

## SUNSHINE CONDOMINIUMS ASSOCIATION

### RULES AND REGULATIONS

The Board of Managers for Sunshine Condominiums Association hereby approves and adopts these Rules and Regulations pursuant to Article 36 of the Condominium Declaration for Sunshine Condominiums, effective this 24<sup>th</sup> day of August 2020.

1. All Owners to be Bound. These Rules and Regulations pertain to Sunshine Condominiums (Premises), located in Gunnison, Colorado. All Owners, Owner's family, occupants, guests, tenants, etc. shall comply with these Rules and Regulations of Sunshine Condominiums Association (Association). Any violations shall be addressed by the Board of Managers of the Association, and may be subject to an oral discussion, written notice and/or a fine as determined by the Board of Managers, pursuant to the governing documents of the Association and/or any policies on enforcement. An Owner shall be held responsible for any violations, including the imposition of any fines, committed by the Owner's family, guests, invitees, tenants, or occupants of the Owner's condominium unit.

2. Emergency Vehicles. Emergency vehicles driven by an Owner who is a member of a volunteer fire department, or employed by a fire department, law enforcement, or ambulance or medical services are permitted on the Premises pursuant to C.R.S. § 38-33.3-106.5 (2012).

3. Flags. An Owner may display an American Flag and/or a service flag in the following manner:

a. American Flag: An American flag not to exceed 36" x 60" may be displayed in the window (or balcony) of an Owner's residence, or on the Owner's property, so long as such flag is displayed in accordance with the federal flag code.

b. Service Flag: A service flag bearing a star denoting the service of an Owner or the Owner's immediate family, in active or reserve military service of the United States during a time of war or armed conflict, may be displayed on an Owner's property. The service flag shall not exceed 12" x 18".

c. Other flags are permitted so long as such flags do not exceed 36" x 60".

d. American Flag restrictions: American Flag restrictions as to size and number shall not be in effect, Memorial Day, Veteran's Day, Flag Day, and Independence Day.

4. Signs. Political signs shall be allowed pursuant to C.R.S. § 38-33.3-106.5(c) (2017). No advertisement, announcement or solicitation of any kind may be distributed or displayed in any part of the Premises without the written consent of the Board, except as follows. Real estate signs listing a condominium for sale are permitted. Additionally, all posted signs must comply with the Gunnison County Sign Code.

5. Antennas and Satellite Dishes. Antennas and satellite dishes are permitted in Sunshine Condominiums, except that satellite dishes shall not exceed 39" in diameter.

6. Lighting. All lighting within Sunshine Condominiums shall comply Gunnison County's restrictions on the same.

7. Pets. No more than two domesticated pets per condominium unit are allowed within Sunshine Condominiums. While outside, dogs shall be leashed at all times. Dogs shall not be allowed, nor shall Owners, tenants or guests permit their dogs, to roam freely throughout the Premises unsupervised. Dogs shall not be tied up or restrained at any time on Association property or the common elements. Excessive barking shall be considered a nuisance for the purpose of enforcement. Owners shall clean up their pet's waste, be responsible for any damage, repair or cleaning caused by his or her pets, and shall not permit their dogs to bark, disturb, threaten, scare or injure any person or other animal. Any pet which endangers the health of any Owner, tenant or guest, or which creates a nuisance or unreasonable disturbance must be permanently removed from the Premises within 24 hours of written notice thereof. If the Owner of the pet fails to comply with such notice, the Board of Managers may remove the pet, and the Owner shall be responsible for all fees related thereto, including boarding. Any pet that injures another person or pet shall be permanently removed from the Premises immediately within 24 hours of written notice thereof. Any pet which poses an immediate threat to the health, safety, or property of any person within may be removed by the Board without prior notice to the pet's Owner. Dogs at large are not permitted and may be impounded. Service animals are permitted and are subject to the Rules and Regulations herein.

8. Recreational Equipment, Snowmobiles, Boats. Recreational equipment, (including but not limited to off-road motorcycles, all-terrain vehicles, four-wheelers, snowmobiles, boats, kayaks, and trailers for these, campers RVS, motorhomes) and similar items shall not be stored, parked or kept on any common element or any Association property. in addition, the assembly or dissembling of any vehicle is not allowed, except for minor repairs that can be completed in the same day.

9. Common Elements and Storage of Personal Property. The Association shall maintain and upkeep the general common elements and Association property. Walkways and entry ways shall be kept free of any obstruction and snow and ice by the condominium unit Owner. There shall be no storage of personal property on any property owned by the Association or upon any general common elements, except for firewood as set forth below, and motor vehicles as permitted to be parked on the Premises. Any Owner who stores personal property in violation of this Rule shall be subject to the enforcement policy, including the imposition of fines. Personal property which remains upon the general common elements after the Board complies with the process set forth in the enforcement policy shall be removed and stored at the Owner's expense.

10. Trash Storage, Recycling and Removal: No trash, debris, garbage or similar materials shall be allowed to accumulate on the Premises. No burning of trash, refuse, garbage or debris is permitted at any time. Trash and recycling should be stored inside

and placed at the curb the morning of pick-up. All trash and recycling shall be stored in appropriate trash receptacles with lids. Bags of trash are not permitted to be placed at the curb for pick-up.

11. Owner Use of General Common Elements. An Owner wishing to use common elements for a function of any kind shall first obtain written consent from the Board of Managers. Such use may require the Owner to sign an agreement with the Association, including but not limited to indemnification and release provisions. Storage of any personal property on any general common element is prohibited at all times. Any damage to a common element caused by an Owner, tenant or guest shall be repaired by the Owner, at his or her sole responsibility and expense. Any changes or improvements on common space must be approved in writing by the Board of Directors.

12. Condominium Unit Appearance. Owners shall maintain their condominium units in a neat and attractive condition at all times. Porches and decks shall be free from trash, refuse, garbage and debris at all times. Porches and decks shall not be used to store any personal property at any time. No charcoal, gas or electric fired grills or barbeques are to be used at any time on any wooden deck or porch.

13. Occupancy. No condominium unit shall have more than two persons per bedroom.

14. Heating. Owners shall maintain their condominium units at a minimum of 55 degrees during the cold or winter months.

15. Firewood. No sawing or splitting of firewood shall be permitted upon the Premises. Firewood must be cut to length and split prior to delivery. Wood shall be neatly stacked in front of or in back of a condominium unit no sooner than the month of November and no later than the month of April. Wood shall be stacked a minimum of 4 inches (4") away from the exterior surface of the building so as to not cause any damage. Any damage caused by firewood shall be repaired by the Owner owning such firewood at his or her sole expense and responsibility.

16. Home Occupation Business. Home occupation businesses shall be permitted so long as such home occupation business is subordinate and secondary to a condominium unit's residential use. The home occupation business shall not operate during such hours or in a manner that will create a nuisance to adjacent units. The home occupation business shall be conducted by individuals residing within the home, and one other individual. The business shall serve no more than one vehicle traveling to the property in any given week (not including the residents). A resident wanting to run a home occupation business out of his or her condominium unit shall first seek approval from the Board of Managers.

17. Parking and Motor Vehicles. All parking shall be orderly. No more than two motor vehicles per condominium unit may be parked or kept upon the Premises without the Board's prior written consent. All motor vehicles shall be in working condition and may

not be parked more than one week without the Board's prior written consent. Motor vehicles cannot obstruct emergency vehicles or snow removal operations. Vehicles parked illegally may be towed by the Association at the Owner's expense. At no time shall motor vehicles be parked in such a way as to block or obstruct the sidewalks, walkways or entryways. Unauthorized vehicles shall be towed and impounded at the Owner's expense. Disabled/inoperable vehicles are not permitted to be parked upon any common element or Association property at any time and shall be removed from the common elements or any other property owned by the Association, towed and impounded at the Owner's expense.

18. Noise and Nuisance. Obnoxious, destructive, or offensive activity at Sunshine Condominiums is prohibited. Each person shall refrain from any activity which would be reasonably likely to cause embarrassment, discomfort, annoyance or nuisance to others upon the Premises, or which would be reasonably likely to endanger the health, safety and welfare of other Owners, tenants or guests, or which would negatively affect the reputation of the Association or Sunshine Condominiums. No offensive yelling, cursing or screaming, or fighting is permitted on common elements or Association property at any time. Noise levels shall not disturb others, including neighbors' quiet enjoyment at any time. The Association shall use its best efforts to ensure that reasonable noise levels are maintained within Sunshine Condominiums. Music and other loud noises shall cease by 11:00 PM. Noise levels shall be subject to the Gunnison County or the State of Colorado's noise ordinance.

19. Violations. An Owner shall be notified of any violation of these Rules and Regulations by written notice thereof, either delivered personally or transmitted by electronic or postal service means. Said notice shall provide such person with a cure period pursuant to any policy on enforcement for the violation if practicable, or as soon as practicable. Action taken by the Association to enforce these Rules and Regulations may subject the Owner to fines and additional costs the Association incurs to cure the violation, including but not limited to attorneys' fees and costs. The imposition of fines shall be subject to the Association's policy thereon.

20. Indemnification. Each Owner shall indemnify, defend, and hold harmless the Association and other Owners from and against any and all losses resulting from the violation of any of these Rules and Regulations caused by such Owner or Owner's family, guest, invitee, tenant or occupant of the Owner's condominium unit.

21. Fines and Liens. The Board reserves the right to levy fines for violations of these Rules and Regulations with additional consideration for costs to the Association for corrective actions, inclusive of legal fees.

## **SUNSHINE CONDOMINIUMS ASSOCIATION FINE SCHEDULE**

**For all violations –**

**1<sup>st</sup> offense – warning**

**2<sup>nd</sup> offense \$50**

**3<sup>rd</sup> offense \$100**

**4<sup>th</sup> offense \$250**

Violations include but are not limited to:

Noise

Pets

Occupancy

Unit Appearance

Firewood

Signage

Use of Common Elements for Functions

Home Occupation Business

RVs/Campers/Motor Homes/Boats

Trash Storage and removal

Vehicles and Parking

Personal Property Storage

Flags

Satellite Dishes

Heating