



HindmanSanchez

# Winterizing Your Documents

**HindmanSanchez** P.C. *Attorneys at Law • Denver & Fort Collins*  
5610 Ward Road., Suite 300, Arvada, Colorado 80002-1310 **Tel** 303.432.9999 **Free** 800.809.5242 **Fax** 303.432.0999 **www**.hindmansanchez.com



## Hindman Sanchez

### Winterizing Your Documents

To most of us the onset of winter means putting the ski rack and snow tires on the car and heading up into the mountains. As associations, we don't consider the need to winterize our governing documents. Just as in everything else, we need to think ahead toward the problems that winter brings to neighborhoods and homes. For example, who plows the roads, who shovels the front porch and parking areas, who cleans up after their pets? Do you have provisions and regulations in your documents covering these problems that arise in winter only?

Know What Your Governing Documents Say: Remember that thick pile of paper you received at closing which got shoved into a drawer somewhere inaccessible? Those are your governing documents.

Does your association have pet rules which must be enforced in winter? Do pet owners have to pick up after their pets and are there detailed areas for pet walks? Does your neighborhood have to follow certain rules regarding ice and snow removal and times for removal? Do residents and tenants know what areas they are responsible for shoveling and where to put the excess snow so that it does not impede access? Do you have rules regarding the chemicals which are approved for snow and ice removal and which chemicals to prohibit? Knowing the answer to these simple questions can save your association significant funds and headaches.

The answers to your problems are found in your governing documents. Take the time to read through your Declaration, Rules and Regulations, By-Laws, etc. Not only are they a great cure for insomnia, but they provide answers to potential association and neighborhood winterizing problems. If you don't understand them, then ask your attorney to interpret them. Remember, as an association you are responsible for knowing the neighborhood requirements for plowing and emergency vehicles. Let your tenants and owners know where they can park on snowy days. Make sure everyone is aware of the rules pertaining to snow plows and designated areas for snow placement. Find out whether your association must follow city and county ordinances with respect to snow and ice. Do your documents include a duty by owners to maintain limited common areas free and clear of ice and snow? Are your owners aware of the consequences for failure to keep limited common areas clear of snow and ice? Does your association enforce your rules and regulations regarding these matters?

Learn to read and understand the provisions in your documents and look for holes and potential problems which winter weather can bring about. Look ahead, fill in the gaps, call your attorneys to revise your documents if provisions are missing, and most importantly, find a way to keep everyone informed in a timely fashion.