

## **RULES AND REGULATIONS**

### **CASOLAR DEL NORTE HOMEOWNERS ASSOCIATION**

These Rules and Regulations are issued in accordance with Article 8.24 of the Second Amended and Restated Declaration of Covenants and Restrictions for Casolar Vail (also known as Casolar Del Norte) (the “Declaration”), and are designed to make living within the Casolar del Norte neighborhood pleasant and comfortable and to ensure harmonious relations among the owners of lots in Casolar Del Norte ("Lot Owners"). As neighbors, all of us have rights and obligations. The regulations we impose upon ourselves as owners are for the mutual benefit and comfort of everyone residing in the Casolar del Norte neighborhood. Objectionable behavior is not acceptable even if it is not specifically covered in the rules.

To be effective, rules and regulations must be enforceable. Accordingly, violations by owners, their relatives, guests or lessees will be acted on in accordance with the Covenant and Rules Enforcement Policy which can be found on the Casolar website.

#### **1. Pets**

Lot Owners shall have no more than 2 domesticated dogs or cats at any one time in or on a Lot. All dogs must be leashed at all times when being walked in any Common Areas. Owners of pets must immediately pick up the feces created by their pets. For further restrictions please refer to Section 8.9 of the Declaration.

#### **2. Refuse**

Disposal of garbage and trash shall only be in approved, “bear-proof” receptacles as required by Town of Vail ordinance. All receptacles shall be kept inside a Dwelling Unit except on the day of pick up, as required by Town of Vail ordinance.

### **3. Parking**

Parking restrictions are fully described in Section 8.10 of the Declaration. In summary, all Lot Owners, lessees and overnight guests must park in the spaces allocated to that Dwelling Unit. There is NO overnight parking on or adjacent to the road. During the winter, there is NO parking in designated snow storage areas. Parking in such a manner that blocks or otherwise interferes with another Lot Owners' access to their parking spaces or driveway is strictly prohibited. In the event a vehicle is parked in violation of these rules, it may be towed or subject to fines as further described in Section 8.10(c) of the Declaration.

### **4. Common Areas**

The Common Area of Casolar Del Norte HOA consists of all property outside of the Dwelling Units. All Common Areas are to be treated with care by all Lot Owners, relatives, employees, guests and lessees, and any abuses, damages, or annoyances created by any of the foregoing shall be the responsibility of the Lot Owner associated with such individuals. There will be no obstruction of the Common Area nor may anything be kept, parked, stored on, or removed from, any part of any Common Area (except subject to easement rights) unless specific written consent to such use is given by the Board of Directors. The cost of removal of any unauthorized items from the Common Area shall be charged to the Lot Owner responsible for such items.

### **5. Signs and Solicitations**

No sign, advertisement or other lettering (other than house numbers) shall be exhibited, inscribed, painted or affixed by any Lot Owner or any other person on the exterior or in a window of any Dwelling Unit, or on the Common Areas, without the prior written consent of the Board of Directors. There shall be no advertisements, announcements or other solicitations of any kind

distributed or passed out in any part of Casolar del Norte without the prior written consent of the Board of Directors.

## **6. Association Employees or Contractors**

Members of the Board of Directors are the only persons authorized to give orders or directions to agents, employees or contractors of the Association regarding the duties of such individuals undertaken for Association purposes or related to property for which the Association is responsible.

## **7. Nuisances**

No Lot Owner shall make or permit any disturbing noises on a Lot or in a Dwelling Unit, nor do or permit others to do anything that will interfere with the rights, comforts, or convenience of other Lot Owners, as more fully described in Section 8.6 of the Declaration.

## **8. Assessments/Dues**

The collection of the annual dues for the Association, as well as any special assessments that may from time be imposed by the Board of Directors shall be governed by the Collection Policy found on the Casolar website.

## **9. Architectural Review Process**

### **A. Architectural Control Committee**

The Architectural Control Committee, as provided for in Article 7 of the Declaration, shall consist of the Board of Directors of the Association. Action taken by a majority of the members of the Committee shall constitute action of the entire Committee. No action undertaken by the Committee shall, however, be binding upon the Committee, or constitute a valid act by the Committee, unless such action is memorialized in writing, and signed by a majority of the members of the Committee.

## B. Administration by the Committee

The Committee shall have the following powers and duties in addition to such other powers and duties set forth elsewhere in the Articles or in the Declaration:

### (i) Approval of Plans

All plans and specifications for the construction of any residence, the undertaking of any grading, the exterior alteration of any residence and all exterior uses or improvements, including landscaping, on a Lot shall be approved by the Committee prior to any grading, construction, or installation of any kind. No construction shall be commenced until such time as a Lot Owner or Lot Owner's designee shall have submitted plans and specifications, as referred to above, to the Committee, together with a drawing prepared by a licensed land surveyor reflecting the boundaries of the Lot on which the improvements are proposed to be constructed, together with the location of all existing and proposed structures and improvements on the Lot, together with such additional documents and information as are required by the Committee, and until a pre-construction meeting has been scheduled and held between the Lot Owner or the Lot Owner's designee and the Committee or the Committee's designee or agent. In addition to all other materials outlined above or in the Declaration, the Lot Owner must also submit the written approval to the proposed project by any and all Lot Owners who share a common wall with the petitioner. In the case of a triplex, all Lot Owners within the triplex must provide such written approval. The Committee may adopt reasonable rules and guidelines outlining procedures for its review of materials submitted to it and for additional submittals and review during the construction period. In reviewing the materials submitted to it, the Committee shall apply the criteria set forth in Section 7.4 of the Declaration, and the Committee may reject all or any portion of the plans or materials submitted, or require the modification or resubmission of any such

plans. In addition to review and approval by the Committee, the Committee may circulate the plans and specifications to neighboring Lot Owners, who shall be entitled to review and comment to the Committee on the plans and specifications.

(ii) Committee Costs

In conjunction with its review of the submitted plans and specifications, the Committee may consult with an architect, surveyor, engineer, attorney, or other such professional, and is entitled to rely on the advice or judgment of such persons. If the Committee elects to undertake such consultation, the Committee shall advise the Lot Owner, in writing, of the anticipated cost associated with such consultation. The Lot Owner shall, within seven (7) days after receipt of notice of the anticipated cost, either agree to reimburse the Committee for such costs, or withdraw the request for approval by the Committee. Reimbursement of any such costs shall be made prior to any approval of the submitted plans and specifications.

(iii) Performance Bond

The Committee shall be entitled to require that any Lot Owner commencing construction of any improvements on a Lot pay to the Committee, or an escrow agent approved by the Committee, a sum, as determined by the Committee, although not to exceed \$10,000.00, which shall be held for the purpose of guaranteeing construction of the improvements contemplated by the Lot Owner in accordance with the approved plans and specifications for the same and also in accordance with the provisions of these rules and regulations and the Declaration.

(iv) Variances

The Committee may grant variances pursuant to Section 7.9 of the Declaration, so long as the general intent of the provisions of the Declaration shall be substantially achieved; provided, however,

that the granting of any variance by the Committee shall require the unanimous vote thereof.

## **10. Application to All**

It is the responsibility of each Lot Owner to ensure that anyone occupying his Dwelling Unit or Lot is made aware of all the "Rules and Regulations of Casolar Del Norte Homeowners Association". Any violations of these rules and regulations, of the Declaration, or of any other documents related to Casolar Del Norte by any Lot Owner, or a tenant, occupant, guest, agent, employee or contractor of a Lot Owner shall be the responsibility of that Lot Owner.

The above Rules and Regulations were adopted by the Board of Directors of Casolar Del Norte Homeowners Association, effective as of May 9th, 2016.