



Builder/Contractor Rules & Regulations

Reference: The Lakes at Valley West Bozeman, LLC (LVWB)
 The Valley West Homeowner's Association (VWHOA)
 The Lakes at Valley West (LVW)

1. Builder/Contractor Responsibilities

- The builder/contractor is responsible for ensuring that all of their employees including sub-contractors, are obeying these Builder/Contractor Rules & Regulations.
- All permits must be obtained and displayed before clearing any lot or beginning construction.
- The builder/contractor must make sure that any assessed fine is paid within the designated time period and any violation has been corrected.

2. Builder Insurance Requirements

- The Builder shall purchase and maintain the following insurance for the duration of all construction performed on the Property:
 - A. General Liability Insurance with limits of at least \$1,000,000 per claim/\$2,000,000 aggregate;
 - B. Worker's Compensation with limits meeting the requirements of the State of Montana and Employer's Liability Insurance of at least \$1,000,000 per claim/\$2,000,000 aggregate;
 - C. Automobile Liability Insurance with limits of at least \$1,000,000 per claim/\$2,000,000 aggregate.

The Buyer will provide insurance certificates for these coverages to the Seller.

- The insurance companies providing all policies shall be rated no less than A(-):VIII as shown in the most current edition of A.M. Best's Key Rating Guide.
- The policies described in this Addendum shall be endorsed to afford an unqualified thirty (30) days' notice of cancellation to the VWHOA in the event of cancellation, non-renewal, or material reduction in coverage and ten (10) days' notice of cancellation for nonpayment of premium.
- All policies carried and maintained by the Builder shall contain endorsements stating that the policies are primary to, and shall receive no contribution from, any insurance policies or self-insurance programs afforded to or available to LVW or VWHO. Any other insurance or self-insurance maintained by LVW or the VWHOA shall be excess of the Buyer's insurance.
- The Buyer agrees to ensure that all of its subcontractors shall comply with the provisions of this Addendum. The Buyer acknowledges that its failure to do so will result in the Buyer assuming responsibility for any losses or damages that would otherwise have been covered by insurance

3. Construction Hours

- Construction hours are 7:00 a.m. to 6:00 p.m.
- Construction work, with the exception of interior alterations, may not be performed on the following days: New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day and Christmas Day.

4. Posting of Permits and Signs

- The builder/contractor must place a residential construction sign before clearing/construction on a lot begins. Sign must include Builder/Contractors name, phone number for emergency contact.
- No advertisement signs are to be placed on the job site, other than the builder and one real estate sales sign which meets the following guidelines below. Subcontractors may not post signs.
 - The signs should be no larger than 4 square feet and should be professionally painted, stained, sandblasted or carved.

5. Use of Common Property

- Builder/contactors may not use any LVW common property or City of Bozeman Parks/Recreation property for parking, equipment storage, construction supply storage, dumpsters, portable toilets, or for any other reason unless first requesting and receiving written permission.
- Builder/contractors will reimburse VWHO A for the cost of repairing or replacing any damaged or destroyed property, equipment, or supplies caused by their employees. Additional cost will include labor to repair or replace damaged or destroyed property.
- All common property must be restored to the condition that existed before the clearing or construction commenced.

6. Use of Private Property

- Builders/contractors may not access or use any private property for parking, equipment storage, construction supply storage, dumpsters, portable toilets, or for any other reason unless first receiving written permission from the property owner.
- Workers may not use the facilities, electricity or water from another construction site or residence unless written permission has first been obtained.
- All private property must be returned to the condition that existed before the use of such property began, unless written permission from the property owner has been obtained stating that returning the property to such condition is not required.

7. Equipment Storage

- Equipment that is needed on a construction site may be left on the site until no longer needed. Equipment does not include cars, trucks, campers or vans.
- Equipment will be placed in a garage (when available).
- Equipment that is no longer required at a construction site must be removed. This includes trailers, forklifts, backhoes, mixers, etc.

8. Maintenance of Construction Sites

- Builders/contractors are required to maintain construction sites in a neat and orderly condition. Before completing work for the day, the builder/contractor is to ensure that the site is cleaned. All trash and construction waste is to be placed in a dumpster or trashcan.
- Builders/contractors must also place debris fences around all catch basins, to prevent debris from entering the storm sewer system.

- Builders/contractors shall take all necessary precautions to prevent run-off water, sand, dirt or other materials onto roadways or adjoining properties.
- With regards to silt fences, hay bales or other erosion-control structures, such structures shall be regularly maintained and any sediment which may form behind such structures shall be inspected for and removed on at least a weekly basis.
- All equipment that is left on a construction site must be secured.
- Any debris that leaves the construction site must be cleaned up immediately.
- Construction supplies will be stacked and stored in a neat and orderly fashion.
- If a construction site requires cleaning by VWHO A personnel, due to a lack of responsiveness by the builder/contractor, the builder/contractor will be billed at a rate of \$20.00 per hour for each employee that is required to clean the site in addition to a fine of not less than \$50.00.

9. Placement and Use of Dumpsters

- A dumpster is a requirement for each active Builder. Builders/contractors must obtain a dumpster that is large enough to handle the expected debris and trash during construction.
- The dumpster must be emptied or replaced when the full line is reached.
- Any debris that is left on the ground resulting from a full dumpster must be placed in one pile. The debris will immediately be placed in a dumpster when a dumpster is returned. Debris may not be left on the ground for an extended period of time.
- Dumpster must be tarped and lashed at the end of each work day and on weekends.

10. Placement of Portable Toilets

- Builders/contractors will place at least one portable toilet during construction.
- The portable toilet is to be placed on an active construction site.
- The portable toilets will be emptied on a regular basis, depending on size of work crew. They must be emptied more frequently during summer months.

11. Miscellaneous

- The LVWB and the VWHO A assumes no liability for equipment left on job sites.
- Power cords may not be laid across a roadway, unless prior approval has been given by the VWHO A. Cords must be covered with a material that prevents the cords from being damaged or cut. All work must be performed on the construction site, unless prior approval to work at another location has been given by the VWHO A, or the property owner.
- Builders/contractors must immediately report to VWHO A and the utility owner any broken water line(s) or cut power line(s).
- Music must be played at a level so it does not disturb nearby residents.
- Workers may not bring or possess any weapon on LVW or VWHO A property at any time.
- Workers must discard all person trash in appropriate containers on the job site, or they will be subject to a fine.
- Builders/contractors, subcontractors and tradesmen are responsible to comply with all OSHA safety regulations.
- These rules, regulations and guidelines are not intended to limit any conditions the VWHO A or City of Bozeman may impose and shall be construed to be in addition or complementary to any conditions imposed by the VWHO A or City of Bozeman in its grant of a site plan approval.