

**RESOLUTION
OF THE BOARD OF DIRECTORS OF
LIVERPOOL METROPOLITAN DISTRICT
ARAPAHOE COUNTY, COLORADO**

**A RESOLUTION ADOPTING RULES AND REGULATIONS FOR LIVERPOOL
METROPOLITAN DISTRICT PARKS AND OPEN SPACE PURSUANT TO
SECTION 18-9-117 AND SECTION 32-1-1001, C.R.S.**

WHEREAS, the Board of Directors (the "Board") of Liverpool Metropolitan District, a quasi-municipal corporation and political subdivision of the State of Colorado ("District"), has determined that it is in the best interest of the residents of the District to adopt rules and regulations pertaining to the use of the District's parks, trails and open space, in order to maintain, preserve and protect public property and facilities owned and/or operated by the District, and prohibit activities that substantially interfere with the use and enjoyment of such public use areas.

WHEREAS, pursuant to Section 32-1-1001 (m), C.R.S., the District is authorized to adopt, amend, and enforce bylaws, rules and regulations not in conflict with the constitution and laws of this state for carrying on the business, objectives, and affairs of the Board and of the District.

WHEREAS, pursuant to Section 32-1-1001 (n), C.R.S., the District is authorized to have and exercise all rights and powers necessary or incidental to or implied from the specific powers granted to the District by Article 32, C.R.S.

WHEREAS, pursuant to Section 32-1-1001 (j)(I), C.R.S., the District is authorized to fix and from time to time increase or decrease fees, rates, tolls, penalties or charges for services, programs, or facilities furnished by the special district. Until paid, all such fees, rates, tolls, penalties, or charges shall constitute a perpetual lien on and against the property served, and any such lien may be foreclosed in the same manner as provided by the laws of Colorado for the foreclosure of mechanics' liens.

WHEREAS, pursuant to Section 18-9-117 (1), C.R.S., in addition to any authority granted by any other law, the District may adopt orders, rules and regulations as are reasonably necessary for the administration, protection, and maintenance of public property under its control, management, or supervision, regarding preservation of property, vegetation, wildlife; restriction or limitation of the use of such public property; necessary sanitation, health, and safety measures; camping and picnicking, public meeting and other individual or group usages; prohibition of activities or conduct on public property; use of all vehicles; and control and limitations of fires or other regulation of fires.

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WHEREAS, pursuant to Section 18-9-117 (2), C.R.S., such limitations or prohibitions must be prominently posted at all public entrances to such property or notice must first be given by an officer or agency, or by any law enforcement officer having jurisdiction or authority to enforce the limitations or prohibitions.

WHEREAS, "Parks or Open Space" shall mean all public recreational lands, trails, waters, buildings, structures, roads, parking lots and facilities located on such lands owned and/or operated by the District.

WHEREAS, the Board has determined it is in the best interest of the residents of the District to adopt the following Rules and Regulations, pertaining to the use of the District's Parks or Open Space.

NOW, THEREFORE, be it resolved by the Board of Directors of Liverpool Metropolitan District, Arapahoe County, Colorado that:

Section 1: The following Parks and Open Space Rules and Regulations are hereby approved and adopted and it shall be unlawful for any person:

1.1 To enter, use, or occupy any Parks or Open Space, or any portion thereof, during the time such Parks or Open Space, or any portions thereof, are closed to entry, use or occupancy, including seasonal closures, unless approved in writing by the District Manager, or such other person as may be appointed in writing by the Board.

1.2 To remove, destroy, deface or damage any building, structure, facility, sign, vegetation, rock, or other object located within any Parks or Open Space.

1.3 To construct, place, or maintain any kind of road, trail, structure, sign, fence, marker, enclosure, communication equipment or other improvement within any Parks or Open Space without written approval from the District Manager.

1.4 To deposit or leave any refuse, trash, litter, household or construction debris, or commercial garbage or trash, including but not limited to brush, lawn trimmings, and Christmas trees, in or upon any Parks or Open Space except by depositing such

refuse, trash, debris and litter in refuse receptacles specifically designated for such purpose by the District.

1.5 To build, start, or light any fire of any nature in an outdoor fireplace grill or camp stove, or any other place whatsoever, even within designated areas, within any Parks or Open Space at any time when such fires are banned due to fire danger in the District or neighboring areas.

1.6 To feed, hunt, trap, catch, molest, take, harass, harm or kill any wild animal, bird, fish, reptile or amphibian or to disturb their habitat within any Parks or Open Space.

1.7 To plant any tree, shrub, plant or other vegetation without written approval of the District Manager.

1.8 To have within any Parks or Open Space any animals except domestic pets (dogs or cats). All domestic pets shall be restrained by means of a leash, cord, rope or chain under the physical control of a person. It is prohibited to allow domestic pets to harm, kill, chase, or otherwise harass any wild animal, bird, fish, reptile or amphibian within any Parks or Open Space.

1.8.1 To have vicious dogs, as the term is defined in Arapahoe County Resolution No. R-998-100 (Control and Licensing of Dogs and Pet Animals), as authorized pursuant to Section 30-15-101(1)(a)(III), C.R.S., within any Parks or Open Space.

1.8.2 To leave any domestic pet unattended within any Parks or Open Space.

1.8.3 For any person who brings a domestic pet into any Parks or Open Space to not pick up and dispose of the animal's excrement in designated refuse receptacles.

1.9 To relocate or release animals, fish, birds or insects onto any Parks or Open Space without written approval of the District Manager.

1.10 To possess, use, cock, aim, or discharge any firearm, including but not limited to B-B guns, pellet guns, paint ball guns, and air guns onto or within any Parks or Open Space.

1.11 To possess, use, draw, discharge any archery equipment, including but not limited to bows, longbows, crossbows, arrows, darts, and bolts onto or within any Parks or Open Space.

1.12 To possess, use or discharge any device capable of discharging any projectile by any means whatsoever, including but not limited to slingshots and wrist rockets onto or within any Parks or Open Space.

- 1.13 To ignite or launch any model rockets and airplanes onto or within any Parks or Open Space.
- 1.14 To use, ignite, or fire any fireworks or explosives, onto or within any Parks or Open Space.
- 1.15 To golf or hit golf balls onto or within any Parks or Open Space.
- 1.16 To operate any motorized vehicle within any Parks or Open Space, except on public roads or within public parking areas. Emergency, maintenance, and patrol vehicles are specifically excluded.
- 1.17 To park vehicles, trailers, or campers within any Parks or Open Space except within designated parking lots, and only between dawn and dusk.
- 1.18 To camp within any Parks or Open Space.
- 1.19 No semi or commercial trucks may be parked within any Parks or Open Space or any parking lots within any Parks or Open Space.
- 1.20 To enter, use or occupy any Parks or Open Space between dusk and dawn
- 1.21 To swim, wade, or operate any boat or other flotation device in waters located within any Parks or Open Space.
- 1.22 To skate or ice skate on any non-designated surface within any Parks or Open Space.
- 1.23 To engage in any activity within any Parks or Open Space that unreasonably endangers the health, safety, and welfare of any person, animal or property.
- 1.24 To engage in disorderly conduct (as defined in Section 18-9-106 (1), C.R.S.) within any Parks or Open Space.
- 1.25 To carry, possess or consume alcoholic beverages within any Parks or Open Space, without written approval of the District Manager, and unless all required licenses and permits have been issued by all state and local liquor licensing authorities.
- 1.26 To walk, run, jog, hike, or bicycle within any Parks or Open Space except on a designated trail for such use. Maximum trail speed for bicyclists is 15 mph.
- 1.27 To amplify sound by any means within any Parks or Open Space, without written approval of the District Manager.

1.28 To build, or place any kind of structure, fence, tree house, rope or other swing within any Parks or Open Space.

1.29 To interfere or attempt to interfere with any authorized law enforcement, County or District personnel or to give false or misleading information with the intent to mislead said persons in the performance of their duties.

Section 2: The Board hereby approves and directs that the form of notice of the Parks and Open Space Rules and Regulations attached as Exhibit A hereto be posted at all public entrances to the District's Parks and Open Space.

Section 3: The Board hereby authorizes the District Manager to grant written variances for good cause shown to any one or more of these Parks and Open Space Rules and Regulations.

Section 4: Violators of any of the above Parks and Open Space Rules and Regulations shall be subject to criminal and civil penalties.

Criminal Remedies: Pursuant to Section 18-9-117 (3)(a) and (b), C.R.S., when said rules and regulations have been prominently posted as required by Section 18-9-117 (2), C.R.S., any violation of the Parks and Open Space Rules and Regulations is unlawful and violators shall be subject to criminal penalties enforceable by the Arapahoe County Sheriff's Office or authorized county enforcement personnel who have been designated pursuant to Section 29-7-101 (3)(a), C.R.S. or other applicable statute.

Civil Remedies: A violation of any Parks or Open Space Rules and Regulations is subject to any and all civil remedies available to the District under Title 32, C.R.S. or other applicable laws, including a civil penalty hereby imposed in the amount of \$250 for the first violation, \$500 for the second violation, and \$1000 for the third violation, and actual costs and attorney fees incurred by the District with respect to any damages or other losses sustained by the District because of the violation of any of the Parks and Open Space Rules and Regulations. Such penalties, charges, costs and attorneys fees shall be assessed against a violator of the Parks or Open Space Rules and Regulations and may be assessed against real property or the owners of any real property located within the District on which a violator of the Parks and Open Space Rules and Regulations resides on a permanent or temporary basis.

The District may collect such penalties, charges, costs and attorneys fees it incurs by any means authorized by law. Until paid, such penalties, charges, costs and

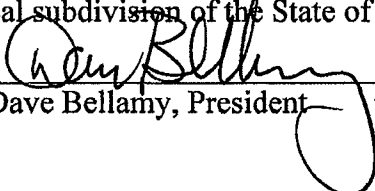
attorneys fees shall constitute a perpetual lien on and against such real property which lien may be foreclosed in any manner authorized by the laws of the State of Colorado.

Section 5: If any part, section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.

APPROVED AND ADOPTED this 27th day of NOVEMBER, 2007, by a vote of 4 for and 0 against.

LIVERPOOL METROPOLITAN DISTRICT,
a quasi-municipal corporation and
political subdivision of the State of Colorado

By: _____


Dave Bellamy, President

Attest:


Carrie Houck, Secretary

EXHIBIT A
(FORM OF NOTICE)