

CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION

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Crested Butte South Construction Site Guidelines

Construction

The following rules and regulations apply to the construction of all improvements within Crested Butte South, Filings 1-4. No building, structure, wall, fence, or addition or exterior alteration to any building, structure, wall or fence shall be commenced, erected or maintained unless and until the plans and specifications showing the nature, kind, shape, height, materials, floor plans, and location of the same shall have been submitted to the Association Manager and/or the Design Review Committee for its consideration and approval or disapproval in writing. The Committee shall review all plans and specifications with regard to quality, materials and color; topography, setbacks, finished grade elevation, driveways, plantings and parking facilities; as well as harmony of exterior design with existing or planned structures adjacent thereto. (Refer to Section 4 of the Covenants and Restrictions)

Construction Hours

Construction activity that is likely to generate noise which is audible beyond the property boundary, such as hammering, sawing, excavation work, and concrete or material deliveries, must be confined to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday, from 8 a.m. to 5 p.m. on Saturday, and from 9 a.m. to 3 p.m. on Sundays, or as may be further restricted by the P.O.A. from time to time. Additionally, the use of heavy equipment is prohibited on Sundays.

Stop Work Authority

The Association Manager, the Design Review Committee, or the Board of Directors shall at all times have the authority to stop all work on any construction site within Crested Butte South. Contractors or contractor's personnel violating any of the provisions of this document or of the Covenants and Restrictions shall be just cause for stopping all work. A stop work order will be issued directly to the lot owner in writing and posted at the work site.

Construction Trailers, Portable Field Offices & Contractor Designation Signage

No trailer capable of habitation or containing living quarters shall be parked on any lot or street governed hereby for more than one consecutive overnight period; provided, however, that a trailer or trailers, used temporarily by a construction contractor or sub-contractor as an office, supply facility, tool room or warehouse, may be located completely within any lot during the actual period of construction. (Refer to Section 7 of the Covenants and Restrictions) Contractor's signs are permitted, but must not exceed 6 sq. ft. in size and no flashing, moving, animated or neon signs will be permitted. The sign must be removed upon issuance of the Certificate of Occupancy from Gunnison County.

Housing No construction worker or lot owner shall set up a temporary residence on any construction site in a trailer, motor home or tent. (Refer to Section 7 of the Covenants and Restrictions.)

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 adjacent lots, roadway right of ways or utility easements. Storage of materials and equipment must be completely within the property associated with the Building Permit.

Debris and Trash Removal

Owners and contractors shall clean up all trash and debris daily. Any trash or debris blown from the site shall be cleaned up daily. Trash and debris shall be removed from the site once the receptacles are reasonably full. All owners and contractors are prohibited from dumping or burying trash on any site throughout Crested Butte South. **Burning of construction debris is not permitted in CB South**

Parking Areas

Construction crews or other construction personnel shall not park on adjacent properties and is permitted to park on the road side, but not on an overnight basis. Please consider safety and use caution on where you park your vehicles on the road side. You may be required to move your vehicles periodically for safety concerns, snow plowing or road maintenance.

Concrete

Following concrete delivery to construction sites, concrete trucks may not clean trucks or dump excess concrete in the roads, adjacent properties, and right of ways or easement.

Damaged Property / Restoration of Property

Damage to or scarring of other properties, including but not limited to other lots, roads, driveways or other improvements is not permitted. If damage occurs, the person responsible will repair it promptly. The owner of the lot 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.

Upon the completion of construction, each Owner and his or her General Contractor shall clean the site and repair all property which has been damaged, including but not limited to reshaping and revegetation of disturbed grades, and the repair of streets, driveways, pathways, drains, culverts, drainageways, signs, lighting, and fencing.

In addition, each Owner and his or her General Contractor shall be held financially responsible for the cost of the site restoration or revegetation and refuse removal necessitated upon any adjacent or neighboring property as a result of trespass or negligence by their construction personnel, sub-contractors, or material suppliers.

Final Inspection

Prior to the issuance of the Performance Deposit refund, the Owner or General Contractor must first request a Final Inspection by the Review Board. The purpose the Board's inspection shall be to confirm that all construction and improvements have been completed in accordance with the approved plans, or to identify any deficiencies which must be corrected prior to the issuance of the Performance Deposit.

Health and Safety Compliance

All applicable statutes, ordinances, or rules pertaining to health and safety, including all applicable provisions of the Occupational Safety and Health Act (O.S.H.A), and restrictions pertaining to the handling or disposal of hazardous materials and toxic substances or waste must be observed and obeyed throughout the construction process.

Sanitary Facilities

Each Owner or General Contractor shall be responsible for the provisions of adequate sanitary facilities for the use of jobsite personnel, throughout the active construction process. Each portable toilet shall be situated within the property lines in the location approved on the construction staging plan. Each toilet must be emptied or exchanged as often as is necessary to prevent the attraction of insects or the generation of objectionable odors.

Firearms

The possession or discharge of any type of firearms by construction personnel anywhere within the CB South Subdivision is prohibited.

Alcohol and Controlled Substances

The consumption of alcoholic beverages or the use of any controlled substance by construction personnel within the CB South Subdivision is prohibited.

Pets

No pets may be brought to or onto a construction site, except by the Owner of the property; any and all pets brought to the site by an Owner must be appropriately leashed or restrained.

Conduct and Behavior All property owners in Crested Butte South shall be responsible for the conduct and behavior of their representatives, builders, contractors and sub-contractors. Please consider the impact on the community when creating excessive noise levels, and refer to the CB South Noise regulation for specific guidance.

Be a Good Neighbor!

There is no question that the construction of each “next new residence or business” is disruptive to its surrounding neighborhood. By its very nature, building is a noisy, dusty, traffic-generating activity. We acknowledge that it is virtually impossible to eliminate all of the annoying aspects of construction; but we also know for a fact that the level of annoyance can be significantly reduced by the builder who maintains a mindful respect and regard for the sensibilities of nearby residents. For example, whenever possible, schedule a noisy delivery or activity through the middle of the day, instead of at dawn’s early light when others might still be asleep, or during the fading twilight when others might be sitting down for a quiet dinner. Remember that your fellow Owners or even their renters should not have to forfeit their rights to enjoyment of Crested Butte South for the construction of your new home or business.

When neighbors are treated with respect they will become more tolerant. Our Manager and our Review Board receives fewer complaints, and your construction progresses to completion with fewer corrective interruptions. So, be a good neighbor, it’s best for us all!

Non-Compliance Assessment Procedure and Rates

Owner will be liable for the non-compliance penalties specified below. The non-compliance assessment procedure is as follows:

1. **First Offense** – a written warning will be given by the Crested Butte South Property Owners Association Manager or other Association agent and/or official.
2. **Any Offense after a written warning** – an invoice for said offense will be mailed to the address of the owner, per the Association’s records, payable within 15 days. Colorado law provides that, if a non-compliance assessment is levied, the owner/contractor may request a hearing before the Crested Butte South Property Owners Association’s Board of Directors to contest the fine. Any request for a hearing before the Board of Directors must be made before the fine is due. The Board of Directors shall provide the owner/contractor with at least 10 day prior written notice of the hearing and an opportunity to be heard.

Maximum Non-Compliance Penalties

All penalties apply to all Sections above.

1. **First Offense after a warning** - \$250. + \$100./day
2. **Second Offense after a warning** - \$500. + \$100./day

Owners and Contractors Statement

The Property Owner and their contractors acknowledge that they have:

1. Read the CB South Residential Design Guidelines,
2. Have had the opportunity to seek clarification on any provision we believe requires additional explanation,
3. Agree to comply with said regulations during the course of construction, 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 liable for all actions of our contractor, sub-contractors and their representatives.

Signed (Owner)

Print Name of Owner

Signed (Contractor)

Print Name of Contractor

Date

This statement must be signed before the final CB South Approval letter is issued.

Please NOTE: Crested Butte South Property Owners Association through its designated representative reserves the right to inspect the site at any time during construction without notice.