

Gateway Condominiums Rules, Regulations & Policies

Adopted by the Gateway Association and Board of Directors at the July 1, 1994 Annual Association meeting; amended at the July 1, 1999 Annual Meeting; the following rules, regulations and policies will be proposed at the July, 2015 Annual Meeting. Upon adoption by the Gateway HOA Board and its members the following Rules, Regulations and Policies are considered all-inclusive as of July 27, 2015.

1. No pets of any nature, breed, wild or domestic are allowed in condominium units or in common areas except those pets owned by the condominium owner and his or her family. One exception is for Service Animal per Federal Regulations. **(Please see amended pet policy below)**
2. Posted Hot Tub hours between 10:00a.m. to 10:00p.m. must be observed. Glass containers are prohibited in the hot tub area.
3. Balconies must be kept in a neat and clean manner – clear of rubbish, clothes, laundry, sheets, blankets, etc. If at any time, the appearance of a condominium deck is deemed unacceptable, of the item or items on the deck pose a safety hazard per the management company, or any member of the Gateway HOA Board, the owner or tenant of the unit with the offending deck will be contacted and an appropriate solution sought. The HOA decision is final.
4. Excessive noise after 10:00 p.m. is expressly prohibited. Such noise includes, but is not limited to music, outdoor conversations, indoor conversations, television sound, and automobile horns and engine noises.
5. General common areas must remain clear of personal property with the exception of bicycles in the bike rack located in the garage. General common areas are, but not limited to: the parking lot, the building hallways, common area stairwells and landings, the perimeter of the buildings, and the hot tub area. The Gateway HOA Board has authorized the Property Management Company to discard personal property in the above stated common areas within 48 hours of discovery. Additionally, the Board of Directors has authorized the Property Management Company to **FINE the OWNERS** of the offending units under this rule. For **EACH** item of garbage or personal property that the Property Management Company discards, the **OWNER** of the unit will be fined \$50.00. Garbage or items that the Property Management Company reasonably believes to be garbage shall be discarded with no notice under this rule.
6. A working copy of the front door entry key(s) are to be sent to the property management company within 24 hours of changing the lock or at the request of the property management company. A \$100.00 per day **FINE** will be imposed if the property management company does not have a working copy of the unit key 24 hours after discovery and informing the owner.
7. Excessive odors are expressly prohibited, including but not limited to: smoking, cooking, grilling, construction, etc.

8. No signs, advertisements, or notices shall be allowed, exhibited or fixed on any part of the outside or inside of the building by any owner, guest of owners, or renters other than signs approved by the Board of Directors or by local or Federal Laws.
9. A business is defined as a commercial or mercantile activity engaged as a means of livelihood which can include the creation, processing and delivery of goods and services in exchange for financial gain. For purposes of this regulation, commerce and trade imply the exchange and transportation of commodities. No such activities of the aforementioned shall be allowed within Gateway. Activities such as periodic consulting with a client, business professional or invited guest, are examples of allowed business activities.
10. For **SAFETY** reasons, only propane/gas cooking grills where flame is more than 20" from the deck floor are permitted to be used on unit owner's deck. Only owners may use gas cooking grills on the balconies.
11. Owners are prohibited from installing, modifying, turning on/off any utility (electrical, gas, water) or any appliance converted to said utility without notifying the property management company. Management company decision is final. Any violation of this rule, owner accepts all responsibility, financially and otherwise, for any damages and adjacent units that have sustained damage as a result of the violation. Owners are also prohibited to install, modify or repair windows, doors, fireplace inserts, chimney flues, decking, and air conditioning/heating equipment without permission from the Management Company.
12. If you have window treatments, then all windows must be covered with appropriate window treatments which include: blinds, interior shutters, drapes, cellular shades, custom or manufactured curtains and sheers and must be in good working condition. Inappropriate window treatments include but are not limited to flags, blankets, sheets, and appropriate items that are not in good working condition.
13. Owners must be able to provide proof of current liability and content insurance for the interior space of their condominium to the Gateway HOA Board of Management Company when requested.
14. All condominiums are required to have smoke and carbon monoxide detectors installed per Colorado House Bill 1091- whether or not you are selling or renting your condo. All carbon monoxide and smoke detectors have to be functional and in working order.
15. Gateway Board requires that all domestic water heaters within each condominium are installed per code. All drain lines are required to be attached, pans are required to be installed under the water heater. Each owner is responsible to maintain the water heater within its unit in a safe and operational manner. Owner remains liable for any water heater damage to adjoining and nearby condominium unit(s).
16. Unit's Owners may display American Flags, no larger than 40 sq. ft., in windows and on decks if the display complies with the Federal Flag Code, 4 U.S.C. 4 to 10. Owners may also display Service Stars in on their unit's window.
17. Owners who rent their units must have Rules and Regulations located within the unit for tenants to read and comply thereto. It is the responsibility of the condo owner to make tenant aware of the Gateway Rules and Regulations.

VEHICLES AND PARKING

18. All authorized vehicles must be properly permitted by decal or placards prior to parking in the parking area. Permits must be appropriately displayed for easy viewing.
19. All cars parked immediately outside the garage should be moved into recently plowed parking spaces as soon as possible. The goal is to limit cost of plowing.
20. No motor vehicles shall remain parked upon the property unless the same is in good working condition. No commercial vehicles are allowed on the property except those for business purposes only. No storage of any type of vehicle is allowed on property. Any owner not in compliance with the Rules and Regulations will be fined and the vehicle towed at the offending owner's expense.
21. If the owner or tenant is going out of town the keys to the vehicle need to be given to a local person, or the management company, who can move the vehicle if needed. Contact information to the person who has the vehicle keys needs to be emailed to the property management company. If we cannot contact someone to move the vehicle as needed the vehicle will be towed at the owner's expense. If a vehicle is booted the owner of the vehicle is responsible for the payment to unboot the vehicle. If the boot has been damaged while the boot is on the vehicle the owner of the vehicle will be charged the full price of the boot and the cost to remove it. Designated parking areas are the only areas in which parking is permitted. Parking in non-designated areas may subject offending vehicle to towing and all charges and fees associated with tagging and towing.
22. The Board of Directors has authorized the Property Management Company to remove, without notice, vehicles which are illegally parked and/or not properly maintained per the rules. Towing charges and/or fees will be at the offending vehicles owner's expense.
23. Due to minimal parking available in the garage and immediately outside the garage, no recreational equipment such as-but not limited to-open or covered trailers, snowmobiles, off road motorcycles, etc. (except bicycles in the garage bike rack) shall be parked, stored, or maintained by any unit **OWNER, GUEST, or TENANT** upon the common area of Gateway Condominiums. Recreational equipment is subject to removal by the Property Management Company at equipment Owner's expense. The exception to this rule is an emergency vehicle meeting the following criteria:
 - a. Any unit owner required by his or her employer to have an emergency vehicle at his or her residence during designated times **AND**
 - b. The vehicle weighs 10,000 pounds or less;
 - c. The unit owner is a member of a local volunteer fire department or a local emergency service provider;
 - d. The vehicle has an official emblem or visible markings of an emergency service provider; and reasonable needs of the other residents who use the community's driveway and parking.
 - e. Each owner may use one unassigned garage stall; thus, an automobile may be permanently stored in the garage by a homeowner only if the homeowner **does not** have his unit on the short term or long term rental market. Any

permanently stored non-renting Owner vehicle must be stored at either the most southerly parking space or if occupied the most northerly space slope side of the garage and Owner may not use miscellaneous items to block the parking space while the space is unoccupied.

CONDOMINIUM RENOVATION

24. No owner may install or repair the following major work items without first consulting and obtaining permission from the Gateway Management Company and the Gateway HOA Board. Any installation or repair work must meet code specifications. The following major work items in this regulation are included but not limited to: windows, front doors, slider doors, fireplace inserts, chimney flues, decking, plumbing, electrical wiring, AC/heating equipment.
25. Before any construction is to begin the homeowner or their agent is required to send a written letter to the Management Company, specifying-in-detail the extent of the project including but not limited to: materials to be used, color of materials, contractor(s) liability and workman's compensation certificates and contractor's contact information, with a beginning date as well as an ending date of the project. Any measuring of items as it pertains to any work for the owner of the unit will be done by the contractor. Construction can only begin after the owner receives written and signed permission from the Management Company. Construction request letters can be mailed to current Management Company for Gateway.
26. Owner, and/or their agent agrees that any and all construction within their condominium will be completed within a six month time period, unless written permission to continue construction past the six month period is granted through the Management Company.
27. Any Plumbing, Electrical, or Structural modification within a unit is required to have all necessary building permits (as per local building codes), engineer reports, and any necessary inspections completed in a timely and legal manner.
28. All construction contractors and all subcontractors are required to have liability insurance and a Declaration of Independent Contractor Status Form (Also known as, Worker's Comp Form). Proof of current liability insurance and the Worker's Comp Form is to be completed and included with the construction request letter.
29. No homeowner, tenant, renter is to perform any maintenance and/or construction on any Gateway common areas, or use any common area utility.
30. The owner is required to supply a construction dumpster at the owner's expense. Such dumpster shall be covered at all times. Any trash that overflows from the dumpster is the responsibility of the owner. If any trash outside the dumpster is not disposed of properly the HOA management company will remove the trash at the owner's expense. All dumpsters are to have the homeowner's condo number and direct contact phone number located on or near the dumpster. If the owner does not furnish their own dumpster, then all construction debris has to be removed immediately from the Gateway property by the owner, and/or their agent, at the owner's expense.

31. Absolutely no construction debris is to be placed in the Gateway common dumpster. Waste Management will charge a hefty fine for any construction material found in the common dumpster. *Please help keep your HOA dues down by not disposing of any construction materials in the Gateway common dumpster.*
32. No construction materials, tools, or debris is to be stored or placed in Gateway common areas (i.e. hallways, parking lot, garage, etc.)
33. At the request of the Board of Directors and/or their agent, the owner will grant access to the construction project within 24 hours of the Board's and/or agent's request.
34. At the request of the Board of Directors for the Gateway HOA, OSHA will be called to investigate any construction at any time.
35. Renovations which emit noises or odors, shall be restricted to performing the work between 8:00a.m. and 8:00p.m. daily. Reasonable work ethics shall be followed at all times during the renovation.

UTILITIES

36. No owner shall allow the ambient temperature in such owner's unit to fall below 50 degrees Fahrenheit.
37. Electric service shall be maintained to each unit between September 15th and May 15th.
38. Fines. For each day, or part thereof, that a violation of this section, the Board may, after notice and an opportunity to be heard, levy a fine of \$100.00 per day. Before any such fine is imposed the Board of Directors, through its Managing Agent, shall give written notice of a hearing before a committee consisting of not less than one member of the Board of Directors, to be held within seven (7) days from the date of such notice. A representative of the Managing Agent shall sit on and participate in the hearing but shall not have a vote in the disposition of alleged violation. The notice shall be deemed properly given when mailed, postage prepaid, to the Owner's last known address. The notice shall describe the alleged violation(s) enumerated, the proposed fine, the date and time of the hearing, the place of the hearing (including the possibility of having the hearing by telephonic means).
The Owner so notified may be present and shall have an opportunity to be heard at said hearing or may have a designated person as his representative at said hearing. If the notice is to be by telephonic means, the owner or its representative must supply to the Managing Agent a telephone number where said person may be reached no later than 72 hours before the time of said hearing. Appeal from any decision of the Board of Directors by the Owner shall be to the Gunnison County Court or District Court of the State of Colorado depending on the amount of the fine and the jurisdictional requirements of each Court.
Any fines, charges, or penalties imposed by the Board of Directors shall be and constituted an assessment against the unit and the Association shall have a lien and all legal rights and remedies thereto.

The above Rules and Regulations shall in no way amend or alter the Article of Incorporation, Condominium Declarations, or Bylaws of the Association, but only be supplemental thereto.

Each owner, guest, invitee, and lessee shall comply with and abide by all Rules and Regulations set forth above and as the same may be amended or adopted by the Board of Directors from time to time. Noncompliance of the Rules and Regulations may result in a fine to the owner of up to \$100.00 per day.

Gateway Condominium Association Pet Policy

Adopted 9/30/2016

Dogs, cats and fishes are allowed to be housed at Gateway properties by owners and/or their respective guest(s)/renter(s). Animals other than the aforementioned are allowed after special permission is requested in writing and approved by the Management Company and an officer of the Gateway HOA Board. Pet owner(s) and unit owner(s) are ultimately responsible for any deaths, injuries, or damages incurred directly or indirectly as a result of a pet action; also included are all medically related costs and costs to enforce, defend or prosecute violations of this regulation.

Certain animals (Service animals) per federal regulations are allowed on Gateway properties. Proper documentation must be provided the Management Company to assure the Service Animal is a valid claim. Service animals are to comply with the same conditions and stipulations of this regulation.

Pets are not allowed to be left unattended on patios, balconies or public access areas. Pets within the Gateway public access areas must be on a leash under the control of the pet/unit owner. Pets are not allowed to roam free or be tethered. Persons controlling the pet(s) are responsible for immediately securing and discarding pet excrement in the dumpster at the front of the building. Discarding excrement in any other trash container is a violation of this policy.

Property Management is authorized to provide a first time warning to pet/unit owner(s) for any violation of this regulation and any situation or scene that has a risk of a pet inflicting injury to any public, especially children. Said warning would require pet/unit owner(s) to secure the animal away from the situation or scene. A second incident regarding the same animal and owner(s) authorizes a fine of up to \$250 to pet/unit owner(s), said fine to be levied only by the Gateway HOA Board.

Any pet and or unit owner can request a hearing of no less than three Gateway HOA Board members to contest a fine imposed by the Board. Decision of the Board members at the hearing is final, not denying due process of law.