

## ORCHARD PARK HOMEOWNERS ASSOCIATION

### POLICY # 0001: ADOPTION AND AMENDMENT OF POLICIES

Adopted 4/5/2023

The following procedures have been adopted by the Orchard Park Homeowners Association ("Association") pursuant to the provisions of C.R.S. §38-33.3-209.5, C.R.S. §38-33.3-123, §38-33.3-315, §38-33.3-316, the Association Documents, and The Act, at a regular meeting of the Board of Directors.

**Purpose:** To adopt a Policy setting forth procedures for the adoption and amendment of policies, procedures, and rules.

**NOW, THEREFORE, IT IS RESOLVED** that the Association does hereby adopt the following Policy governing adoption and amendment of policies, procedures and rules:

1. **Authority.** Pursuant to the Association Documents and C.R.S. §38-33.3-302, the authority to create, adopt, enforce, amend and repeal policies, procedures and rules lies with the Board.
2. **Solicitation of Information from Members.** Prior to adopting any Policy, the Board has the right but not the obligation to solicit information regarding the proposed Policy from the Members. The Board may gather information by distributing draft policies, forming a committee, conducting an informational meeting or any other method determined by the Board to be appropriate considering all of the relevant circumstances.
3. **Adoption.** When the Board, in the exercise of its discretion, determines that a Policy should be adopted, amended or repealed, as appropriate, it shall do so either at a meeting of the Board or by written consent in lieu of a meeting, or by any other method authorized by the Association Documents and or pursuant to statute.
4. **Notice.** The Board shall then give notice of the adoption, amendment, or repeal of the Policy in writing by first class mail, postage prepaid, to each Member of the Association at the address for notices to Members as provided for in the Association Documents and shall publish the Policy by any reasonable means available, including but not limited to posting the Policy on its website, if any, by e-mail, mail, newsletter, or personal delivery. The Policy, along with all other Policies of the Association, shall be available for inspection and copying in accordance with the Association's Policy regarding inspection and copying of Association records.



5. **Enforcement.** Any Owner's failure to receive the Policy shall not be a defense to any attempt by the Association to enforce the Policy or to levy fines, expenses, or attorneys' fees as a result of a violation of the Policy.

6. **Definitions.** As used in the Association Policies, capitalized terms shall have the same meanings as defined in the Declaration.

7. **Conflicts.** The Policies adopted by the Association are supplemental to the Association Documents and The Act. In the event of a conflict between the provisions of any Policy and the Declaration, the Declaration and The Act shall control.

8. **Severability.** The provisions of the Association Policies shall be independent and severable. The invalidity of any one or more of the provisions of any Association Policy by judgment or court order or decree shall in no way affect the validity or enforceability of any of the other provisions, which shall remain in full force and effect.

**PRESIDENT'S CERTIFICATION:**

The undersigned, being the President of the Orchard Park Homeowners Association, a Colorado nonprofit corporation, certifies that the foregoing Resolution # 0001 was introduced for first reading at a duly called and held meeting of the Board on December 7, 2022, and is hereby approved and adopted by the Board, at a duly called and held meeting of the Board on 1/5, 2023, and in witness thereof, the undersigned has subscribed his/her name.

Orchard Park Homeowners Association, a Colorado  
non-profit corporation

By: \_\_\_\_\_

President