

Snowfall Point Homeowners Association

Rules and Regulations

Snowfall Point Condominiums, a small association of 14 units in 2 buildings, were built in 1974. We respect the residents, the property, and the guests, valuing consideration for the effects of our actions on others. To ensure that all of our owners and guests enjoy their time on the property and to protect the property values, the following basic rules and regulations have been adopted by the Snowfall Point Homeowners Association Board. We expect that when individuals see violations of these rules and policies, they will first seek to resolve the difficulties by talking together in a friendly and civil manner, *before* contacting Toad, the association's management company.

I. General Rules and Policies

Balcony/Sidewalk Entrance

1. Please decorate balconies and the front entrance of each condo to enhance the appearance of the buildings and grounds.
 - a. Any constructed additions or permanent structures to common areas that are proposed by an owner need to be submitted for Board approval prior to the initiation of the construction of said structure.
 - b. Any plantings of trees or shrubs need to be submitted to the Board for approval prior to their installation.
 - c. Board approval will apply only to a specific proposed project and does not extend to any future additions to said project.
 - d. All decisions by the Board on such matter must be entered into the minutes of the Board's meetings, with a record of the vote.
2. Do not use the balcony and sidewalk areas as storage areas.
3. Attractive plant containers and appropriate patio furniture are allowed.
4. The balcony railings are not clotheslines; please do not drape clothes over them.
5. Barbecue grills, hibachis, or smokers are *never* to be used or stored on the balconies. Such use poses the danger of fire for the entire building as well as surrounding areas.
6. One barbecue grill, hibachi, or smoker per unit may be placed outside during the summer months, but should be stored inside otherwise to ensure proper access for snow removal.
7. Do not stack firewood on balconies, and do not place ashes there.
8. Do not throw cigarette butts on the ground anywhere on the premises; they constitute both fire and health hazards.

Exterior Doors and Windows

1. All doors (including garage doors) as well as windows and window screens must be well maintained. Their repair and replacement are the responsibility of the homeowner.
2. Any replacement or repair shall meet the style and standards adopted by the Homeowners Association, which should be contacted *before* work is started.
3. Close garage doors when not in use.

Fire Safety

1. Do *not* use starter fluid in the fireplaces and woodstoves; it spreads into the framework of the building, and the resulting fire will likely burn adjacent units.
2. Any modifications to a unit's fireplace for any kind of burning requires a permit from the city of Mt. Crested Butte and following their processes of approval. Any changes to the chimney flue as needed by the modification is the responsibility of the owner.
3. The HOA pays for chimneys to be cleaned and inspected once a year. All units must be cleaned and inspected unless an exception form as mentioned below is filed. The fireplace unit cannot be used if inspection does not pass or an annual inspection was not performed.
4. If a chimney is found damaged beyond original intended use, it is the responsibility of the

homeowner to pay for the repair. If the damage could compromise the structure and safety of the unit and/or building, it must be repaired within 12 months and pass an inspection. Any unrepaired damage must be disclosed if changes of ownership occurs.

5. Homeowners need to provide the management company with a key or code to their unit. This is needed for the safety of the entire complex for not only fire issues, but water, rodent, and other issues that may require immediate access.
6. If you do not have an active wood-burning fireplace or stove, submit to the management company the exception form below, (No Burning Form) stating such. This form states you will NOT burn anything in the fireplace and if found doing so, will be penalized \$1,000 and will be responsible for any damage to the chimney. That unit's chimney will also not be required to be cleaned and inspected unless it changes back to a burning fireplace or unit.
7. The fire department strongly recommends that a rope ladder be kept at the windows on the second and third floors should escape be necessary.

Garbage Disposal and Recycling

1. Dumpster bin lids are to be kept closed *at all times* for animal and odor control. Mt. Crested Butte law requires bear-proof trash containers, and an open dumpster is not bear-proof.
2. The association is charged by weight for trash removal. Only normal household garbage/refuse shall be placed in dumpsters for removal, and it should be made as small as possible to accommodate other residents' trash.
3. Furniture and large item disposal: The HOA contract with Waste Management does not cover furniture, auto parts, plumbing fixtures, and other large items left out by the dumpsters. The dumpster has the capacity to handle standard daily garbage and refuse for the 14 units only. Anything that does not fit easily into the dumpster, such as unwanted furniture or construction debris, falls into this "large items" category. Remodeling debris is to be removed at the expense of the contractor and/or owner of the unit where work is being done. For the removal of such items for a reasonable fee, owners should contact the management company or Waste Management directly; or owners may dispose of these items at the Gunnison County landfill. It is incumbent upon the owner of a rental unit to convey the HOA rules and regulations to their renters. In the event that renters of Snowfall units leave large items on HOA property, the owner of that unit will be responsible for paying the fee to remove and dispose of such items.
4. Four bins beside the dumpster serve for recycling; please use these whenever possible.
 - a. Items that can be recycled include newspapers, magazines, cardboard, aluminum cans, plastic (1 through 7), and all glass. Please put paper goods in the two designated bins and the rest in the other two.
 - b. All boxes should be broken down to fit into the bin so that more can fit.
 - c. *Pizza boxes* and *dirty food containers* belong in the *dumpster*, not recycling.
 - d. *Plastic bags* and *trash* belong in the *dumpster*, not recycling.
 - e. Please be considerate of others, especially during the busy seasons, and recycle properly.
5. The area behind the buildings is not to be used either as a dump site or as storage.

Pets

1. Pets should have *direct* owner supervision outside of the owner's condominium. Please note that being in the living room while your pet is on the driveway does not constitute direct owner supervision.
2. Dogs shall be on a leash or under effective voice control while on the premises, consistent with Mt. Crested Butte regulations.
3. For both hygienic and aesthetic reasons, owners should prevent their pet from soiling any portion of the common area and promptly clean up any mess left by their pets. Please be particularly protective of the planted areas.
4. Owners shall be fully responsible for any damage caused by their pet(s).
5. Pets that bark or create a disturbance must be controlled or removed from the condo.

Quiet Time

10 p.m. to 8 a.m., seven days a week.

Leaving Your Unit for the Season

- Turn off the hot water heater and kitchen stove at the circuit breakers.
- Turn off the water at the main valve in the utility room; drain the pipes; and leave open one faucet on the second floor.
- Turn the heat down and inform as to the settings you want for winter. Garage heater should be set at **50-55** degrees. Be sure all windows and doors are closed and locked where possible.
- Let the management company know when your condo is to be used (both beginning and ending dates) so they can check to see that the unit has been left in proper condition. Be sure to specify exactly who is to use the condo (guests or renters) so that the management company can report any unauthorized use; see II below.
- Make sure that the management company has a working key or garage code for your unit.

II. Rental Assignments

Renting Property

1. When renting their property on a long-term basis, owners must--*in advance* of occupation by the renter--inform the management company in writing of:
 - the name of the lessee(s) and their phone number(s);
 - a description of their vehicle(s) and license plate number(s);
 - the period of the lease; and
 - the name and phone number of the management company or person overseeing the rental.

When renting their property on a short-term basis, owners must--*in advance* of occupation by the renter--inform the management company in writing of which property management service is in charge of the property.

2. The owner shall:
 - post the Association's parking rules inside the rental property;
 - provide the tenant with all the Association's rules; and
 - secure the renter's agreement to abide by these rules in the lease agreement.

All rental agreements shall contain the following clause:

The renter acknowledges upon occupation of the premises that all family, visitors, staff, and/or employees shall adhere to the rules and regulations as contained in the Snowfall Point Condo Association Rules and all laws applicable to residents in the town.

Owners are responsible for the actions of their tenants as they pertain to the Association's rules.

3. *Long-term rentals* (month-to-month leases) shall be limited to six people per unit. *Short-term rentals* (daily or weekly leases) shall be limited to no more than **two** persons per bedroom with a maximum of **six** adults per unit.
4. Only tenants listed on the rental agreement shall reside in the unit. Guests who habitually stay over for extended periods (i.e., more than 48 hours) may be deemed a violation of the Association's rules regarding rental occupancy. This action may lead to the eviction of the tenants or renters.
5. If tenants or guests violate the Association's rules and policies, homeowners will be notified. Those who habitually violate the Association's rules and policies will be fined; homeowners will be notified and their lessees or guests may be asked to leave the premises (see Enforcement Rules, below).
6. Owners may seek a variance regarding these rules and policies through the Snowfall Point

7. Association Board of Directors.

III. Parking Rules

Reserved Parking Areas

1. Ownership of each unit entitles the owner or tenants the use of **two** reserved outside parking spaces, immediately in front of each owner's unit. A third vehicle may be parked in the garage or off the premises. Do not use the guest spaces as additional parking for owners' vehicles.
2. Homeowners may assign their reserved parking areas to tenants or guests. If a homeowner receives permission from another homeowner to park in front of their unit, that homeowner must obtain written permission that is shared with the management company.
3. Vehicles should not be parked in a manner that interferes with vehicular access to any adjacent parking space, or access to common areas, including the areas for trash collection.
4. Vehicles should maintain an adequate distance from the front of the building and should not park on the sidewalks (especially true during the icy season!).
5. Oil or fuel leakages shall be cleaned immediately, and the vehicle repaired.
6. If vehicles are parked in front of someone else's condo, the owner of the condo should first try to ascertain the owner of the vehicle and request an immediate removal. If the vehicle's owner cannot be located, the condo owner shall notify the management company, which will place a notice on the vehicle that it will be towed away at the owner's expense within 24 hours.

Use Restrictions

1. No oversized vehicle that would be too large to fit in the garage of each unit shall be parked, kept or stored on the property for more than forty-eight hours. Such oversized vehicles must wholly fit within the resident's parking space and shall not interfere with traffic flow nor interfere with adjacent parking.
2. An owner may request a variance for one oversized vehicle from the board; this request must be made in writing, using the approved form, in advance. The variance will allow for that oversized vehicle to be parked in front of the owner's unit; it must not be parked in front of other units nor in the visitors' areas.
3. Neither reserved parking spaces nor any common areas shall be habitually used as storage for items such as (but not limited to) camping trucks, tractors, trailers, recreational vehicles (e.g., mobile homes, snowmobiles, ATVs, motorbikes), and camping equipment.
4. Extraordinary repairs or maintenance of vehicles on Association property is prohibited. Disposing of oil or other vehicular fluids in the common areas on the Association property is prohibited.

Guest or Visitor Parking

1. Guests may park in in the two spaces at the east end of Building B, beside #14 (toward Gothic Road), and at the west end of Building A, beside #1 (toward the pasture). These spaces are limited to 48 hours, and there is to be NO parking during snow events as the areas are needed for snow plowing and storage. Violators will be towed at their own expense.
2. Guests may also park along the south side of the driveway (above Pitchfork) during the months of May through October. From November through April, the drive *must* be kept free for snow removal and snow storage. Violators will be towed at their own expense.
3. Guests who park in the visitor area for an extended period of time (more than 48 hours) must seek prior approval from the management company.
4. Oil or fuel leakages shall be cleaned up immediately and the vehicle repaired.
5. Owners and renters are prohibited from occupying guest parking.
6. Residents parking or storing their vehicles in guest parking will be notified by the management company and have 24 hours to remove the vehicle before it will be towed away at the owner's expense.
7. Guest parking is reserved for nonresidents on a first-come, first-serve basis.

Enforcement Rules

1. When individuals see violations of the above rules and regulations, they should first seek to

resolve the difficulties by talking together in a friendly and civil manner. If such discussions do not resolve the difficulty, the management company will send a message to the owner and (in the case of tenants) the occupant detailing the violation and requesting appropriate action.

2. Upon receipt of this message, owners/occupants have a one-week grace period (unless otherwise specified above) in which to rectify the situation.
3. If no correction occurs within a week, a fine of \$250 a week shall be levied, enforced by a lien on the property if the owner refuses to pay.
4. Please note: The Association's goal is *not* to levy fines; it is to help all to enjoy their time on the property and to preserve property values.

If anyone disagrees either with the rules and regulations or with how they are being enforced, they should speak with a member of the board.

- Enforcement of all Snowfall Point Rules and Regulations shall be in accordance with the document dictated by Colorado Statute: Snowfall Point Condominiums Association: Responsible Governance Policies, Article 4.
- Homeowners, tenants, renters, or guests in violation of the parking rules are subject to having their cars towed away and/or fined, as detailed above.
- Homeowners who find vehicles parked in their reserved space have authorization, from the Association's Board, to have the vehicle towed away; the management company may act on a homeowner's behalf.
- Tenants, renters, or guests must have prior approval from the management company to have a vehicle towed.
- Homeowners and residents must have prior authorization from the management company or a member of the board to have a vehicle towed from any common areas of Snowfall Point.
- At all times we should treat the management company's employees with respect.

