

## **HOA Specs and User Guidelines for Hot Tubs at Knollridge Townhomes Association**

### **Permits, City and County Regulations, Conduits:**

- 1) The Owner is responsible with knowing and complying with all permit requirements, city regulations and county regulations. This may include, but is not limited to, obtaining a building permit, electrical permits, specifications regarding installation of conduits, specifications regarding burying depth of conduits, etc.
- 2) Any exterior alterations are required to comply with Town codes and all related expenses are the responsibility of the unit owner.

### **Location:**

- 1) The HOA requires that all hot tubs be installed on the concrete pads or patios provided by the HOA. No extensions to the patio are permitted without Board approval.

### **Colors:**

- 1) The HOA requires that the colors of the hot tub, cover and any accessories be neutral earth tones that match or blend with the exterior colors of the unit and complex.

### **Fencing/Gate:**

- 1) The HOA requires that all hot tubs be within a fully fenced area. An exterior entrance to the area, if any, must be by a self-closing, self-locking gate.

### **Safety:**

- 1) If a hot tub is installed on a patio such that it is located under the gutters or roofline there is a potential safety hazard from falling snow or ice. The unit owner is solely responsible for any and all damages or liabilities resulting from the placement, operation and use of a hot tub.
- 2) The HOA requires that the hot tub be equipped with the safety features required by the Virginia-Graeme Safety Act.

### **Board Approval:**

- 1) Prior to commencement of any installation activities related to any hot tub to be installed or modified on any Common Element, the owner of the Unit constructing the hot tub shall apply to the Board for approval. (The Board may delegate approval review to any committee designated with such authority.) Such

application shall include drawings of the hot tub installation showing the proposed location, wiring diagram and any other matters requested by the Board or designated committee. It shall also contain copies of applicable permits or applications for permits if the permits have not been obtained at that time.

- 2) The Board may request any additional information and, once all requested information has been received, the Board shall thereafter approve or deny such application within thirty (30) days of receipt of the last information requested by the Board or applicable committee. If the Board or applicable committee does not act upon any application within thirty (30) days of receipt of last information requested, the application will be deemed approved, provided no approval or deemed approval shall relieve the Unit Owner from complying with Town requirements or from complying with these Specifications and Guidelines.

**Compliance Inspection:**

- 1) The hot tub and installation is subject to a final inspection by the HOA Board to verify compliance with these specifications. Copies of the Town permits and the Certificate of Completion shall be provided to the HOA Board prior to the Board's compliance inspection. Once compliance has been verified, no changes may be made to the hot tub or installation without prior written approval from the HOA Board.
- 2) Hot tub owner must sign the Hot Tub Release Form and submit it with permits.

**Maintenance Issues:**

- 1) The homeowner is responsible for keeping the hot tub locked at all times and maintaining the proper sanitization procedures (chemicals, Ph level, etc) as required by the State of Colorado.

**Insurance Requirements:**

- 1) All unit owners who own and/or maintain a hot tub upon the limited common element adjacent to their unit(s) shall maintain an in-force unit owners insurance policy with a minimum of \$1,000,000 (One million) in general liability insurance providing coverage against any claim(s) for damage and/or injury resulting from the installation, maintenance and/or use of the hot tub. The unit owner shall be required to name Knollridge Townhomes Association as an "Additional Insured" on the policy and a copy of the policy and its declarations page shall be mailed to the business offices of the Knollridge Townhomes Association. The following language shall be used in naming the Knollridge Townhomes Association as an additional insured:

Knollridge Townhomes Association  
C/O Elks Peak Consulting Group, Ltd.

46 East Ridge, Suite 100  
Battlement Mesa, CO 81635

- 2) The Additional Insured endorsement to the unit owner policy shall provide a minimum of thirty (30) days notice to the Knollridge Townhomes Association prior to the policy's cancellation or lapse.

**Failure to Comply:**

- 1) Failure of a unit owner to comply with these specifications and user guidelines may result in the Knollridge Townhomes Association initiating such action(s) as may be appropriate and necessary to remedy the non-compliance, including, but not limited to making needed alterations and/or removing the hot tub. Costs incurred by the Knollridge Townhomes Association in remediation and/or correcting any noncompliance, including but not limited to attorney's fees and costs, shall become the financial obligation of the unit owner. Any costs and expense incurred by the Knollridge Townhomes Association in enforcing the terms of these Specifications and Guidelines may be collected in the same manner as unpaid dues as set forth in the Declaration. The Knollridge Townhomes Association may also utilize the remedy of specific performance.

**NOTICE:**

OWNERS SHALL BE RESPONSIBLE FOR COMPLYING WITH ALL CITY AND COUNTY CODES AND REGULATIONS. IN NO EVENT WILL THE KNOLLRIDGE TOWNHOMES ASSOCIATION OR ITS BOARD MEMBERS (OR THE MEMBERS OF ANY COMMITTEE DESIGNATED BY THE BOARD) BE LIABLE FOR ANY INACCURACIES WITH REGARD TO THESE SPECIFICATIONS AND GUIDELINES AS THEY RELATE TO CITY OR COUNTY REQUIREMENTS. FURTHER, NO INSPECTION BY THE BOARD OR ANY DESIGNATED COMMITTEE SHALL CREATE ANY LIABILITY ON THE PART OF THE BOARD, ITS MEMBERS OR THE MEMBERS OF ANY DESIGNATED COMMITTEE WITH REGARD TO THE INSTALLATION OR USE OF THE HOT TUB. FURTHER, NO REVIEW OF HOT TUB SPECIFICATIONS BY THE BOARD OR ANY DESIGNATED COMMITTEE SHALL CREATE ANY LIABILITY ON THE PART OF THE BOARD, ITS MEMBERS OR THE MEMBERS OF ANY DESIGNATED COMMITTEE WITH REGARD TO THE PLANS, SPECIFICATIONS, INSTALLATION OR USE OF SUCH HOT TUB.