

CONSTRUCTION RULES
WESTERMERE CONDOMINIUM OWNERS ASSOCIATION, INC.

The purpose of these rules is to reduce the impact of Construction on the common elements, and on other owners, tenants and guests.

1. APPLICATION OF CONSTRUCTION RULES

- A.** These Construction Rules apply to all owners, contractors and subcontractors performing work in a Westermere Unit or Limited Common Element if such work
- (1) lasts longer than five (5) weeks or costs more than one-hundred thousand (\$100,000) dollars or
 - (2) involves any of the following: new plumbing installation, alteration of existing plumbing configuration or change of existing plumbing fixture; tile installation requiring on site use of a tile saw; masonry work requiring on site use of a cut saw.
- B.** These rules replace and supersede all previous construction rules adopted by the Board of Directors.
- C.** An exemption to these rules is granted in the case of emergency repairs that must be performed immediately to prevent damage to a Westermere Unit or Limited Common Element. Manager notification is required for emergency repairs.

2. OWNERS RESPONSIBLE FOR CONTRACTORS Owners are responsible for the activities of their contractors and subcontractors.

3. MANAGER The association's manager is:

Full Circle HOA Management
560 Mountain Village Blvd., Suite 102B
Mountain Village, CO 81435
Tel: (970) 369-1428 Fax: (970) 369-1429
Mail@FullCircleHOA.com

If the project demands significant attention and time of the HOA manager then 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 requests, including providing access to restricted areas.

4. STARTING WORK

- A.** For work set forth in 1(a)(1) above, at least two (2) business days prior to starting Construction, the Owner must notify the Manager in writing with a brief description of the Construction, the names and contact information (including cell phone and email) of all contractors who will be

performing Construction, when they plan to start Construction and when they plan to complete 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. For work set forth in 1(a)(2) above, the Owner must notify the Manager by phone or email in advance of the work.

- B. Only for work set forth in 1(a)(1) above, prior to starting Construction work, all contractors must provide the Manager copies of proof of liability insurance of \$1 million and proof of workers compensation for all persons working at the building. All contractors must also list the HOA as an additional insured. Owner/contractor must provide a building permit if required by Town of Mountain Village.
 - C. Only for work set forth in 1(a)(1) above, at least two (2) 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 garage, elevator, lobby, hallways and doors. The Manager may request that the Owner replenish this deposit within five (5) business days of request if more than \$1,000 has been applied and Construction is ongoing. After completion of Construction, the unapplied portion of the deposit will be refunded to the Owner within ten (10) business days of a written request for its return. If the project is permitted by Town of Mountain Village, owner/contractor will provide certification of completion to Manager.
 - D. If it is necessary to turn off utilities to the building, 24 hour notice to all affected occupants is required. The owner must notify the Manager at least 24 hours prior to the desired time of shut down. The actual shut down must be done under the supervision of the Association's Manager at the Owner's expense.
5. **HOURS** Construction hours are Monday through Friday 8:00 a.m. to 6:00 p.m., Saturday 10:00 a.m. to 6:00 p.m., excluding the following holidays: New Year's Day, Memorial Day, The Fourth of July, Labor Day, Thanksgiving Day, Christmas Day and except for emergencies and specific board-approved exceptions, in which case the owner/contractor must notify the Manager and the only construction allowed is the minimum amount necessary to avoid such harm.
6. **ELEVATOR** Use of the elevator to transport passengers and materials must not exceed 1,400 lbs. in any one trip.
7. **CLEANING COMMON ELEMENTS** All Common Elements (including garage, walkways, elevator, lobby and hallways) must be cleaned daily and cleared of all debris by 6:00 p.m.
8. **STORAGE OF CONSTRUCTION MATERIALS** Construction materials may not be stored in Common Elements or the parking garage.
9. **PARKING** Contractor vehicle parking is limited to authorized parking space.
10. **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 building trash polycarts may NOT be used for Construction Debris.
- 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.

11. **DAMAGE** The Owner is responsible for damage to, and cleaning of, Common Elements to the extent caused by the Owner's/contractor's Construction activities.

12. **NOTICE** Written notice hereunder includes facsimile and email.

13. **MOUNTAIN VILLAGE REGULATIONS** Owners/contractors must comply with Mountain Village building department regulations and ordinances.

14. **ENFORCEMENT** For work set forth in 1(a)(1) above, failure to comply with these regulations may result in charges to the Owner of the Unit subject to Construction, including fines of up to \$200 per day for violations, and reimbursement of costs of collection, including legal fees. Prior to levying a fine, the association will give the Owner written notice of violation and an opportunity to be heard before the board.

The undersigned director hereby certifies that the foregoing was adopted by a unanimous vote of the Board of Directors by consent dated August 12, 2016.


 Bill Groner, HOA Board President

Date: August 26, 2016