

## **Park River West Condominium Association, Inc.**

### **Owner Frequently Asked Questions**

The Board of Directors ("the Board") of Park River West Condominium Association, Inc. ("PRW") has prepared these Frequently Asked Questions to provide owners with a quick reference to the governing documents that have been adopted or imposed on PRW. These are organized in alphabetical order for easy reference.

The Board's goal is to have a friendly neighborhood that can be enjoyed by all, while at the same time being respectful of each owner. With some owners being full-time, some being seasonal, and some renting their properties, the overall goal is to provide cohesiveness, safety, and respectfulness among the three types of owners. We sincerely appreciate all owners being mindful of the rules, following them, and avoiding activities that might be unsafe or hazardous to others. No one on the Board, who serve as unpaid volunteers, wishes to take on the role of police.

We hope this quick reference will assist owners with more common questions that they may have from time to time. If any of these answers conflict with the actual governing documents, the governing documents will control.

**Association Email Address:** [info@parkriverwest.com](mailto:info@parkriverwest.com)

**Association Mailing Address:** Park River West Condominium Association  
P.O. Box 1405  
Estes Park, CO 80517-1405

**Association Website.** PRW maintains a website found at <https://www.parkriverwest.com>. Owners are encouraged to regularly consult it. It includes links to governing documents, a form for contacting the Board with concerns or questions Unit owners have, the rules and processes for short-term rentals, landscaping maintenance and concerns, and a list of contractors or maintenance businesses with whom individual owners have had experience.

**Board of Directors.** The Bylaws of PRW provide for the Board of Directors and Officers of the Association. The Board of Directors are volunteers and currently serve two year terms which are staggered so that each year one-half of the board member's terms expire. Board members may be re-elected as long as they are willing to serve. It is desired to have representation on the board from permanent residents, seasonal residents, and those who rent their units on a short-term or long-term basis. One representative of each condominium Unit is eligible to serve and the Board must have a minimum of three members. The Board tries to meet monthly except December and any owner is invited to attend the meetings. If the next meeting date is not posted on the website, please contact one of the current board members to obtain the next meeting date. The Board encourages all owners to serve on the Board. For the convenience of

board members and owners, meetings are held by Zoom Video, allowing participation of those not present in Estes Park. The willingness of owners to voluntarily participate on the Board has resulted in substantial savings to each owner of PRW because it has not needed to hire a full-time property manager.

**Board Meeting Minutes.** Minutes of the Board meetings are posted on the PRW website, when completed and approved. The website address is: <https://www.parkriverwest.com>.

**Big Thompson River.** We are fortunate to have the Big Thompson River flowing through the south side of PRW. While we all enjoy its beauty, it can be dangerous, and care should be taken with children and others who might have difficulty navigating its strong currents. It is a good idea to have children accompanied by adults when near the river and to stay on the foot path when possible. The river adjoining PRW is “private waters” and fishing is restricted to Owners and their immediate guests. Public access to these private waters from the river path is not permitted. Fishing licenses are required and may be obtained at several of the local outdoor equipment stores. The Big Thompson is a catch and release stream, so all fish caught must be returned to the river.

**Budgets and Financial Statements.** The Board prepares and proposes a budget to the owners for approval at the annual meeting of PRW, usually held in August each year. It is sent to owners in advance of the meeting. Our largest budget expenses are for sewage and water, which PRW pays for all owners, since Units are not separately metered. PRW also pays for PRW insurance, maintenance items for painting, driveway re-surfacing, landscaping, and the funding of reserves for future capital expenses, such as roof replacements. The costs of providing these services do increase over time, necessitating occasional dues increases, which are approved by a majority of owners at the annual meeting. The Board wants to be completely transparent with all owners on budgeting and finances and questions are encouraged. In addition, financial statements, profit/loss statements, and budget reports are prepared for the Board periodically throughout the year and can be made available to owners on request.

**Christmas Lights.** Special seasonal Christmas lights and decorations are permitted on individual units within PRW. They must be removed within thirty days after the New Year’s holiday. No lights or decorations are permitted on common areas. Take care to avoid lights and decorations that may attract wildlife that can get tangled in the wire.

**Contact Information.** Each Unit owner is requested to keep contact information up-to-date and to promptly notify PRW of any changes by completing the form posted on the PRW website at <https://www.parkriverwest.com>. If a Unit is sold please have the new owner provide contact information as soon as possible.

**Decks.** Under the Condominium Declaration the responsibility for maintaining and repairing decks is the responsibility of the Unit Owner. The Board of Directors serves as the architectural control committee and must approve all deck repairs in advance so that

they are maintained with consistent size, materials and appearance throughout the condominium complex. Several years ago, it was noticed that some of the decks did not have weather-proofing strips added to the top of lateral deck joists and that some of the deck joists were rotting pre-maturely. As a result, each Unit was given a one-time reimbursement not to exceed \$2,500 for the limited purpose of providing weather-stripping and the repair of lateral joists showing signs of wood rot. To determine whether your unit is eligible for this one-time reimbursement, please contact the Board of Directors. If your unit has already had its one-time reimbursement for deck repairs, you are not eligible for additional reimbursements.

**Driveways and Driveway Bibs.** Driveways within PRW are all streets that provide access to multiple Units. **No parking is permitted on Driveways, which are designated as Fire Lanes.** Driveway Bibs are the driveways immediately in front of each garage, which can be used by no more than two authorized vehicles. **Owner guests must park in garages or within Driveway Bibs (up to two vehicles). Owners and guests are not authorized to park on the Driveway Bibs of adjoining units without the specific permission of the owner in front of the Driveway Bib.**

**Dues and Assessments.** PRW does charge association dues to each owner. These are set and approved annually as part of the budgeting process. Dues can be paid annually, semi-annually or quarterly. An annual statement for the dues is sent at the end of the calendar year to all owners. It is the only statement sent during the year. Dues are payable on January 1 (annual, quarterly or semi-annual), April 1 (quarterly), July 1 (quarterly or semi-annually), and October 1 (quarterly). For those paying quarterly, the Board has established a process for automatic account deduction and a form to authorize this and instructions are available on the website at <https://www.parkriverwest.com>.

**Exterior of Units (“Common Elements”).** The Declarations define Common Elements as that portion of the PRW property owned equally by all owners together. This includes the roofs and exterior of the buildings, the land lying beneath them, and the property surrounding the buildings owned by PRW. Most generally this includes anything outside the interior four walls of a Unit and includes landscaping, streets providing access to individual Units and parking other than on driveway bibs for each Unit. Individual Unit owners do not have control over Common Elements and the management and maintenance of them is that of PRW under the direction of the Board. The Board does encourage all Unit owners to regularly inspect Common Elements and report any concerns or questions, including needed maintenance items, to it using the form available on the website at <https://www.parkriverwest.com>.

**Fire Lanes.** **All Driveways with PRW are declared to be Fire Lanes. Parking is prohibited on all Driveways within PRW under the Declarations. Signage has been posted to remind people to not park in fire lanes. Unit owners are encouraged to assist with compliance.** In the event of a fire, it is extremely important for fire equipment to get as close to a unit as possible.

**Fires.** No open fires are permitted within PRW. By way of example and not limitation, no charcoal barbeques, propane or open wood fire pits, chiminea outdoor fireplaces, tiki torches, bug repellent/citronella candles are permitted on decks, patios or within Common Areas. A limited exception is made for gas and electric grills on decks or patios (See Grilling below).

**Garages.** Garages may not be converted into living or storage areas. Garages shall be kept available for the parking of vehicles.

**Governing Documents.** The governing documents for the association come from several sources. Many of the rules are imposed by state and local laws over which the Board has no control, and these supersede all other governing documents. The Declarations were filed at the time PRW was established and these can only be revised by vote of 2/3rds of the Unit Owners and with notice to all mortgage holders. Some of the rules flow from the Bylaws of the PRW which can be amended by majority vote of the owners. Finally, the Board has the authority from time to time to adopt Rules and Regulations necessary for the orderly operation of PRW. All of the governing documents are available on the association website at <https://www.parkriverwest.com>.

**Grilling.** PRW permits the use of gas and electric grills only on the decks and patios. No open burning, smokers, or charcoal grills are permitted anywhere within Park River West. **When in use, grills should be located as far away from the structure as the decks will permit and not closer than 2 feet from the deck railing when in use.** Owners are reminded that any damage from heat or flame from the grill, no matter where located, is the Unit owner responsibility. Grills with more than 2 burners or multiple accessories create a special risk of heat and flame damage. Unit owners should be aware of the heat that can be generated from all grills, but especially large ones. **We encourage all unit owners to be familiar with their grill owner's manual and operate the grills as instructed. Grills must be regularly cleaned and maintained. Grills must not be left unattended when in use. A grill fire can be catastrophic because our Units are connected and close to each other. As a fire prevention measure, each Unit must have an ABC type extinguisher within easy reach of the grill.**

**Gutter Cleaning.** The Board contracts for gutter cleaning in the fall of each year. This is done at board direction, so please do not interfere with this process. If you have questions or concerns, notify the board by completing the notification form on the website at <https://www.parkriverwest.com>.

**Interior of Units, Decks and Driveways ("Limited Common Elements").** The Declarations also define Limited Common Elements to include all utilities within the Unit and within the interior walls of the Unit, furnaces (and air conditioners, if any), hot water heaters, Unit windows, doors, floors and subfloors, insulation of a Unit, interior wall coverings and floor coverings, walls within a Unit, all interior sheetrock, decks and patios, and any utility lines serving only one Unit. Driveway bibs for each Unit are Limited Common Elements. **The Rules and Regulations at page 7 through 10 set forth the**

**terms and conditions by which Unit Owners may remodel, repair or replace mechanical systems, repair or replace windows and doors, install or replace storm doors, install radon mitigation equipment, place gates on decks or patios, and install awnings. Please consult these carefully. Structural changes must not be undertaken without the prior written approval of the Board.** The responsibility for maintaining and insuring Limited Common Elements is that of the Unit owner. The Rules and Regulations at pages 9-10 cover deck repairs and provide that the PRW has agreed to limited repair of decks one time due to some problems with original construction. PRW also maintains and resurfaces the driveway bibs in conjunction with its maintenance of the common driveways shared by multiple Units. The Board recently amended the window treatment policy to allow window coverings of light earth tone colors and woven wooden blinds, in addition to white and off-white colors, subject to board approval prior to installation.

**Insurance.** The Declaration requires the board to make an effort to obtain insurance coverage for the Common Elements, as defined in the Declaration, which includes the structures, roofing, and exterior of the buildings and for the Common Areas, insuring against fire and storm damage ("Association Insurance") Data from the National Association of Home Builders ('NAHB') estimates Association Insurance on Common Elements would cover about one-third of the value of the structures. Effective with the 2023 renewal year our Association Insurance carrier imposed a large deductible on wind and hail damage and it is clear that obtaining insurance is getting increasingly difficult and it is likely that deductibles will change and increase. The amounts of the deductibles and the scope of the Association Insurance coverage are available to you upon request. The premiums for Association Insurance are paid from our association dues. It is each Unit owner's responsibility to procure and maintain a "Condominium Policy" providing insurance coverage for the Limited Common Elements as defined in the Declaration, which includes windows, decks, and interior of their Units and contents. We also encourage owners to have the maximum amount of coverage they can get for assessments coverage under their individual Condominium Policies since large deductibles imposed on the Association by its insurer could potentially result in the Association having to specially assess individual owners for repairs or replacements in the event of a large wind or hail loss. The amount of the coverage under the Condominium Policy is the Unit owner's discretion but data from the NAHB roughly estimates that the value of the Unit Owner's obligation for Limited Common Elements represents about two-thirds of the replacement value of the building. If you are renting your Unit, please note that there are higher limits of coverage required. PRW is not in a flood zone and does not maintain flood insurance because of the excessive cost. No buildings were damaged in the extensive 2013 flood.

**Landscaping.** All landscaping is within Common Areas and belongs to PRW and not to individual Unit owners. It has been the long-standing preference at PRW to maintain the landscaping in as much of a natural state as possible, using plants and products that are native to the area. The Board must authorize and approve any

replacement of plants or the planting of new ones, to assure that such plants are consistent with the “natural landscaping” of the area and to avoid contact with buried utility and irrigation lines.

**Occupancy of Units.** The Declarations limit occupancy of each Unit to a single family of six persons who are all related by blood, marriage, or adoption. The Board has granted a blanket variance for family occupancy for all Units to allow up to 6 adult persons (persons 12 years or older) plus 2 children under 12. Unit owners may have unrelated guests within their units during owner occupancy, subject to the overall occupancy limits.

**Pets.** Up to two household pets are allowed per Unit. No dog or pet runs are allowed, including on the decks and patios. Short-term renters are not allowed to bring pets on the property. Pet owners must keep their pets on leashes when outside the Unit and are required to clean up after pets using Common Areas. Pets may not be left outside a Unit unattended at any time.

**Quiet Time.** Out of respect for all owners and their guests, Quiet Time shall be from **10:00 p.m. to 8:00 a.m. every day**. No person shall conduct any activity inside or outside a Unit during Quiet Time which is audible within any other Unit or that may disturb the quiet and peace of any other Unit. Parties, loud music, loud outside conversations, noisy vehicles are prohibited during Quiet Time, among other things.

**Painting.** The Board hires a painting contractor to paint the exterior of the Units. This assures that all painting is consistent and tasteful. Owners should not paint the exterior of their Units. However, if you do notice something that needs touch-up or maintenance please call it to the attention of the Board by reporting it on the form on the website at <https://www.parkriverwest.com>.

**Rental of Units.** Subject to strict adherence to Estes Park laws, regulations and licensing requirements, the Declarations and the Rules and Regulations of PRW, including special insurance requirements, rental of Units is permitted within PRW on both a short-term and long-term basis. Many issues requiring Board attention over the years have arisen out of the rental of units. **Owners renting their Units are responsible for reading, understanding, and complying with the requirements set forth on pages 1, 3-5, and 32-34 of the Rules and Regulations. Essentially, Unit owners should assure that those renting from them comply with all rules of PRW with which Unit owners themselves must comply when occupying Units.**

**Reserves and Reserve Studies.** As part of the PRW budgeting process and in compliance with the requirements of Colorado law, PRW has established a reserve account to be held and used for contingencies that might not be included in the annual budget. The Board intends to increase these reserves over time since PRW continues to age and it is anticipated that maintenance demands will increase in the future. The Board has a formal Reserve Policy and has retained an independent entity with experience in conducting reserve studies in mountain communities in Colorado to help evaluate the aging of common elements, estimated future repair expenses, and the



adequacy of funding of reserves. A copy of the reserve study is available to all owners. As part of the budgeting process, this helps determine the status of the reserve account and the amount that will be set aside and added to the reserve account each year. The board maintains separate accounts for reserves, and they are reported separately on the budget reports.

**Rules, Regulations, and Policies.** A copy of the Rules, Regulations and Policies is sent to each owner in pdf format at the end of each year. These are also accessible on the PRW website at: <https://www.parkriverwest.com>.

**Security Cameras.** The Board has adopted a policy on the use of Security Cameras which can be found in paragraph 7 of page 11 of the Rules and Regulations. All installed cameras must be in conformity with the policy. Generally, owners are allowed to have up to three cameras (in addition to a ring doorbell) monitoring only limited common areas adjoining the Unit such as decks, patios, drive bibs, and entry doors belonging to that Unit. There are specific limitations on wiring, the placement of cameras, and alterations to property to accommodate cameras. A camera may not include a light fixture, security light or spotlight. Motion detectors in lights or on cameras are not permitted. In adopting the policy, the board balanced the expected privacy of adjoining owners with the needs for security on a specific property.**Signs.** One "For Sale" sign, not greater than four feet square, may be placed on Common Areas adjoining a Unit, when it is for sale. The Board asks that no other signs be placed on Units or in Common Areas adjoining Units.

**Snow Removal.** The Board contracts with a local contractor for snow removal from the driveways when it snows more than 5 or 6 inches. Each Owner is responsible for snow removal from driveway bibs in front of garages. We have had to change contractors providing snow removal over the years and the current contractor and contact information will be posted on the website in the fall of each year at <https://www.parkriverwest.com>. If you wish our current contractor to remove snow from your Driveway Bib you should contact it and be prepared to provide your name, Unit Number, billing address, email address and phone number. Please keep driveways and driveway bibs clear of vehicles when snow removal is being provided.

**Trash Disposal.** No trash, rubbish, equipment, or material of any nature shall be stored outside of a Unit. The Board has designated a specific drop-off area for yard waste and trimmings. Trash should be maintained in wildlife proof containers and deposited on Driveway Bibs on the morning of trash pickup and returned to garages not later than the end of the day of pickup. Owners should be careful to keep trash secure, in containers meeting Estes Park requirements, and away from bears and other wildlife which frequent PRW.

**Unit.** Each individual condominium is commonly referred to as a Unit. The Unit includes the Limited Common Elements. There are sixty-eight (68) Units in PRW.

**Use of Property.** PRW has extremely specific rules governing the use of property which are imbedded in the governing documents. Owners should be familiar with and comply with those restrictions set forth on Pages 1 through 3 and 6 through 7 of the Rules and Regulations.

**Vehicle Restrictions.** The Declarations limit parking on Driveway Bibs within and immediately in front of garages to two motor vehicles, defined as “cars or pickup trucks 3/4<sup>th</sup> ton or smaller”. Pickups using the industry designation of 250 or 2500 class or smaller qualify as ¾ ton for PRW purposes. Trucks with dual wheel rear axils do not meet this requirement and are prohibited. Motor homes are generally prohibited within PRW and may not be occupied within PRW. Motor homes may be loaded and unloaded when parked on a Driveway Bib for up to 16 hours.

**Wildlife.** The abundance of wildlife in and near PRW makes it both attractive and occasionally hazardous. There are elk, deer, bears, mountain lions, and other animals in the vicinity. Owners and guests are asked to exercise caution when encountering wildlife. Wildlife behavior can be unpredictable. No bird feeders, food, birdhouses, or devices calculated to attract wildlife should be placed in Common Areas. Bears can be very destructive. Owners and guests should keep car doors locked and not leave food in cars because there have been instances of bears getting into cars and doing great damage.

Dated: June 16, 2024