

**RESOLUTION OF
HIGHLAND GREENS TOWNHOME ASSOCIATION, INC.
REGARDING A POLICY FOR THE INSTALLATION OF LOW TEMPERATURE
ALARM MONITORING SYSTEMS**

SUBJECT: Adoption of a rule requiring the use of a low temperature alarm system for all Units in the Highland Greens Townhome Association, Inc. ("Association") community.

PURPOSE: To provide notice of the adoption of a policy by the Association related to the installation of low temperature alarm monitoring systems.

AUTHORITY: The Declaration, Bylaws, Articles of Incorporation, and Colorado Law.

**EFFECTIVE
DATE:** January 1, 2021

RESOLUTION:

WHEREAS, Section 6.7 of the Declaration provides that the Association may adopt and enforce rules and regulations affecting, concerning and governing the Units and the Common Elements; and

WHEREAS, many of the Units in the community are second homes or investment properties in which the Units may be left unoccupied for periods of time; and

WHEREAS, when Units are left unoccupied for periods of time, due to the unpredictable and extremely cold weather experienced in the Summit County area, pipes have been known to freeze and burst and have caused damage to Units and Common Elements; and

WHEREAS, the Association desires to maintain appropriate standards within the community and preserve Owner and Association property; and

WHEREAS, Section 6.2(f) provides that an Owner is responsible for the "maintenance, repair, and replacement of all utilities, plumbing fixtures, electrical outlets and switches, domestic hot water equipment, and appurtenances that service only such Owner's Unit commencing at the point where such fixtures and, equipment leave the central or common system to service only such Owner's Unit, including portions thereof that may be located on the Common Elements"; and

WHEREAS, Section 6.3 of the Declaration provides that in the "event that the need for maintenance, repair, or replacement of the Common Elements or any portion thereof is caused through or by the negligent or willful act or omission of an owner, any

member of an Owner's family, or an Owner's guests or invitees ... then the expenses incurred by the Association for such maintenance, repair, or replacement shall be the personal obligation of such Owner"; and

WHEREAS, the Association believes it to be in the best interest of the Association to adopt a policy requiring the installation of a low temperature alarm to protect the community from frozen and burst pipes and associated water damage; and

THEREFORE, the Association hereby adopts the following policy regarding the installation of low temperature alarm monitoring systems.

1. **Installation of Low Temperature Alarm.** Every Unit must install a low temperature alarm monitoring system no later than March 1, 2021. The purpose of which is to monitor the Unit for low temperatures, so as to avoid freezing conditions and freezing and burst pipes. Proof of installation shall be provided in writing to the Association, with pictures, or installation invoices, no later than the date stated herein. The Low Temperature Monitor shall at a minimum inform the Owner of situations in which the temperature in the Unit drops below 50 degrees (F).

2. **Designation of Contact Person.** Every Unit Owner must designate a contact person or contact entity for the low temperature alarm. Such individual or entity must be: (1) located within Summit County and within 15 miles of the community; (2) must agree to receive low temperature notifications and alert the Association of the alert within 2 hours of receiving such alert; and (3) to investigate and remedy such low temperature alerts within a timely manner. Full-time resident Unit Owners may designate themselves. However, such full-time resident Unit Owner must have a backup designation for periods of time when such Owner is not occupying the Unit for more than 48 consecutive hours from October - April. Contact information, including: (1) name and company (if any); (2) phone number; and (3) local address, of the designated individual or entity must be provided to the Association no later than the above referenced date and within ten (10) days of any change of designated individual or entity. The current Property Manager for the Association may be the designated Contact Person.

3. **Violations.** In the event any Owner is found to be in violation of this policy the Association may levy fines and administrative fees against the Owner of the Unit, after notice and an opportunity for a hearing, pursuant to the enforcement procedure and fine structure adopted by the Association.

4. **Damage Resulting From Failure to Comply.** Any failure to comply shall be deemed to be negligence on the part of the non-compliant Owner and any costs related to any damage to the Unit, an adjacent Unit, or Association Common Elements stemming from a failure to comply shall be borne by the non-compliant Unit.

5. **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 Association.

6. **Deviations.** The Association may deviate from the procedures set forth in this Resolution if in its sole discretion such deviation is reasonable under the circumstances.

7. **Amendment.** This Board may amend this Resolution from time to time and in the Association's discretion.

PRESIDENT'S

CERTIFICATION: The undersigned, being President of the Association, certifies the foregoing Resolution was adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors on December 16, 2020 and in witness thereof, the undersigned has subscribed his/her name.

HIGHLAND GREENS TOWNHOME ASSOCIATION, INC.,
a Colorado nonprofit corporation

By: 
Its: President