

Larkspur Community Association
PO Box 1872
Crested Butte, CO 81224
www.larkspurcb.com

**CONSTRUCTION REGULATIONS ACKNOWLEDGEMENT
AND CONSTRUCTION MANAGEMENT PLAN**

Property Information

Property: _____
Owner Name: _____
Phone Number: _____
Fax / E-mail: _____

Project Information

Contractor: _____
Contact: _____
Mailing Address: _____
Phone Number: _____

1. Construction Management Plan Provided to DRC by Contractor: _____ YES _____ NO
The Contractor shall submit a site management drawing to include the following:

- a. Storage for dirt/topsoil,
- b. Port a Potty location,
- c. Trash receptacle location,
- d. Parking,
- e. Silt fence,
- f. Job Trailers,
- g. Concrete washout,
- h. Material Storage.

2. Projected Building Completion Date with landscaping: _____

Note: Must be eighteen (18) months after commencement of construction.

Larkspur Community Association
PO Box 1872
Crested Butte, CO 81224

CONSTRUCTION REGULATIONS

ARTICLE VI: CONSTRUCTION REGULATIONS

1. **Construction.** The following restrictions apply to the construction of all buildings and structures within **Larkspur**:
 - A. **Construction Trailers, Portable Field Offices, and Signs.** Owners or contractors who desire to temporarily set a construction trailer or Contractor sign on a construction site must first obtain written approval from the DRC. The DRC will designate a specific location and a maximum period of use.
 - B. **Storage or Materials and Equipment.** Owners or contractors are permitted to store construction materials and equipment on an approved construction site only 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, roadways, or other easements.
 - C. **Debris and Trash Removal.** Owners and contractors shall clean up all trash and debris on the construction site. Trash and debris shall be removed from the site at least once a week to the nearest solid waste disposal site or other location approved by Gunnison County. All persons are prohibited from dumping, burying, or burning trash anywhere in **Larkspur**.
 - D. **Sanitary Facilities.** Each owner or Contractor shall be responsible for providing adequate sanitary facilities on site for all construction workers and subcontractors.
 - E. **Parking Areas.** Construction crews or other construction personnel may park on only one side of the road adjacent to the construction site or use other lots or tracts, pre-approved in writing by the DRC, for parking purposes during construction.
 - F. **Excavated Materials.** Excess excavated materials shall be hauled from **Larkspur** or placed in areas approved by the DRC.
 - G. **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 or persons responsible will repair it promptly.
 - H. **Blasting.** If any blasting is to occur, the DRC shall approve and then 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.
 - I. **Conduct and Behavior.** All property owners in **Larkspur** shall be responsible for the conduct and behavior of their representatives, builders, contractors, and subcontractors.

- J. Stop Work Authority.** The DRC shall at all times have the authority to stop all work on any construction site within **Larkspur**. 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.
- K. Housing.** No construction worker or lot or tract owner shall set up a temporary residence in a trailer, motor home, or tent on any construction site. All construction workers must be housed in permanent housing within or outside **Larkspur**.
- L. Pets.** Dogs and other pets owned by contractors or construction workers shall be prohibited from construction sites.
- M. Hours of Construction.** Construction is permitted from 7 am - 6 pm Monday through Saturday, and work is not permitted on Sunday.
- N. Music.** Construction workers and/or crews may only play music at a level that does not interfere with neighboring properties. The determination of acceptable levels is at the sole discretion of the DRC or its designated representatives.

Larkspur 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 Larkspur 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 Larkspur project(s), and
- 4) understand the procedure and schedule of non-compliance penalties.
- 5) Understand that deposit funds can be retained by the HOA for violations against these regulations.

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 _____

DRC Manager _____

Date _____

Deposit Retention Fee Schedule

All violations committed by a Project against the Larkspur Construction Regulations are subject to having a portion of their Performance Guarantee retained.

If the HOA or the DRC Manager discovers a violation, a letter will be e-mailed to the Contractor or owner detailing the breach and the fees.

The owner or Contractor will have 10 days to bring the project into compliance or present a detailed plan for doing so. All communication shall be through the DRC Manager.

Rectification of the violation does not negate the retention fee.

All fees will be subtracted from the Performance Guarantee unless the owner or Contractor wishes to pay directly.

If the owner or the Contractor wishes to dispute the retention fee, they must do so in writing within 10 days of receiving the retention letter.

Violation	First offense Retention	Second offense Retention	Per Day Retention if not resolved.
Construction Trailers, Portable Field Offices and Signs	\$500	\$750	\$50
Storage or Materials and Equipment	\$500	\$750	\$50
Debris and Trash Removal	\$500	\$750	\$50
Sanitary Facilities.	\$500	\$750	\$50
Parking Areas	\$500	\$750	\$50
Excavated Materials	\$500	\$750	\$50
Damaged Property	\$500	\$750	\$50
Conduct and Behavior	\$500	\$750	\$50
Housing.	\$500	\$750	\$50
Hours of Construction	\$500	\$750	\$50
Music	\$500	\$750	\$50
Continuity of Construction	\$500	\$750	\$50
Maintaining Silt Fence	\$500	\$750	\$50
Not building to the approved plans	\$5,000	NA	NA