Section 11. - Sample Provision Excerpt (Public Preview)

Implementation of Fire Restriction Stages
The Deputy Fire Warden or his designee shall monitor fire danger conditions and coordinate with Federal, State and local fire agencies to determine the appropriate stage of restrictions. When the established Fire Restriction Evaluation Guidelines contained in the El Paso County Wildland Fire Annual Operating Plan...

ISSUE #1

MARKUP #1 ->

MARKUP #1 · POTENTIAL ISSUE FOR REVIEW

BOARD & COUNSEL REVIEW

Sec. 11. (p. 9): Potential Issue for Review: Enforcement provisions omit the mandatory HB 22-1137 certified mail notice, two 30-day cure periods, and $500 fine cap for non-health/safety violations under C.R.S. § 38-33.3-209.5(1.7) - (2) - look for this language in other governing documents, standalone policies, or amendments that were not included in this review.

Statutory / Legal Reference: C.R.S. § 38-33.3-209.5(1.7) - (2) (HB 22-1137)

Statutory Comparison: Under C.R.S. § 38-33.3-209.5(1.7) - (2), an association may not fine a unit owner or refer a covenant violation to an attorney unless it complies with the mandatory certified mail notice, two 30-day cure windows (or 72-hour cure window for public health/safety threats), and $500 total fine cap enacted by HB 22-1137.

CURRENT WORDING IN DOCUMENT:
Implementation of Fire Restriction Stages The Deputy Fire Warden or his designee shall monitor fire danger conditions and coordinate with Federal, State and local fire agencies to determine the appropriate stage of restrictions. When the established Fire Restriction Evaluation Guidelines contained in the El Paso County Wildland Fire Annual Operating Plan...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
First look for this language in other governing documents, standalone policies/resolutions, or amendments not included in this review. If not already addressed in another document (and if applicable to this community), incorporate: For any covenant violation that does not threaten public health or safety, the Association shall send notice by certified mail, return receipt requested, granting two...