

**Rules and Regulations of  
Riverside of Telluride Condominium Association, Inc.**

Noise

Owners and occupants shall exercise reasonable care to avoid making or permitting to be made loud, disturbing, or objectionable noises and in using or playing or permitting to be used or played musical instruments, audio and video equipment, and any other instrument or devices in such manner as may disturb or tend to disturb Owners, tenants, or occupants of other Units. Unreasonable sound violations should be reported to the Association manager and/or the police.

Parking

The Board recognizes that there is a need for a clear and consistent enforcement policy governing all Owners and the Board, regarding parking requirements and parking permits, to avoid the presence of unauthorized vehicles during festival weekends and other periods when the parking lot is filled, and also when unauthorized vehicles such as RVs, motor homes, contractors' vehicles, etc. are present.

No vehicle belonging to or under the control of a Unit Owner or a member of the family, guest, tenant, or lessee shall be parked in such manner as to impede or prevent ready access to any entrance or exit. All vehicles must be parked in designated parking spaces.

No parking or storage of any type of personal property, house trailer, camping trailer, boat/trailer, hauling trailer, running gear, recreational vehicle except as temporary (two hours) for loading, unloading, delivery. No overnight parking of these vehicles.

All tenants/Owners vehicles will be registered with the Association. All tenants/Owners are allowed a maximum of one unassigned parking place per Unit. Other vehicles should be parked on the street. This policy shall be strictly enforced during periods of heavy use.

The HOA Manager may issue special parking permits to contractors working on units or for Association business.

Permits are authorized and issued for one (1) unassigned parking space.

Unit Owners shall be issued one Owner parking permit by the Association. Owners may obtain an additional temporary guest permit from the HOA Manager. The permit shall display the arrival and departure dates, HOA Manager's signature and the Unit number.

Units managed by a rental agent or an Owner must issue a rental parking permit. Rental agencies are limited to issuing one permit per Unit rented. The permit shall contain the name of the rental agency, the Unit number rented, and the arrival and departure dates.

Unit Owners and rental agents are responsible for providing all guests with a copy of this rule.

Parking permits shall be placed on the dashboard of each vehicle. Failure to display the permit properly, or any vehicle in violation of the parking rules and regulations, may result in the vehicle being towed at the expense of the violator and paid to the towing agency.

Violations may be of three types:

1. When a violation is clearly related to a specific Unit Owner, the HOA Manager shall immediately notify the Unit Owner of said violation by telephone and E-mail. The Unit Owner shall have three (3) hours to clear the violation. Failure to clear the violation will result in the vehicle being towed and/or booted at the Owner's expense. Example: Owner has a valid permit, but is parking an RV or motor home, or is parked to obstruct traffic.

2. When a violation is clearly related to a rental guest, the HOA Manager shall immediately notify the rental agency of said violation by telephone and E-mail. The rental guest and/or the rental agency shall have three (3) hours to clear the violation. Failure to clear the violation will result in the vehicle being towed and/or booted at the expense of the rental party. Example: Permit is expired and/or guest is parking an RV or motor home, or is parked to obstruct traffic.

3. When a violation is the result of no valid permit displayed. It is anticipated that most violations will be of this type. This will immediately result in the vehicle being towed and/or booted at the vehicle owner's expense.

**SPECIAL SIGNAGE:** Because violations have historically been tolerated despite current signage prohibiting use by non-owners, an additional sign will be posted during times when this policy will be strictly enforced. The HOA Manager will decide when this policy will be enforced, and will erect a sign at the entrance to Riverside. The sign will state that no festival parking is allowed, that all vehicles must have a written permit displayed, and that violators will be towed. The phone number of the towing company should be displayed along with the amount involved to reclaim a vehicle. When the festival or peak period has passed, the sign shall be removed and stored on the premises.

### Decks

Decks are to be kept neat and tidy and are not to be used for storage or hanging laundry. All furniture on balconies or decks will be exterior grade patio furniture, which is in good repair. Due to the nuisance caused by smoke, there shall be no grills, stoves or other cooking devices on decks or common elements. No rugs or other materials shall be dusted from windows, balconies, decks, or patios by beating or shaking. No wind chimes will be allowed. Holiday or Christmas lights are not allowed to be hung on exteriors of Units. Stationary sports equipment is not permitted on decks. Seasonal sports equipment may be temporarily stored on decks; however, such items shall be limited in scope and shall not clutter the decks.

### Decorations

No permanent decorations are permitted without written approval from the Association Board. Temporary decorations (flags, banners or hanging plants) are permitted only during the occupancy of the Unit.

### Garbage

Disposition of all trash shall only be by the use of garbage dumpsters located in the trash room in the parking lot. Items unable to be compacted shall be removed at Owner/tenant expense, i.e. crates, beds, dressers, furniture, appliances, electronics, tires or construction materials. All remodeling or other construction projects require the use of a separate dumpster.

### Common Areas

Any damage to the general common areas or common personal property caused by a Unit Owner or child or children of a Unit Owner or their guests or the guests of a Unit Owner, or lessee shall be repaired at the expense of that Unit Owner. Any common sidewalks, driveways, entrances, and stairwells shall not be obstructed or used by any Unit Owner for any other purpose than ingress to and egress from the Units. No work of any kind shall be done upon the exterior building walls or upon the general or limited common areas by any Unit Owner, unless that Owner is a subcontractor to the Association. Without written Board approval, no satellite dishes, electronic equipment or antennas may be installed on common elements of the Association.

### Sports Equipment

No bikes, ski equipment, snowboards or kayaks are to be stored on walkways or stairwells. Skis are to be stored inside ski lockers.

### Hot Tub

Hot tub rules are to be observed as posted. Hot tub hours are 9:00 a.m. to 9:00 p.m. Violation of posted rules, abuse of the hot tub or excessive noise shall be grounds for Association fines and other enforcement action. No glass shall be allowed in the hot tub area.

### Unit Access

Unit Owners must provide Association management with keys or a code for access. If for any reason such access has not been provided, Unit Owners must provide for emergency access to all Units within thirty (30) minutes of notification. In the event the Association is required to enter a Unit, the Association shall notify the Owner as soon as reasonably practicable thereafter, including explaining the reason for the access.

### Unit Interior Temperature, and Fire and CO Detectors

At all times, all Units must be provided with electrical service and heated to no less than fifty-five (55) degrees. Any damages resulting from failure to maintain this standard will be the sole responsibility of such Unit Owner. Heat to reach this temperature shall emanate from the Unit's heating system and not from the gas fireplace.

Each and every Unit Owner must have fully functioning smoke and carbon monoxide detectors in the interior of such Owner's Unit, in such amounts as are reasonably required.

### Storage

Common elements (defined as any Riverside property outside of Owners' Units) shall not be used for storage of any materials. Any items found on common elements will be removed by the Association Manager. Exceptions are approved vehicles in the parking lots, and bicycles stored

in bike racks. Materials for unit remodeling or alteration can be stored only with the approval of the Association Manager.

### Marijuana Regulations

The Association prohibits uses and activities arising in connection with any and all growing, storing, maintaining, selling and/or distributing of marijuana, including, without limitation, any such activities relating to a retail or medical marijuana dispensary or any enterprise that in any way grows, cultivates distributes, transmits, gives, dispenses, supplies and/or otherwise provides marijuana to any person for any purposes, including, without limitation, for routine marijuana sales and distribution and/or any “medical use of marijuana” as well as personal cultivation within the meaning of any applicable federal, state or local law, without regard to whether or not the marijuana is being distributed, transmitted, given, dispensed, cultivated, supplied or provided for cash, credit, barter or otherwise and/or for no consideration.

All provisions of the Condominium Declaration and Condominium Bylaws must be observed.

### **CONSTRUCTION RULES**

**PURPOSE:** The purpose of these Rules is to establish a standardized procedure for home Owners of the Riverside of Telluride Condominium Association, Inc to follow in order to minimize inconvenience and disturbance of other Owners, tenants or guests during the renovation of all or part of a condominium Unit.

All capitalized terms shall have the same meaning as in the Association’s Declaration unless otherwise defined herein.

- 1. APPLICATION OF CONSTRUCTION RULES.** These Construction Rules apply to all Owners of a Unit, tenants, and occupants of a Unit, and to their respective contractors and subcontractors performing work in a Unit, Limited Common Element, or Common Element if such work has the potential to create debris, to disturb other occupants in the Community, require cleaning of the Common Elements, and/or damage the Common Elements (hereafter, “**Construction**”).
- 2. OWNERS RESPONSIBLE FOR CONTRACTORS.** Owners are responsible for the activities of their contractors and subcontractors.
- 3. MANAGER.** The Association’s manager and contact information are as follows:

Dan Witkowski  
Full Circle HOA Management  
560 Mountain Village Blvd., 102B  
Mountain Village, CO 81435  
Email: [Dan@FullCircleHOA.com](mailto:Dan@FullCircleHOA.com)  
Telephone: (970)708-0408

The Owner shall reimburse the Association's cost of its manager's time (charged at the manager's prevailing hourly rates), to respond to the Owner's or its contractor's Construction related questions and requests, including providing access to Common Elements and restricted areas.

#### **4. STARTING WORK.**

- A. At least ten (10) business days prior to starting Construction, the Owner must notify the Manager in writing with the following information:
- i. A brief description of the Construction.
  - ii. Whether there will be the need to store materials on the Common Elements or Limited Common Elements.
  - iii. A plan for removal and disposal of materials and debris, which must be approved by the manager prior to the start of Construction, as set forth below.
  - iv. Whether the Construction will involve moving, altering, shutting down, isolating or otherwise impacting any utility lines or equipment, including Common Element utility lines or equipment, such as water lines, sewer lines, gas lines, smoke detectors, , or other life/safety systems (collectively **"HOA Systems"**).
  - v. Names and contact information (including cell phone and email) of all contractors who will be performing Construction.
  - vi. Start dates and anticipated completion date of Construction; if there is a delay during the progress of the work, then Owners/contractors must notify the Manager in writing when the work starts again and any changed completion date.
  - vii. If the Construction involves any Common Element, a copy of the written approval of such work by the Association's Board of Directors.
- B. At least ten (10) business days prior to starting Construction work, the Owner must deposit \$1,000 with the Association (to be held in the Association's operating account) as security to cover damage to, and cleaning of, the Common Elements, including but not limited to parking lot, grounds, stairwells and catwalks. The Manager may use the deposit to pay for such costs and request that the Owner replenish this deposit within five (5) business days of request if more than \$500 has been spent and Construction is ongoing. After completion of Construction, the unapplied portion of the deposit will be refunded to the Owner within thirty (30) calendar days of a written request for its return, which shall include copies of applicable final inspections. In the event the Owner fails to issue a written request for the return of the deposit, the Association shall remind the Owner to issue such request. Notwithstanding the return of the unused portion of the deposit to the Owner, the Owner shall remain liable to the Association for all damage, costs and expenses arising out of the Construction work.
- C. Prior to starting Construction work, all contractors must provide the Owner, and Manager if requested by the Manager, copies of proof of liability insurance of \$1 million and proof of workers' compensation for all persons working at the building.
- D. Owners/contractors must provide evidence to the HOA Manager that all permits have

been obtained, including but not limited to, building permit, plumbing and electrical permit. An occupancy certificate and/or final inspection by the authority having jurisdiction will be required upon completion.

- E. Owners must use and pay the cost of having the Association's preferred HOA System consultant for all work that requires moving, altering, shutting down, or isolating such HOA System in connection with the Construction. Such consultant shall have the necessary expertise to properly advise the Association as required.

**5. HOURS.** Construction hours are Monday through Friday 8:00 a.m. to 6:00 p.m., Saturday 9:00 a.m. to 6:00 p.m., excluding the following holidays: Christmas Eve through New Year's Day, Thanksgiving, President's Day, 4<sup>th</sup> of July and major summer festivals (including Blue Grass and Blues and Brews) and except for emergencies and specific board-approved exceptions, in which case the Owner/contractor must immediately notify the Manager, and then the only construction allowed is the minimum amount necessary to avoid such harm.

**6. CLEANING COMMON ELEMENTS.** All Common Elements (including parking lot, walkways, stairwells, catwalks and grounds) must be cleaned daily and cleared of all debris by 6:00 p.m.

**7. STORAGE OF CONSTRUCTION MATERIALS.** Construction materials may not be stored in Common Elements, the parking lot, or in public areas adjacent to the building except with the express written permission of the Manager.

**8. DISPOSAL.** Disposal of Construction materials, equipment, appliances (collectively, "Construction Debris"), is subject to the following:

- All Construction Debris must be removed from the building by the Owner/contractor.
- No Debris may be left in any Common Element overnight.
- The Association's dumpsters may NOT be used for Construction Debris.
- If a dumpster is going to be on site for two or more days, the contractor will be limited to the use of a single five cubic yard dumpster which shall remain covered at all times except at such times that debris is being actively loaded into the dumpster. The location of any dumpster and the duration of its use are subject to prior written approval of the manager.
- Construction dumpsters must be emptied immediately when full and may not be allowed to overflow. No food may be put in construction dumpsters.
- Owners/contractors may use trucks to haul away Construction Debris, but they must coordinate use of trucks with the association's manager on at least 48 hours prior notice. The times and duration of truck use is subject to the manager's approval.


9. **PARKING.** Unit Owners are allocated one unassigned parking space. Any additional parking requirements for contractor vehicles must be authorized through the Manager. The contractor will request and obtain parking placards for the vehicles that will be on site from the HOA Manager.
10. **DAMAGE.** The Owner is responsible for costs related to damage to, and cleaning of, Common Elements to the extent caused by the Owner's/contractor's Construction activities.
11. **DISTURBANCE TO ADJACENT UNITS.** Contractor shall not engage in work activity within the Unit that creates noxious or offensive odors to adjacent Units.
12. **NOTICE.** Written notice hereunder includes facsimile and email.
13. **TELLURIDE REGULATIONS.** Owners/contractors must comply with Telluride approved construction hours and other building department regulations, including permitting and inspections.
14. **ENFORCEMENT.** Failure to comply with these regulations will result in charges to the Owner of the Unit subject to Construction, including fines of up to \$250 per day for violations, and reimbursement of costs of collection, including legal fees. The Association may but shall not be obligated to issue the Owner written notice and opportunity to cure for violation of these regulations. Prior to levying a fine, the Association will give the Owner written notice of violation and an opportunity to be heard before the Board.

Certification

These Rules and Regulations are in addition to the provisions of the Declaration, Articles of Incorporation, Bylaws and Responsible Governance Policies of the Association (together with these Rules, known as the Association "Governing Documents"), and the laws of the State of Colorado. These Rules may be amended from time to time by the Board as set forth in Responsible Governance Policy #6. CERTIFIED to be the Rules and Regulations of Riverside of Telluride Condominium Association, Inc. duly adopted effective August 22, 2017 at a meeting of the Board of Directors.

Riverside of Telluride Condominium Association, Inc.,  
a Colorado nonprofit corporation

Attest:

By:   
DONNA M. NELLEY, President

  
Brian Lillard, Secretary

Digitally signed by Brian N. Lillard  
DN: cn=Brian N. Lillard, o, ou,  
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Date: 2017.08.29 14:43:00 -0500