

Proposed Changes and Addition to HPME CCRs

- 4.1 Hunting:** Hunting of game is permitted by Association-issued permit only. [see www.hpme.org for application]
- 4.1.1 **Title 23 - State Statute:** The following acts, among others are unlawful [see Title 23 Utah State Code – <http://le.utah.gov>]:
- The discharge of any firearm 30 minutes after sundown or 30 minutes before sunrise.
 - The discharge of any firearm within 600 feet of any cabin or out building without written permission of the owner.
 - The discharge of any firearm over any roadway.
 - The discharge of any firearm from a vehicle or ATV.
 - Having a round chambered while traveling in any vehicle or ATV.
- 4.1.2 **The Right to Restrict Hunting:** Each member lot owner reserves the right to give notice and post his/her land to hunting. **By doing so he/she opts out of the Association Hunting Coop and is denied hunting rights on all other Association-managed properties.** [changed 3.2020]
- 4.1.3 **The Right to Hunt on Association Property:** Hunting on all Association managed properties is limited to:
- Member lot owner(s)
 - Immediate family
 - **No Guests.** [Security gate keys are to be lent to immediately family only for hunting purposes.] [changed 3.2020]
- 4.1.4 **Liability of Member Lot Owner during a hunt:** The Association assumes no liability for personal injury or property damage as a result of hunting. Each member lot owner is liable for personal injury, property damage and actions stemming from trespass caused by immediate family or any and all guests during any legal hunt.
- 4.1.5 **Once in a Lifetime Hunts:** Only member lot owners and their immediate family may have access to HPME for these hunts. [changed 3.2020]
- 4.2 Recreational Shooting:** The member lot owner or nonmember lot owner shall insure that any firearm or other weapon's projectile begins and end within the boundaries of his/her property with no chance of ricochet.
- 4.2.1 **Quiet Time Hours Amended for Recreational Shooting:** For recreational shooting, quiet time shall be extended to one hour before sundown in the evening until one hour after sunrise the next morning.
- 4.2.2 **Exploding targets:** The use of exploding targets is not a permitted use on Association-managed properties at any time. [Changed 3.2020]
- 4.2.3 **Ammunition:** The use of tracer or armor-piercing ammunition is not a permitted use on Association-managed properties. [changed 3.2020]
- 4.2.4 **Liability of Member Lot Owner and Nonmember Lot Owner for Recreational Shooting:** The Association assumes no liability for personal injury or property damage as a result of recreational shooting. The member lot owner or nonmember lot owner is liable for the actions of immediate family and all guests.

SECTION II ROADWAYS

- 2.1 Easement:** An easement is hereby reserved over, on and through the Association for the construction, installation, and continued maintenance, repair, reconstruction, replacement and removal of such water pipeline and electrical distribution lines and circuits as may from time to time become necessary to serve water and electric installations located within the boundaries of Hardware Park Mountain Estates.
- 2.2 Association Roadways:** Original roads and rights-of-way having already been established within the Association are jointly owned and maintained by the Association.
- 2.2.1 **Member Lot Owner Right of Unrestricted Right-of-Way:** Each member lot owner in good standing, his immediate family and guests, have a perpetual easement and right to travel all established Association roadways.
- 2.2.1.1 **Ingress and Egress Rights:** Member lot owners, their immediate family and all guests, shall gain vehicular access to Association properties only through security gates owned and maintained by HPME.
- 2.2.1.2 **Respect for Others:** All recreational vehicular travel is to remain on Association roadways. Travel on private roadways may be restricted by the member lot owners.
- 2.2.1.3 **Recreational Off-Road Travel:** Recreational off-road travel is prohibited within Association boundaries.
- 2.2.1.4 **Vehicular and ATV Travel:** Member lot owners, their immediate family and guests, shall cease all recreational travel on roadways during quiet time hours.
- 2.2.1.5 **Vehicular and ATV Safety:** Member lot owners, their immediate family and guests, shall maintain prudent, safe, and controllable speeds on all Association roadways, but at no time shall speeds exceed 15 miles per hour.
- 2.2.1.6 **Altered Vehicles and ATVs:** Vehicles and ATVs that have been modified with equipment that will damage Association roadways are prohibited from use.
- 2.2.1.7 **Sound Levels:** Vehicles and ATVs that generate sound levels greater than 85 decibels at the operator position are prohibited.
- 2.2.1.8 **The Parking of Vehicles Along HPME Maintained Easements:** The parking of all vehicles whether car, truck, bike, recreational ATV, trailer or 5th wheel along any Association easement that blocks the flow of two-way traffic along said easement shall be determined to be a nuisance violation by the landowner and said owner shall be subject to penalty under Article XIV of the Bylaws. Construction or maintenance vehicles are exempt, but arrangements must be made in advance with the Road and Maintenance Committee and roadways block only under its direction or that of the President. [Suggested: May 2020]
- 2.2.2 **Roadway Maintenance and Cache County:** The County does not own, nor is it obligated to improve or maintain, any Association owned right-of-way.
- 2.3 Reserved:**