess, or have any glass bottles, or container, plates, or any other object made of glass.

• Discharge explosives or fireworks or operate launch model rockets or other devices which may have an explosive charge.

• Conduct any private enterprise without prior written approval of the District.

• Park motor vehicles overnight.

• Block, close off, or impair access to any trails or facilities.
• Hunt, shoot, kill, injure, trap or maim any animal, except for fishing as provided for in this Policy.

• Permit any livestock to graze.

• Enter, without authorization, those areas and facilities posted or otherwise designated as closed to the general public, if any.

• Remove, cut down, disfigure rocks, trees, shrubs or other features of the natural environment.

• Plant any trees, shrubs or other vegetation anywhere within the Recreation Amenities.

• Build a fire. Manufactured, portable outdoor fire pits and charcoal grills are permitted solely on a daily basis and must be broken down and removed at the end of the day, and site returned to previous condition. All wood burning devices must include a screen or spark arrester design feature to contain fire. No dumping of ash or charcoal is allowed.

• Operate unauthorized motor vehicles, including all off-road vehicles such as ATVs, dirt bikes, and other recreational vehicles.

• Possess a weapon, unless authorized pursuant to C.R.S. 18-12-214, or any air rifle, spring-gun, sling, paintball gun, air soft gun or any other weapon.

• Enter or use a private dock or watercraft without the express written consent of the owner of the dock or watercraft.

• Fish, swim or recreate near a docked watercraft or private dock.

5. **Private Golf Carts:**

5.1 **Use Generally:** All golf cart drivers must be at least sixteen (16) years of age and possess a valid driver’s license. Golf carts may only be operated within designated areas within the Recreation Amenities as depicted in **Exhibit C**, attached hereto. Golf carts shall not be operated with more passengers than are seats on the golf cart. All passengers must remain seated while the golf cart is moving.

5.2 **Registration Required:** All golf carts used or intended for use within the Recreation Amenities are required to be registered with the District. Golf Cart Registration Forms may be obtained from the District Manager. Any person found operating an unregistered golf cart may be subject to fines, at the discretion of the Board.

5.3 **Golf Carts on Public Streets:** Use of private golf carts on designated public streets in Water Valley is permitted under the jurisdiction of the Town of Windsor pursuant to Resolution 2018-18, attached hereto. All golf cart users must comply with all applicable
ordinances of the Town of Windsor and laws of the State of Colorado regarding motor vehicles.

5.4 Lights: Golf carts must be equipped and illuminated with head, tail and stop lamps and turn signals when used at night or low visibility.

6. District Lakes and Beaches:

6.1 Generally: The following regulations apply to all lakes (the “Lakes”) and beaches (the “Beaches”) operated by the District, except Lake Water Valley and its beaches which is not available for use by the public (the Lakes and Beaches are collectively referred to as the “Lake Facilities”), as depicted in Exhibit A, attached hereto and incorporated herein by this reference.

6.2 Passes/Permit Required: No watercraft shall be permitted on the surface of any Lake without obtaining a Launch and Use Permit from the District Manager. Launch and Use Permits are provided to Recreation Pass holders only and can be obtained from the District Manager. Launch and Use Permits must be adhered on the starboard side, above the waterline of each registered watercraft. Recreation Passes are required to be on your person at all times while using the Lake Facilities and must be presented to a District Manager upon request. Individuals using the Lake Facilities without a Launch and Use Permit or Recreation Pass may be asked to leave and may be subject to a penalty.

6.2.1 In order to verify that watercraft is in compliance with this Policy, inspections may be done routinely along the Beaches. Any watercraft missing a Launch and Use Permit may be removed and impounded pursuant to 6.3.9 and 6.3.10 below.

6.2.2 The District Manager shall have the authority to move, remove, or relocate all personal property stored in or on the Beaches.

6.3 Lake Use and Watercraft Regulations:

6.3.1 Upon review and approval by the Board, and upon such terms as the Board determines are reasonable, the District allows for private dock installation on Eagle Lake only. Dock installation will be considered on a case by case basis and is available only to owners of lots that abut the Beaches. Approval by the Board is required prior to the commencement of private dock installation or modification. In general, private docks cannot exceed 20 feet in length or width, there must be 20 feet between each neighboring private dock to allow for adequate spacing, and private dock owners are solely responsible for the maintenance of the sand underneath and around the private dock and gangway. Property owners desiring to install a private dock should submit such request to the District Manager in writing. Any such request should include the property owners’ name, address and contact information along with a description and depiction of the proposed dock, distances from adjacent docks, and any other relevant information that may aid the Board in its decision to approve or disapprove the installation of the private dock.
6.3.2 Due to limited storage space on the Beaches, Non-resident watercraft storage is prohibited.

6.3.3 Use of watercraft after sunset must have running lights for nighttime operation. Noise, voices, and music after dark to be kept at a volume so as not to create a disturbance, or that carries further than 25 feet from the watercraft.

6.3.4 No boating, fishing or swimming shall be permitted in close proximity to or along the Pelican Lakes Golf Course fairways on Habitat Lake, Rock Bridge Lake or Eagle Lake.

6.3.5 Watercraft must be no longer than 24 feet using the U.S. Coast Guard Simplified Measurement System. Jet skis and other similar personal motorized watercraft are prohibited.

6.3.6 The speed limit on all lakes is 5 mph. All watercraft shall operate at wakeless speeds at all times.

6.3.7 Residents who plan to store watercraft on or near beaches overnight must store watercraft in designated areas only as depicted in Exhibit D, attached hereto. If storage racks are provided, they will be available on a first come, first served basis and should be used before storing watercraft on the ground. The District is not responsible for damage or theft of watercraft stored on the Beaches.

6.3.8 Grandpa’s Pond watercraft storage from shoreline is permitted on a first come first serve basis. A limited number of watercraft can be stored here due to lack of space. All other watercraft must be stored within the approved watercraft storage location area. Grandpa’s Pond is a channel and the level of water moves up and down. The District is not responsible to dredge the pond or channel to allow for clear access from Grandpa’s Pond into Eagle Lake. Transition of watercraft to Eagle Lake is an owner responsibility.

6.3.9 Beaches are subject to routine maintenance. During these times, watercraft must be removed or relocated from the designated area being maintained. Notification will be provided to Recreation Pass holders informing of maintenance locations. If watercraft are not removed by the Recreation Pass holder the District may remove and impound the watercraft. The District will store impound watercraft bearing a valid Launch and Use Permit for fourteen (14) days, after which it may dispose of the impounded watercraft at the discretion of the District Manager. Watercraft not bearing a Launch and Use Permit will be impounded and may be disposed of at the discretion of the District Manager. Impounded watercraft will be subject to a storage and retrieval fee, which fee may be reduced by at the discretion of the District Manager by up to $250.

6.3.10 If “loose” unattended watercraft is located on any of the Lakes, the owner will be notified according to the Launch and Use Permit affixed to the watercraft. If the watercraft is not recovered by the owner within 24 hours of notification, the craft will be
impounded and subject to a storage and retrieval fee and possible disposal of the watercraft. Refer to fee schedule.

6.3.11 Water Trampolines/Slides/Water Toys - The following rules apply to all water toys intended to be placed in the Lakes, including but not limited to trampolines, slides, water toys or any other similar apparatus, as determined by the District Manager (“Water Toys”):

- Owners must obtain prior approval from the District Manager before placing the Water Toys on Lake each year.
- The District reserves the right to deny requests for Water Toys placed on the lakes.
- If approved by the District Manager, owners must fill out a registration form and obtain a registration sticker to adhere to the Water Toy.
- Owner of Water Toys must provide the District Manager adequate proof of liability insurance as determined by the District Manager. The District must be added as an additional insured on the liability insurance policy.
- Any Water Toys placed on the Lakes must remain open for use by Recreation Pass holders when not in use by the Owner.
- Participants must wear a life jacket at all times.
- Participants are not permitted on Water Toys after 9 p.m. or before 9 a.m.
- Water Toys are permitted on the Lakes from Memorial Day to Labor Day, subject to the above conditions and restrictions.
- Water Toys not approved by the District or not used in a manner consistent with this Policy will be subject to removal.

6.4 Fishing Regulations:

The District takes great pride in its Lakes and permits fishing on Pelican Lake, Habitat Lake, Rockbridge Lake and Eagle Lake as depicted on the map attached hereto as Exhibit A. A depiction of the fish that may be found in the Lakes is attached hereto as Exhibit B. No fishing license necessary, but a Recreation Pass must be carried at all times. Fishing is not allowed on any of the entrance ponds, fountains, Shadow Pond, Bass Pond or Rockbridge Pond. The following restrictions apply:

- No fishing is allowed along the Pelican Lakes Golf Course fairways on Habitat Lake, Rock Bridge Lake or Eagle Lake.
• Except as otherwise indicated on Exhibit B, only catch and release fishing shall
be permitted and only in accordance with Department of Wildlife fishing
regulations applicable to similar catch and release lakes. Fish should be unhooked
and returned to the water immediately.

• Only barbless hooks are permitted.

• Absolutely no ice fishing is ever allowed.

• Worms, minnows, crayfish and other live bait that comply with the State and local
regulations can be used as well as artificial lures and manufactured baits.

• No fishing allowed from private backyards, private docks or vacant lots except by
the owner thereof.

• All fisherman and watercraft users from both shore and from watercraft shall
respect a five (5) yard radius setback from any boats or private docks when
casting lines or operating watercraft.

• Cast netting fishing is not permitted in any of the Lakes.

• Spearfishing and bow fishing is subject to State and local regulations.

7. **Compliance/Enforcement:**

All persons must obey any order, rule or regulation of the District and the instructions of any
sign posted by the District and the directives of the District Manager, or designee,
administering the same. Should any person fail to observe and obey any such directive, order,
rule, regulation or sign posted by the District, the District Manager, or designee, may
immediately remove or cause to be removed any such person and may ban such person from
the use of the Recreation Amenities for such period of time as may be necessary to secure
compliance with order, rules, regulations or posted signs, or the District Manager, or
designee, may impose a fine, at the discretion of the Board. The Board of Directors reserves
the right to revoke Recreations Passes due to misuse or misconduct of the Recreation
Amenities. Further use of the Recreation Amenities after revocation of a Recreation Pass will
be considered trespassing.

The District shall enforce this Policy in accordance with any applicable enforcement
resolution or other rules and regulations of the District as may be adopted and amended from
time to time. The District reserves the right to amend this Policy from time to time.
EXHIBIT B
WATER VALLEY FISH GUIDE
Fish Identification Guide

Here are the approximate 14 species of fish that inhabit our Water Valley Lakes

Smallmouth Bass – catch and release only

Largemouth Bass – catch and release only

White Crappie – catch and release only

Black Crappie – catch and release only

Perch – may be caught and used for bait but cannot be taken off the premises

Walleye – catch and release only

Trout – catch and release only
Water Valley Fish Identification Guide

Here are the approximate 14 species of fish that inhabit our Water Valley Lakes:

**Bluegill/Sunfish** - may be caught and used for bait but cannot be taken off the premises

**Wiper** - a hybrid White Bass/Striped Bass, catch and release only

**Bullhead Catfish** - catch and release only

**Gizzard Shad** - may be caught or used as bait and cannot be taken off the premises

**Channel Catfish** - catch and release only

**White Sucker** - may be caught or used as bait and cannot be taken off the premises

**Common and Mirror Carp** - may be caught, residents are encouraged to take them
EXHIBIT C

TOWN RESOLUTION NO. 2018-18

AND

DESIGNATED GOLF CART AREAS
TOWN OF WINDSOR

RESOLUTION NO. 2018 - 18

A RESOLUTION APPROVING A PERMIT PURSUANT TO CHAPTER 8, ARTICLE VI OF THE WINDSOR MUNICIPAL CODE FOR THE PURPOSE OF ALLOWING THE USE OF GOLF CARS ON PUBLIC ROADWAYS WITHIN THE NEIGHBORHOODS KNOWN AS "WATER VALLEY (NORTH, SOUTH, AND PELICAN HILLS) AND SOUTH HILL (FRYE FARM AND PELICAN FARMS).

WHEREAS, the Town of Windsor ("Town") is a Colorado home rule municipality with all powers and authority vested by Colorado law; and

WHEREAS, in 2009, the Town Board adopted an amendment to the Windsor Municipal Code, later codified at Chapter 8, Article VI, with respect to the operation of golf cars on public roadways ("Golf Car Code"); and

WHEREAS, the Golf Car Code contains various requirements for Town Board review and approval of neighborhood requests for permission to operate golf cars on public roadways; and

WHEREAS, except as approved by the Town Board, the Golf Car Code makes it clear that operation of golf cars on public streets is prohibited; and

WHEREAS, permission for the operation of golf cars on public roadways has already been provided for areas within the Water Valley Master Association, in Water Valley North, Water Valley South, and Pelican Hills (Hilltop Estates) through expansion and amendments to Resolution No. 2005-97 dated November 14, 2005, with respect to Neighborhood Electric Vehicles as then-defined under State law.

WHEREAS, the Water Valley Master Association ("Association"), jointly with the Poudre Tech Metro District has submitted a written request to the Town Board, seeking permission for the operation of golf cars on additional public roadways within a defined area, to include South Hill (Frye Farm and Pelican Farms); and

WHEREAS, the Town’s Police Department has undertaken the necessary administrative reviews, and has made its recommendations to the Town Board in this regard; and

WHEREAS, the Town Board has undertaken the necessary legislative review, and has concluded that, subject to the limitations, conditions and restrictions set forth herein, the requested permit should be issued pursuant to the Golf Car Code; and

WHEREAS, the within Resolution is intended to promote the public health, safety and welfare.
NOW, THEREFORE, be it resolved by the Town Board for the Town of Windsor, Colorado, as follows:

1. The foregoing recitals are incorporated herein as if set forth fully.

2. Pursuant to Chapter 8, Article VI of the Windsor Municipal Code, the operation of golf cars * shall be lawful upon public roadways within the geographical area depicted upon the attached Exhibit A ("Permit Area") for the areas inclusive within the Poudre Tech Metropolitan District, Water Valley Master Association, and the Pelican Farms Association.

3. The following conditions shall apply to the operation of golf cars within the Permit Area:

   a. No golf car shall be operated by any person under the age of sixteen (16) years.

   b. No golf car shall be operated by any person unless such person holds valid driving privileges pursuant to Title 42, C.R.S., or the equivalent under the law of any other jurisdiction within the United States.

   c. No golf car shall be operated upon any sidewalk, pedestrian trail or recreational facility within the Town, whether or not such trail or recreational facility is operated under authority of the Town, unless the sidewalk, trail or recreational facility is posted as a designated golf car path. No golf cars shall be allowed on the Poudre River Trail.

   d. Golf cars shall not be operated upon any roadway with a speed limit greater than 35 mph; and shall not be operated on any portion of Colorado State Highway 392 or Colorado State Highway 257. Golf cars shall only cross such roadways where golf car crossings are posted as set forth in Section 4 below.

   e. The operator of a golf car must obey all traffic and parking regulations otherwise applicable to motor vehicles.

   f. No golf car shall be operated between sunset and sunrise or at any other time when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of one thousand (1,000) feet ahead, unless such golf car is equipped and illuminated with head lamps, tail lamps, stop lamps and turn signals as required under Title 42, Article 4, Part 2, C.R.S.

   g. Golf cars shall be operated as close to the right side of the roadway as practicable, exercising due care when approaching, overtaking or passing

* As defined in Chapter 8, Article VI of the Windsor Municipal Code
a standing vehicle or one proceeding in the same direction or when approaching, overtaking or passing a pedestrian or bicyclist.

4. In addition to the operation-specific conditions set forth above, the permissions granted under this Resolution shall be expressly conditioned upon the posting of signage within the Permit Area, the cost of which shall be borne solely by the Association, which signage shall comply with the following requirements:

a. At each roadway intersection through which vehicular traffic may exit the Permit Area, a sign having a reflective surface area of no less than twenty-four by twenty-four inches ("24 X 24") shall face the exiting traffic lane, shall contain the universal symbol prohibiting golf cars, and shall either contain the phrase, "NO GOLF CARS BEYOND THIS POINT", or shall separately contain such phrase elsewhere upon the same sign post; and

b. Within fifty feet of each roadway intersection, a sign having a reflective surface of not less than twenty-four by twenty-four inches ("24 X 24") shall face approaching traffic, and shall contain a depiction of a golf car, and shall either contain the phrase, "GOLF CARS ON ROADWAY", or shall separately contain such phrase elsewhere upon the same sign post.

c. At every crossing of any State Highway or roadway posted at a speed limited greater than 35 mph, a sign having a reflective surface of not less than twenty-four by twenty-four inches ("24 X 24") shall face approaching traffic, and shall contain a depiction of a golf car, and shall either contain the phrase, "GOLF CARS CROSSING", or shall separately contain such phrase elsewhere upon the same sign post.

5. In addition to the foregoing requirements and limitations, the Association shall distribute a complete copy of the within Resolution by United States Mail, First Class postage pre-paid, to each of its members. The Association shall also distribute the attached Notification to any of its membership for which electronic mail addresses are maintained by the Association.

6. The Golf Car privileges granted herein are revocable if, in the sole discretion of the Windsor Town Board, the safety of the public cannot be assured.
Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 12th day of February, 2018.

TOWN OF WINDSOR, COLORADO

By: Kristie Melendez
Kristie Melendez, Mayor

ATTEST:
Patti Garcia, Town Clerk
Community Golf Cart Map

- Per state law, no golf cart can drive along roads marked 35 mph or faster. New Liberty Rd., Crossroads & 7th St. are marked as at least 35 mph.
- Carts must be operated as close to the right side of the road as possible.

(Golf cart usage is subject to Windsor Town Board permit requirements.)
EXHIBIT D

DESIGNATED AREAS FOR BOAT STORAGE