

# Brookwillow Village Condominium Association

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

### Grill/BBQ/Open Flame Policy

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 policy outlining procedures to be followed for enforcing a prohibition on all open flame grilling devices and or grilling in any manner within 50 feet of any exterior surface/building in the Association.

#### **2. Specifics:**

This Policy prohibits the use of exterior grills, BBQs, open flame appliances and/or gas/propane/fuel devices anywhere within 50 feet of the exterior of any building in the Association.

1. This means that grilling is prohibited on exterior decks, patios, sidewalks, porches, concrete pads or any other exterior surface if located within 50 feet of the exterior of any building within the Association.
2. Electric grills with no open flame are allowed 10 feet from the exterior of any building.

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. The complaint must state specifically the violation observed, as well as a picture of the violation, and include who the violating party was, what was observed, the date, place and time of the violation and any other pertinent information such as license plate numbers etc.

If full details are not provided with a complaint, further action beyond additional observation may not be made. 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:

- See the Covenant Enforcement Policy and the Dues Collection Policy for steps to enforce and remedy violations to this Policy.
- Upon implementation of this policy, all owners shall be notified and given 60 days to remove all prohibited grills from the Association. If a prohibited grill is

still located within 50 feet of any Association building, the owner shall be fined \$100.00. For additional fines, see the Covenant Enforcement Policy.

- It is the responsibility of the Owner to notify the Board that a violation has been cured.
- The BODs can also give the member notice, in accordance with the Covenant Enforcement Policy, that if the violation is not cured after 90 days, the HOA will cure the violation (remove the grill) and charge the owner directly for all associated fees/fines to cure the violation.

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

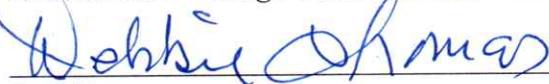
Non-payment of fines will fall under the Dues Collection Policy.

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.

**Brookwillow Village Condominium Association**



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President

Effective Date: \_\_\_\_\_

12/20/23