

**BIG SKY OWNERS ASSOCIATION, INC.  
BOARD OF DIRECTORS RESOLUTION**

RESOLUTION: Sweetgrass Hills Short-Term Rental Restrictions

Date of Board Adoption: July 19, 2019

Resolution No.: 2019-01

Effective Date: July 19, 2019

Date Revised: New

**RESOLUTION**

**WHEREAS**, the Big Sky Owners Association, Inc. (“BSOA”) adopted the Amended and Restated Bylaws for the Big Sky Owners Association, Inc. on September 21, 2018 at its Board meeting and recorded with the Office of the Gallatin County Clerk and Recorder (Document #2637372, February 5, 2019) and the Office of the Madison County Clerk and Recorder (Document #182306, March 25, 2019), and as subsequently amended (“Bylaws”); and

**WHEREAS**, the Bylaws (Article 3, Section 3.2.1) assigns the Board of Directors (“Board”) all of the powers and duties necessary for the governance of the Association’s affairs and for performing all responsibilities and exercising all rights of the Association as set forth in the Governing Documents and as provided by law; and

**WHEREAS**, the Bylaws (Article 3, Section. 3.2.3) further authorizes the Board to make and establish rules and regulations for the governance of facilities and the performing of such functions, the taking of such action and operating in such areas as are within the Association’s Jurisdiction; and

**WHEREAS**, the Bylaws (Article 3, Section 3.2.12) further authorizes the Board to require compliance with and enforce the Governing Documents and Declarations which by Article 3, Section 3.2.14 are made a part of the Bylaws; and

**WHEREAS**, the protective covenants for Sweetgrass Hills Subdivision (“SGH”) adopted the Amended and Restated Protective Covenants of the Subdivision by a vote of the owners of fifty-one percent (51%) of the privately owned land included within the boundaries of SGH, dated September 26, 2008 and recorded at the Office of the Clerk and Recorder for Gallatin County, Montana on October 3, 2008 as Document Number 2311976 and subsequently voted to amend the Protective Covenants of Sweetgrass Hills Subdivision, \_\_\_\_\_, 2019 and recorded at the Office of the Clerk and Recorder for Gallatin County, Montana on \_\_\_\_\_, 2019 as Document Number \_\_\_\_\_; and

**WHEREAS**, the Sweetgrass Hills Covenants (Article 1) defines an Owner as one or more Persons who hold the record title to any Unit, Lot, or Tract of land within the boundaries of the Subdivision; and

**WHEREAS**, Short-Term Rentals is hereby described as any rental or lease of any buildings or improvements located within the Subdivision, including but not limited to dwellings, Units, a Caretaker Residence, and/or a Guest House, lasting less than thirty (30) consecutive calendar days; and

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**WHEREAS**, short-term rentals are regularly violating the nuisance clause in the SGH covenants (Article 7, Section I), which unreasonably interferes with the use or quiet enjoyment of the Occupants of any other Lot or Tract and has become an annoyance to the Subdivision and surrounding area; and

**WHEREAS**, the Board has determined a need to adopt a uniform policy establishing restrictions and enforcement policies for Short-Term Rentals to ensure compliance of the nuisance clause in the SGH covenants (Article 7, Section I), SGH Subdivision within the BSOA's Jurisdiction.

**NOW THEREFORE**, be it resolved that

**“L. Short-Term Rentals.** The use of any Unit, Lot or Tract as a Short-Term Rental, which use did not exist prior to the date of the recording of this Amendment, is prohibited within the boundaries of the Subdivision. In the event a Unit, Lot or Tract was used by an Owner as a Short-Term Rental prior to the date of the recording of this Amendment and the Owner wishes to continue such use, the Owner shall complete and submit to the Association annually a signed Short-Term rental registration form provided by the Association which shall include the name and contact information, including twenty-four (24) hour contact information, for the Owner and for any property manager responsible for managing the property. Such Owner shall also submit to the Association an annual fee with the Short-Term rental registration form. Annual fees shall be determined by the BSOA Board.

Short-Term Rentals shall be limited to an occupancy of no more than two (2) persons per bedroom plus two (2) additional persons. On street parking for the occupants of Short-Term Rentals is prohibited. Owners and occupants of Short-Term Rentals shall follow all rules, regulations and/or policies adopted by the Association governing the use of Short-Term Rentals. The Association shall have the right (but not the obligation) to enforce all provisions of the Association's Governing Documents applicable to Short-Term Rentals pursuant to the Association's Governing Documents. Violations will be subject to fines, late penalties and interest as determined by the BSOA Board.

The Association hereby adopts the following schedule of fines regarding Short Term Rentals:

Noise/Lights – Up to \$500.00 fine per violation  
Trash Violation – Up to \$500.00 fine per violation  
Parking Violation – Up to \$250.00 fine per violation and/or towing of vehicles  
Damage to Common Areas – Up to \$500 fine per violation and/or cost of repairs

Subsequent violations may result in the doubling of the above stated fines.

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DATED this 19<sup>th</sup> day of July, 2019.

BOARD OF DIRECTORS  
BIG SKY OWNERS ASSOCIATION, INC.

\_\_\_\_\_  
Gary Walton, Chair

\_\_\_\_\_  
Eric Ossorio, Vice Chair

\_\_\_\_\_  
Gail Young, Treasurer

\_\_\_\_\_  
Maggie Good, Secretary

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John Gladstein, Director

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Grant Hilton, Director

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Philip Chadwell, Director

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Kevin Daily, Director

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Jim Glowacki, Director