

**RIVERWALK GARNET BUILDING ASSOCIATION
RULES AND REGULATIONS
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RIVERWALK GARNET BUILDING ASSOCIATION RULES AND REGULATIONS

INTRODUCTION

These rules and regulations are created to assist with living and working in the Riverwalk Garnet Building as a pleasant and comfortable environment, while ensuring harmonious relations. As neighbors, all of us have rights and obligations. The rules and regulations that we impose upon ourselves as owners are for the mutual benefit and comfort for everyone in the Riverwalk Garnet Building Association.

Objectionable behavior is not acceptable even if it is not specifically covered in these rules and regulations. It is the responsibility of owners to see that these rules and regulations are made available to and adhered to by their employees, guests, and/or lessees. Tenants must acknowledge receipt of these rules and regulations by signing and returning a copy to the owner of the unit.

To be effective, rules and regulations must be enforceable. Accordingly, violations by owners, their tenants, employees, families, guests, invitees, patrons and persons over whom they exercise control will be acted on as follows:

“A firm, informative and friendly warning will be given by your neighbors or property manager for a minor infraction. However, if damage to property has occurred, said damage must be immediately paid for by the responsible owner. If an owner’s tenant, employee, family, guest, invitee, or person over whom the owner exercises control causes the damage, the owner shall still be jointly and severally liable for payment of the damaged property.”

The purpose of these rules and regulations and enforcement thereof is not to hinder relationships between owners and/or tenants. In all case, as stated above, it is the intent to first resolve problems amicably. However, in the extreme cases when a mutual resolution is not obtained, the following actions may be taken. Please note that Owners and Tenants shall have the right to a hearing before a penalty is assessed.

- **1st infraction** – Owner (and tenant, if feasible) will receive verbal and/or written warning
- **2nd infraction** – Owner will be assessed a \$50 penalty payable with next association dues. Owner (and tenant, if feasible) will be notified in writing that the penalty was assessed.
- **3rd and subsequent infraction(s)** – Owner will be assessed a \$100 penalty payable with next association dues. Owner (and tenant, if feasible) will be notified in writing that the penalty was assessed.

The Executive Board retains the right to increase subsequent penalties based upon the number of infractions. From the date of notification of the offense, offenders shall have the opportunity to have a hearing at the next Executive Board meeting. All requests for a hearing must be in written form submitted to the Executive Board via the Property Management Company by mail, electronic mail or facsimile. Offenders filing for a hearing shall be given the opportunity at the Executive Meeting to join in or to have its representative or agent join in discussion from the floor of any prospective action, policy or program to be implemented by the Board, any committee thereof, or the Association. The outcome of the hearing shall be delivered via mail, electronic mail or facsimile to the offender within 14 days following the meeting of the Executive Board.

In addition, the Executive Board retains the right, as described in the Condominium Declaration, to place a lien against an owner's property should an owner fail to pay their assessments, including the failure to pay assessed amounts for infractions. The Executive Board retains the right to adjust the infraction scale with reasonable cause.

DEFINITIONS

The following rules and regulations, except as otherwise expressly stated, apply to all owners and their families, tenants, employees, agents, invitees, and guests with respect to the use of the condominium units, commercial space, common areas, and any other portion of the Riverwalk at Edwards property. For purposes of these rules and regulations, "tenant" shall mean persons under a valid lease for a commercial or residential unit with a current right to occupy such unit; "guest" shall mean all persons other than owners and tenants, including their employees, with a current right to occupy a unit. Owners and guests who do not have a current right to occupy a unit may not use the facilities within the property. Terms not specifically defined in these rules and regulations shall have the meaning attached to such terms in the Declaration for the Riverwalk Garnet Building Association.

ANTENNAS AND SATELLITE DISHES

Owners and Tenants are encouraged to install satellite dishes and antennae with a diameter of 1 meter or less in a location not visible to neighbors and the common public from ground level within Riverwalk. Each owner and tenant is responsible for contacting their building Association for rules guidelines and approval for installing on common areas within the building, such as the roof. Installations of all satellite dishes and antennae with a diameter of 1 meter or more must obtain prior written approval from the Board of Directors. If installation or removal causes or has caused any damage to the roof, or any roof leak damage to units below, the owner shall reimburse the Riverwalk Garnet Building Association for repairs of damage(s) caused. If the owner does not reimburse the Riverwalk Garnet Building Association for the removal or repair cost(s) referred to above within sixty (60) days of notice of costs, the Riverwalk Garnet Building Association may place a lien on the owner's unit until full payment is made.

COMMON AREA USES

Except in areas that may be designated for such purposes by the Riverwalk Garnet Building Association or managing agent, the personal property of all owners and/or tenants shall be stored within their respective units. Without prior written approval by the Executive Board, activities other than normal transit or household moves shall be prohibited except those uses outlined in the Residential Hallway Guidelines

The follow is specifically prohibited:

- All exterior storage of personal property, whether by residential or commercial unit owners (unless permitted by the Bylaws, Declaration, or these Rules and Regulations).
- Smoking within the common areas.
- Sporting equipment of any kind, furniture, inventory, or other materials or personal property.

The common areas referred to as mechanical rooms, boiler rooms, roof, etc. shall only be accessed by contacting the management company for the Riverwalk Garnet Building Association for permission and access. Should the purpose for access be for the benefit of the owner/ tenant, the Riverwalk Garnet Building Association reserves the right to impose a fee for services, if needed.

Should an owner or tenant require the use of the elevator for moving in, moving out or for the transportations of construction material and equipment, only the Riverwalk Garnet Building elevator is to be used. Owners and tenants are prohibited from using the Riverwalk Opal Building for these activities. In addition, any damage repair or clean-up required due to move in, move out and construction work may be billed directly to the owner or responsible party. Owners or tenants may request the use of the elevator key should the elevator need to be used for an extended period of time.

BALCONY USES

Balconies, terraces, exterior stairways and windows shall be used only for the purposes intended, and shall not be used for hanging or storing sporting equipment or other household items. This includes, but is not limited to, any & all laundry, towels, blankets, sleeping bags, tents, sporting equipment, fishing gear, kayaks, bicycles, skis and snowboards.

GUESTS, TENANTS, AND OCCUPANTS OTHER THAN OWNERS

It is the responsibility of the owner to be sure that anyone occupying the owner's unit is made aware of all "Rules and Regulations" of the Riverwalk Garnet Building Association & the Riverwalk Master Association. Should occupancy of any unit be permitted by any owner, to any long-term guest or tenant, the Riverwalk Garnet Building Association & Management Company must be made aware of such occupancy including name, phone numbers, & address, to protect the security of the property. Obligatory compliance with the Riverwalk Garnet Building Association Rules and Regulations as well as those of the Riverwalk Master Association shall be specifically referred to, and made a part of, any lease agreement of any unit. Owners shall be responsible for the conduct of their children and pets and the children and pets of their guests and tenants. Owners shall ensure that such behavior is neither offensive to any occupant of the property nor damaging to any unit or portion of the common area.

HAZARDOUS MATERIAL

The storage of flammable material that may jeopardize the safety and welfare of any person or property is **not permitted on or in the property at any time, including personal garages.** No flammable, combustible, explosive, or otherwise dangerous fluid, chemical, or substance shall be kept in any unit or on any part of the property except for reasonable quantities of commercially available products in retail packaging for normal household use within the units. Gas grills with propane tanks of 20 lbs. or less shall be permitted. **No fireworks of any kind shall be ignited on the property from any unit or from any common area.**

HEATING MINIMUMS

The owner of each unit in the project shall heat such unit so as to maintain a **temperature in the unit of no less than 55 degrees Fahrenheit from October 1st to May 30th** of the year in order to avoid any damage which could result from the freezing of pipes, both individual and common, which pass near or through individual units within the building. **This heating requirement must be met even when the unit is vacant.**

KEYS

Any owner or tenant may provide, at their discretion, a key to the Fire Department in case of emergencies. All owners and tenants should be aware that a key provided to the Fire Department is kept within a Knox Box on site and is only available to members of the Fire Department. However, should an owner or

tenant choose not to provide a key to the Fire Department, the Fire Department retains their right in case of an emergency to enter your unit with force, if necessary. Repair costs are the responsibility of the owner or tenant.

Any owner or tenant may also provide, at their discretion, a key to the Management Company in case of emergencies. Should an owner or tenant choose not to provide a key to the Management Company, the owner or tenant should be made aware that the Management Company retains their right in case of an emergency to enter your unit at the cost of the owner or tenant.

NUISANCES

No unit owner shall make or permit any disturbing noises in the building by himself, his family, employees, agents, visitors or lessees, or pets nor do or permit any activity that will interfere with the rights, comforts, or convenience of other unit owners or tenants. All owners and tenants shall respect the rights of their neighbors and keep the sound levels of all radios, stereos, televisions, appliances, as well as voices & musical instruments to a minimum. No one may make undue noise between 10 pm and 8 am.

No owner shall conduct, or permit to be conducted, vocal or instrumental practice or performance, nor give, nor permit to be given, vocal or instrumental instruction at any time if the same shall disturb or annoy other occupants of the building.

No noxious or offensive activity shall be carried on inside or outside of any unit, nor shall anything be done or placed on the property that is, or may become, a nuisance or cause embarrassment, disturbance, or annoyance to others.

No lights shall be emitted from any unit that are unreasonably bright or cause unreasonable glare.

PETS

All dogs kept on the premises by owners must be licensed with Eagle County and must have appropriate shots required by the county. **Tenants are prohibited from having dogs**, except those tenants that are permitted due to the grandfather clause.

Maximum number of dogs per unit is two. Dogs are not permitted to run free outside of an owner's unit at any time. When outside the unit, dogs shall be on leashes at all times, including when any individual is walking any dog(s) on any section of the Riverwalk property.

All dog owners must immediately pick up the waste created by their dogs at all times during all seasons. Owners are responsible to prevent dogs urinating on any landscaping, buildings, or property owned by others; and/or from damaging any landscaping, buildings, or property owned by others.

All pets must be transported via the Riverwalk Garnet Building elevator or stairwells.

REFUSE

No trash, ashes, or other refuse or debris may be thrown or dumped on the property. The burning of refuse anywhere on the property is prohibited. No incinerators or other devices for the burning of refuse indoors or outdoors shall be constructed, installed, or used by any person except as approved in writing by the Executive Board. The owner of any unit subject to these rules and regulations shall keep the unit and the property free of trash, refuse, or debris of any kind, whether the unit is vacant or occupied.

Disposal of garbage and trash by employees, owners, or tenants of Riverwalk units shall be only by the use of designated facilities. Refuse shall be placed in sealed trash bags supplied by each owner or tenant and

placed in the appropriate individual association's common trash dumpster(s) for pick-up by the contracted trash truck. All trash must be placed in the trash dumpster(s), never alongside or on the ground. No trash bags may be stored outside units for any length of time or a penalty may be levied against the owner or tenant of the unit. Violations will be subject to penalties as described in the Introduction above.

Owner and tenants are encouraged to utilize the cardboard recycling on site, as well as utilize the recycling centers at the Edwards rest stop and near Wal-Mart.

RESIDENTIAL OCCUPANCY

Full time occupancy of each three bedroom unit shall be limited to a maximum of six persons, a two bedroom unit shall be limited to a maximum of four persons and a one bedroom unit shall be limited to a maximum of two persons. Limited overnight use of one week or less shall be limited to four additional persons for a three bedroom, 3 additional persons for a 2 bedroom and 2 additional persons for a one bedroom. Infants and babies are not included in these figures.

WINDOW COVERINGS

All window coverings visible from outside the owner's unit shall be specifically designed to be a window covering (e.g. no tapestries, sheets, etc.). No window, including sliding glass doors, shall be tinted without the prior written approval of the Executive Board.

ZONING COMPLIANCE

All residential condominium units shall be used for residential purposes only and shall not be used for any business involving the movement of goods or services within the building. A residential owner or tenant may use a portion of their unit as a home office, provided it does not violate the Nuisances section of the Riverwalk Garnet Building Association Rules and Regulations. Approval may be withdrawn or terminated by the Riverwalk Garnet Building Association at any time, with cause.

PERSONAL GARAGES/ PARKING

All residential owners with one car private garages are expected to park in their garage and shall be provided one additional parking permit to park in the general underground garage, if necessary. A complete list of Rule and Regulations for parking can be found in the Riverwalk Master Association Rules and Regulations.