

**SOLSTICE TOWNHOME OWNERS ASSOCIATION  
CONSTRUCTION RULES & REGULATIONS**

Adopted Effective 4/29/2021

**1. Interpretation**

These Construction Rules & Regulations ("**Rules**") shall, to the extent possible, be interpreted to comply with the Declaration for Solstice Townhome Owners Association (the "**Declaration**"). In the event of any conflict between the terms of the Declaration and these Rules, the terms of the Declaration shall control.

Unless otherwise defined herein, capitalized terms shall have the meaning ascribed in the Declaration.

These Rules are adopted with the acknowledgement that (i) each Unit Owner has a right to alter the interior of his/her/its Unit and Association approval shall not be unreasonably withheld; (ii) Limited Common Element alterations require Association approval in accordance with the responsibilities of the Board set forth in the Declaration and by law; and (iii) Common Elements may not be modified by any Owner.

**2. Approval**

**a. Owner Requests**

Prior to the commencement of any Work relating to a Unit within the Solstice Townhomes (the "Project"), the Owner will submit a written request to the Board of Directors. The written request must include the following:

- a brief description of the scope of the Work
- two (2) copies of a detailed plan illustrating the Work (if a building permit is required, the same plans submitted for such permit will be submitted)
  - one (1) copy shall be 24" x 36"
  - one (1) copy shall be 11" by 17"
  - a .pdf will also be submitted
- the name and contact information for the contractor performing the Work
- timeline for the start and completion of the Work
- waste management plan
- parking plan
- materials staging plan
- sanitary facilities plan
- whether a building permit is required from the applicable government agency
- check for a construction deposit in the amount of \$7,500 to protect Common Elements
- Signature of Owner and general contractor on Acknowledgement in the same form as found at the end of these Rules



## b. Board Approval

Upon receipt of an Owner's written request to perform Work, the Board will review the documents submitted and either approve, deny or request a modification. Upon approval or denial of the proposed construction, the Board shall deliver a letter either approving or denying the Work. In the event that the submission is denied, the Board shall outline the reasons for denial. Any letter of approval shall be subject to the rules and conditions as set forth in the Declaration, these and other Rules, and any other rules, regulations, or procedures governing the Association. In the event that the Owner has not received a response from the Board of Directors thirty (30) days after submission of all required materials, the Work shall be deemed approved subject to the rules set forth herein.

## 3. Rules

All general contractors, subcontractors, suppliers, vendors, etc. ("**Contractors**") shall be immediately advised of the following rules concerning their proper conduct within the Project. **It is the general contractor's responsibility to ensure that their subcontractors read and understand these rules and regulations.** Ignorance of these rules is neither a waiver of liability nor responsibility. Any and all violations will be assessed against the Owner in accordance with these Rules.

The following must be observed by Owners and all Contractors<sup>1</sup>:

- a. All Contractors performing Work shall be licensed by the appropriate authority.
- b. A building permit, if needed for the type of work to be done, is required to be submitted to the Board of Directors or the Managing Agent prior to the initiation of any Work.
- c. Proof of insurance for both liability and workman's compensation is required and should be a minimum of at least \$1,000,000.00. A certificate of insurance must be provided to the Board of Directors or the Managing Agent prior to the initiation of any Work naming the Association as an additional insured thereunder.
- d. For the benefit and quiet enjoyment of all owners and guests, construction which requires a building permit or which affects any other guests or owners or involves the use of the Common Areas in any way may not be undertaken during the following dates: The Wednesday before Thanksgiving through the Sunday after Thanksgiving and December 20 through January 7. Board of Directors or its appointed representative may approve variances to this timing as they deem reasonable.
- e. All Work must be completed Mondays through Fridays between the hours of 8:00 a.m. and 5:00 p.m. **No Work is permitted outside of these hours or on Saturdays or Sundays**

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<sup>1</sup> Failure to comply with any provision herein will subject the Owner to Fines disclosed herein.



**unless an exception is made by the Board of Directors or the Association Managing Agent.**

- f. All Common Element and Limited Common Element accessing or comprising a part of the Project must be protected from damage.
- g. Any hard surface flooring must have a sound mitigation system as approved by the Board of Directors or the Managing Agent.
- h. No items of any type can be stored or left outside the Unit. All Work must be completed inside the Unit. No work stations may be set up in hallways, garages areas or common areas except and unless otherwise approved by the Board of Directors in writing.
- i. Access to stairwells may not be blocked at any time.
- j. No construction dumpsters will be approved and none may be left within the common areas from the Sunday before Thanksgiving until January 15. Owners must obtain a permit from the Association's managing agent for dumpsters to be used during permissible construction months. A nominal fee will be paid to the Association for each such permit. Construction debris may not be placed in Association dumpster.
- k. No equipment or materials are to be stored outside of the Unit without the prior written permission of the Board of Directors.
- l. Proper floor, wall, door frame and other protections are expected to be provided and maintained for large deliveries of materials, for entrances to construction areas, and common areas located between the elevator and/or stairwells and construction areas. Construction paths across common areas and/or lobbies must be kept clean at all times and such cleaning is the responsibility of Owner/Contractors. Proper dust control measures must be used and maintained at all times, including installation of pre-filters on air handling units.
- m. Any Work which could affect any utility is the sole responsibility of the Owner in the event of disruption or damage to Owner's Unit or any other Unit or common area.
- n. All flammable, combustible and toxic materials are to be stored in proper containers in accordance with applicable requirements. No gasoline powered devices will be permitted within the Project. All equipment will be electrically operated. All hazardous materials must be removed according to EPA and OSHA guidelines upon completion of the Work.
- o. Parking for workers must be arranged in advance with the Board of Directors and/or Managing Agent. Any vehicles parked without authorization will be towed at Owner's expense.



- p. No parking or other use is allowed in the open garage parking area for contractors, workers or staging without the prior written consent of the Board of Directors or the Managing Agent.
- q. Workers will only use the bathroom in the Unit and not in any common areas or based upon the approved sanitation plan.
- r. Smoking is prohibited in construction areas, common areas and garages.
- s. Contractors and their employees are not permitted to have pets in the Project.
- t. No music, television or radios are allowed.
- u. Supervision of all workers is the sole responsibility of Owner. Job site security is the sole responsibility of the Owner.
- v. No mechanics' liens shall be placed on any Association Common Element. In the event any such lien is placed, the Owner shall immediately have such lien released, at Owner's sole cost and expense. Owner shall further pay any and all Association legal fees associated with protection of the Association in such event.
- w. Any damage caused to any Association Common Element or Limited Common Element as a result of the Project or by the Contractors is the responsibility of the Owner to repair at the Owner's sole cost and expense. Any and all damage shall be repaired or restored to substantially to the same condition as existed prior to damage. The construction deposit will not be returned until all such damage is repaired to the satisfaction of the Association. In the event that the damages are not repaired to the satisfaction of the Association, the Association may use the construction deposit to repair such damages. In the event that the construction deposit does not adequately cover the repairs, the Owner remains responsible to pay the Association for the total costs of repairs.

**4. Code Compliance**

The Owner, at Owner's sole cost and expense, shall procure all legally required permits relative to the Work and shall, during construction, comply with all applicable legal requirements. The Work shall, once completed, comply with all applicable laws, ordinances, regulations, codes or orders of any state, municipal or other public authority affecting the same and with all requirements of the local fire rating insurance organization, the local fire department and other similar bodies.

**5. Fines**

Violations of these Rules will result in assessment to the Owner of the following fines (and not the fines as shown in the fine schedule promulgated elsewhere in the Association's governing documents:

- First violation: \$500.00



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- Second violation of same or similar nature: \$1,000.00
- Third violation of same or similar nature: \$2,000.00
- Continuing violations: \$2,000.00 per occurrence or per day for ongoing violations.

All fines and penalties contained herein shall have the same force and effect as any assessment levied by the Board in accordance with and pursuant to the Declaration and Rules.

In the event that the Board of Directors or the managing agent has to clean up after Owner or its Contractors, the Owner will be billed the actual hourly rate incurred by the Association for such cleanup in addition to the fines listed above.

The construction deposit will be returned to the Owner once Owner has notified the Board of Directors that the Work is complete and subject to compliance with these Rules by Owner. The Board of Directors may inspect to ensure the Work is complete after such notification. The Board of Directors may deduct any fines or other monies owed under these Rules. In the event that the Owner owes monies in excess of the construction deposit, such amounts will be treated as an assessment lien and collected in accordance with the terms of the Declaration and such other rules and regulations as the Association may have in place.



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**ACKNOWLEDGEMENT  
 OF SOLSTICE TOWNHOME OWNERS ASSOCIATION  
 CONSTRUCTION RULES & REGULATIONS**

The undersigned hereby acknowledges that he/she/it has read the foregoing Construction Rules and Regulations for Solstice Townhome Owners Association. The undersigned agrees to comply with the Construction Rules and Regulations for Solstice Townhome Owners Association for the Work described below.

Unit No: \_\_\_\_\_

Owner: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Scope of Work: \_\_\_\_\_

Contractor: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone No.: \_\_\_\_\_

Fax No.: \_\_\_\_\_

Email: \_\_\_\_\_

**OWNER:**

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

**CONTRACTOR:**

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_