

Horizon Towers Condominium Association
Minutes of Action taken without Meeting and without Notice

In accordance with Sections 4.12 and 4.13 of the Horizon Towers Condominium Association Bylaws, I hereby waive notice and consent to the action taken without meeting on this

11th day of FEBRUARY 2020, regarding ACTIONS WITHOUT MEETING
TO APPROVE A POLICY AND PROCEDURE

Lena Elliott

Lena Elliott, President

Ron Kukuk

Ron Kukuk, Vice President

Jan Cartlidge

Jan Cartlidge, Secretary

Linda Scheve

Linda Scheve, Treasurer

Dale Reece, Director

Signed, posted and dated on this 11th day of February, 2020, the Board of Directors of Horizon Towers Condominium Association, without notice, voted to:

approve a policy and procedure concerning noise
as order in and around Horizon Towers

Motion by: Linda Scheve

Lena Elliott, President

Seconded by: Ron Kukuk

Jan Cartlidge
Jan Cartlidge, Secretary

Horizon Towers Condominium Association

Covenant Enforcement Policy and Procedure Pursuant to C.R.S. §38-33.3-209.5(1)(b)(IV)

BE IT RESOLVED, the Association hereby adopts the following procedures to be followed for enforcing policies rules and regulations and other governing document of the Association.

1. Scope:

To adopt a procedure outlining stipulations to be followed for enforcing policies rules and regulations appurtenant to the Association's Covenant, Codes & Restrictions, Article VIII, Section 8.03: Nuisances. The Board of Directors of the Association shall have the right to determine if any noise, odor, or activity producing such noise or odor constitutes a nuisance.

The Association is strictly smoking free. This means that all forms of smoking are strictly prohibited. Smoking is not allowed anywhere inside the premises or outside on any of the Common areas. This prohibition encapsulates but is not limited to: exterior balconies; exterior Common grasses; the parking lot; the driveway; or any other area recognized as the platted areas encompassed by the Association.

2. Specifics:

Violations may be observed by the Board of Directors, the management company, a committee member or reported via written correspondence through e-mail, fax, or mail service by Members or Guests of the Association. The complaint must state specifically the violation observed and include who the violating party was, what was observed, the date, place and time of the violation and any other pertinent information.

If full details are not provided with a complaint, further action beyond additional observation may be delayed. The Board will investigate the complaint further and will make additional observations if required.

If a complaint is found to be in violation of a municipal code, the complaint will be forwarded to the appropriate authorities.

If a violation is found and documented the following actions will be taken:

- A letter and photo (if the incident was photographed) will be sent to the owner (and tenant if it is known that the unit is being used as a rental) stating that a violation has occurred while referring them to the governing documents which appear to be in violation. This letter will allow the unit owner to forward documentation if they believe the violation did not occur. The unit owner will have 10 days to respond to the letter or to correct the violation.
- If the violation is still observed after 14 days, a second letter will be sent to the Owner (and tenant if it is known that the unit is being used as a rental) stating that a fine of \$75.00 has been added to the Owners account. The unit owner will have

7 days to correct the violation or request a hearing with the Board (see Dispute Resolution Policy for specifics)

- If at the hearing it is found that the violation did (does) occur, the Owner will be charged fine from the 7th day after the date of the second letter. The Association will charge \$100.00 per day, per occurrence for all Policy and CCR non-compliance issues.
- If a hearing is not requested by the owner within 7 days of the second violation letter, fines of \$100 per day, per occurrence will continue until the documented violation is corrected.
- It is the responsibility of the Owner to notify the Board that a violation has been rectified.
- The BODs can also give the member 30-60 days' notice that if the violation is not corrected, the HOA will fix the issue and charge the member directly for all associated costs to remedy the situation.

Owners are responsible for any fines that may be levied against their property due to non-compliance of their tenants.

Non-payment of fines will fall under the Dues Collection Policy.

Voting rights will be suspended for any Owner who is or has been in violation of the CC&R's in the previous thirty (30) days.

3. **Definitions:** Unless otherwise defined in this Resolution, initially capitalized or terms defined in the Declaration shall have the same meaning therein.
4. **Supplement to Law:** The provisions of this Resolution shall be in addition to and in supplement of the terms and provisions of the Declaration and the law of the State of Colorado governing the Project.
5. **Deviations:** The Board may deviate from the procedures set forth in this Resolution if in its sole discretion such deviation is reasonable under the circumstances.
6. **Amendment:** The Board of Directors may amend this procedure from time to time.

President's Certification: The undersigned, being the President of the Association, certifies that the Board of Directors of the Association adopted the foregoing resolution and in witness thereof, the undersigned has subscribed his/her name.

Horizon Towers Condominium Association

Lena E. Elliott
President

Effective Date: FEB 11, 2020