

Westwind Homeowners Association Rules for Construction and Remodeling

1. These rules apply to all remodeling of individual units at Westwind that require issuance of a building permit by the Town of Vail. They are not intended to apply to routine maintenance or repair of minor damage that does not require issuance of a building permit.
2. All remodeling must comply with the Association Declaration, Bylaws and Rules as in effect from time to time.
3. No remodeling work shall commence until approved by the Board of Directors of the Homeowners association or its designated representative. Approval shall be obtained by submitting an application to the Board or its designee providing such information as the Board shall require. At minimum the application shall include:
 - a. A complete copy of the application for building permit submitted to the Town of Vail.
 - b. The name of the general contractor responsible for compliance with these Rules, including contact name, contact phone number, and email address. If the owner is acting as the general contractor the application must also include a complete list of all subcontractors, including contact names, contact phone numbers, and email addresses.
 - c. A certificate of insurance for all contractors and subcontractors showing coverage for Commercial General Liability Insurance, including Products and Completed Operations Coverage, in an amount not less than \$1,000,000 combined single limit per occurrence and in the aggregate, a certificate of insurance for Builder's Risk Insurance in the amount of the remodeling work described in the application, and a certificate of Workers Compensation in the minimum amount required by Colorado law. Other than with respect

to subcontractors' insurance policies, the Association must be designated as an additional named insured under all other Commercial General Liability Insurance and Builder's Risk Insurance policies, and as a certificate holder with respect to the Workers Compensation Insurance policy.

- d. An agreement on the form provided by the Association that the owner and contractor are solely responsible for the remodeling project, and agreeing to indemnify and hold harmless the Association from and against any loss, liability, claim, action or damages arising out of or related in any way to the remodeling project, including mechanics liens.
 - e. A general construction schedule. All work shall commence as soon as practicable and be pursued diligently to completion in accordance with the approved schedule. No construction shall begin before April 15 and all work other than painting must be completed no later than November 15 in the same calendar year.
 - f. Agreement by owner to pay any expenses incurred by the Association in the approval process, including, without limitation, any architects, engineers or similar professionals reasonably required by the Association to review the owner's application and advise the Association as how best to protect the interests and property of the Association and other owners.
- 4. All contractors will be required to park vehicles and store construction materials as directed by building management. Parking space and storage space may be limited in the discretion of building management.
 - 5. All Outside Contractors will be required to sign in and out at the front desk so onsite Westwind management is always aware of who is onsite during a specific day and time. This is a security measure and step that is done for Westwind's insurance liability.

6. All work must be done within the owner's unit, provided that building management may designate space in the garage or parking area for contractor use on a limited basis.
7. No remodeling work, materials or tradesmen shall obstruct any stairwell, sidewalk, entry or the passageway at any time.
8. Use of the elevator to transport building materials, appliances or furniture during times of peak use may be prohibited as determined by building management.
9. Contractors shall remove all construction debris. No construction debris may be placed anywhere outside the unit waiting for removal. Building dumpsters may not be used for construction debris. No debris or materials may be thrown over balconies or walkways.
10. In the event of a violation of any of these rules, building management shall promptly give notice of the violation to the owner and general contractor. If the violation is not cured within 24 hours, or such other reasonable period determined by the Association or as otherwise required by applicable law, building management may take such steps that may be necessary to cure the violation. Without limiting the generality of the foregoing, building management may exclude the owner's contractor from accessing the building until reasonable accommodations approved by the Association are made by the owner and contractor to better protect the interests and property of the Association and other owners from continued violations. Building management shall not be liable for any damage resulting from such activity. All actual hard and soft costs incurred by building management for such activities, together with a 10% administrative fee to accomplish such activities, shall be due and payable by the owner or contractor upon the Association's written demand in accordance with applicable law and the Association's collection policies. If not paid by the contractor when

due, all such amounts shall be the sole obligation of the unit owner and may be assessed by the Association as a lien against the owner's unit in accordance with applicable law.