

Skyland Community Association

350 Country Club Drive, Suite 112A
Crested Butte, CO 81224
Phone (970) 349-7411 Fax (970) 349-5054

PROJECT INFORMATION AND ACKNOWLEDGEMENT OF CONSTRUCTION REGULATIONS

Property Information

Property: _____
Owner Name: _____
Official Correspondence
Mailing Address: _____

Phone Number: _____
Fax / E-mail: _____

Project Information

Contractor: _____
Contact: _____
Mailing Address: _____

Phone Number: _____
Water Install Contractor: _____
Address: _____

Phone Number: _____
Fax / E-mail: _____

Projected Building Completion Date: _____

Note: Must be twenty (20) months after commencement of construction. One four (4) month "winter weather window" shall be allowed for construction commencing in the fall.

Projected Landscaping Completion Date: _____

Start to Finish Construction Duration: _____

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CONSTRUCTION REGULATIONS

CONSTRUCTION

The following restrictions apply to the construction of all improvements within SKYLAND, INITIAL FILINGS 1, 2 and 3:

1. **Hours of Construction.** Construction is permitted from 7:00am to 6:00pm Monday through Saturday and is not permitted on Sunday.
2. **Silt and or Control Fencing.** Silt and or control fencing may be required to delineate areas that are not to be disturbed on construction sites.
3. **Snow Removal.** Snow may be removed, or “pushed off” lots prior to commencing construction on lots within Skyland at the sole discretion of the Design Review Committee (DRC). Prior to granting approval, the applicant must present detailed plans to the DRC for review and consideration.
4. **Construction Trailers, Portable Field Offices, Unit or Complex Designation Signs and Contractors Business Display Signs.** Owners or contractors who desire to temporarily set a construction trailer, field office, unit or complex designation sign or business display sign on a construction site must first obtain written approval from the Design Review Committee (DRC). Any sign on a construction site must conform to the requirements stated within Article V, “General Restrictions”, paragraph 27, “Exterior Signs” and be approved by the DRC. The DRC, designee or manager will designate a specific location and a maximum period of use.
5. **Storage of Materials and Equipment.** Owners or contractors are permitted to store construction materials and equipment on an approved construction site during the construction period. All equipment and materials shall be neatly stored or stacked, properly covered and secured. Owners or contractors will not disturb, damage, trespass or store materials or equipment on other lots, tracts, roadway rights of way, or utility easements.
6. **Debris and Trash Removal.** Trash and debris must be placed in a dumpster that contains an integral lid(s) or a secured tarp. Owners and contractors shall clean up all trash and debris daily on the construction site and surrounding land, if blown from the site. Particular attention should be paid to site cleanup following windstorms and during spring months. The dumpster must be emptied when full. All persons are prohibited from dumping, burying or burning trash anywhere in SKYLAND, FILINGS 1, 2, and 3. Solid and liquid food wastes, including containers used for foods and liquids such as empty cans, bottles, bags, styrofoam and paper boxes, etc. must be disposed of in a “bear-proof” container approved by the Design Review Committee.
7. **Sanitary Facilities.** Each owner or contractor shall be responsible for providing adequate sanitary facilities on site for his construction workers.
8. **Parking Areas.** Construction crews or other construction personnel shall not park on public roads or use other lots or tracts for parking purposes during construction. The applicant must

establish a parking plan with the Design Review Committee, designee or manager and adhere to said plan during the construction period.

9. Concrete. Following concrete delivery to construction sites, concrete trucks may not clean trucks or dump excess concrete in Skyland roads, right of ways or easements.

10. Excavated Materials. Excess excavated materials shall be hauled from SKYLAND, FILINGS 1, 2, and 3, or placed in areas approved by the Design Review Committee.

11. Damaged Property. Damage to or scarring of other properties, including but not limited to other lots or tracts, roads, driveways or other improvements is not permitted. If damage occurs, the person(s) responsible will repair it promptly. The owner of the lot or tract upon which improvements are being constructed shall be responsible for damage and other violations of these construction regulations caused by such owner's contractors, sub-contractors, employees, agents, or other representatives.

12. Blasting. If any blasting is to occur, the Design Review Committee shall be informed in writing forty-eight hours in advance to allow it to make such investigation as it deems appropriate to confirm that adequate protective measures have been taken prior to blasting. The blasting contractor must be licensed, provide proof of insurance and name the Skyland Community Association as an additional insured party.

13. Conduct and Behavior. All property owners in SKYLAND, FILINGS 1, 2, and 3, shall be responsible for the conduct and behavior of their representatives, builders, contractors and subcontractors.

14. Stop Work Authority. The Design Review Committee shall at all times have the authority to stop all work on any construction site within SKYLAND, FILINGS 1, 2 and 3. Contractors or contractors' personnel violating any of the provisions of this instrument or the Declaration of Protective Covenants shall be just cause for stopping all work. A stop work order will be issued directly to the lot or tract owner in writing and posted at the work site.

15. Housing. No construction worker or lot or tract owner shall set up a temporary residence on any construction site in a trailer, motor home or tent. All construction workers must be housed in permanent housing within or outside Skyland Filings 1, 2, and 3.

16. Pets. Dogs and other pets owned by contractors or construction workers shall be prohibited from construction sites unless said contractor is the legal owner of record of such lot and on-site and controlling the pet when present where construction is taking place.

17. Site Cleanliness Requirements. When the sites building(s) receives a Temporary Certificate of Occupancy, the entire the site must be cleaned and all construction materials and equipment removed within fourteen (14) days.

Non-Compliance Assessment Procedure and Rates

Owner and Contractor will be jointly and severally liable for the non-compliance penalties specified below, not to exceed Maximum Non-Compliance Penalties in the Resolution of the Board of Directors of Skyland Community Association (SCA) dated April 23, 1993. Non-compliance assessment procedure is as follows:

1. First offense - a written warning will be given by the SCA manager or other SCA official.

2. Any offense after written warning – an invoice for said offense (as per penalty schedule table below) will be mailed to the address of the owner and the address of the contractor, payable within 15 days. Colorado Law provides that, if a non-compliance assessment is levied, the owner/contractor may request a hearing before the SCA Board of Directors (Board) to contest the fine. Any requests for a hearing before the Board must be made before the fine is due, and a new due date will be issued following any Board hearing. The Board shall provide the owner and contractor with at least 10 days prior written notice of the hearing and an opportunity to be heard.
3. Violations regarding Sections 7 (Sanitary Facilities), and 16 (Pets) of Article VI (Construction Regulations) will have a zero tolerance policy. If these areas are in violation after written warning, non-compliance penalties will be assessed.

Maximum Non-Compliance Penalties:

<u>Section of Article VI</u>	<u>First Offense</u> (after warning)	<u>Second Offense</u> (after warning)
1. Hours of Construction	\$1000 + \$100/day	\$5000 + \$100/day*
4. Construction Trailers, Portable Field Offices, Contractor Signage	\$1000 + \$100/day	\$5000 + \$100/day*
5. Storage of Materials and Equipment	\$1000 + \$100/day	\$5000 + \$100/day*
6. Debris and Trash Removal	\$1000 + \$50/day	\$5000 + \$100/day*
7. Sanitary Facilities	\$1000 + \$50/day	\$5000 + \$100/day*
8. Parking Areas	\$500 + \$25/day	\$5000 + \$100/day*
9. Concrete	\$1000 + \$100/day	\$5000 + \$100/day*
10. Excavated Materials	\$500 + \$25/day	\$5000* + \$100/day*
11. Damaged Property	\$1000 + \$50/day	\$5000 + \$100/day*
12. Blasting	\$2500	\$5000*
13. Conduct and Behavior	\$500/day	\$5000 + \$100/day*
14. Stop Work Authority	\$5000 + \$100/day*	\$5000 + \$100/day*
15. Housing	\$500 + \$25/day	\$5000 + \$100/day*
16. Pets	\$250	\$1000 + \$20/day*
17. Site Cleanliness Requirements	\$1000	\$5000 + \$100/day*

* Maximum non-compliance penalty for Article VI (Construction Regulations), Paragraph 1 (Construction) per Resolution of the Board of Directors of Skyland Community Association April 23, 1993.

Skyland Community Association through its designated representative reserves the right to inspect the site at any time during construction without notice.

Owner and Contractor's Statement

The property owner and prime contractor acknowledge that they have:

- 1) read Article VI excerpts from the Skyland Design Guidelines,
- 2) have had the opportunity to seek clarification on those provisions we believe require additional explanation,
- 3) agree to comply with said guidelines during the course of their Skyland project(s), and
- 4) understand the procedure and schedule of non-compliance penalties.

We understand that compliance with the Construction Regulations is our responsibility and that we will be joint and severally liable for all actions of builders, contractors, subcontractors, and their representatives.

Signed

Signed

Print Name of Owner

Print Name of Contractor

Date _____

Date _____

(This Statement must be signed before the Final Design Review Approval letter is issued)