

**SUNDANCE ESTATES  
HOMEOWNER'S ASSOCIATION  
P.O. Box 31083, Santa Fe, NM 87594**

**POLICY #2017-02**

**Construction Policy**

**PURPOSE**

The purpose of this policy is to augment and clarify the provisions Article 3 of the Sundance Estates Covenants and Restrictions ("Amended and Restated Declaration of Covenants and Restrictions for Sundance Estates Subdivision," or "C&Rs") relating to the construction or renovation of a residence

**BACKGROUND**

The Sundance Estates Homeowners Association recognizes and appreciates the valuable role that Builders play in the ongoing evolution of our development.

To help promote continued close relations, all Builders and Owners shall be subject to the following construction policies. Requests for exceptions should be submitted in advance to the ACC.

**DAILY OPERATION**

Construction working hours are as follows: Monday – Friday: 7:00 a.m. to 6:00 p.m., Saturday 8:00 a.m. to 4:00 p.m. Working on Sunday and Federal Holidays is prohibited.

**COMPLIANCE WITH LAWS**

All applicable federal, state and local laws, rules and regulations shall be complied with, including but not limited to: all applicable OSHA regulations and guidelines and all applicable Storm Water Pollution Prevention Plan (SWPPP) regulations and guidelines. Builder shall at all times be in compliance with all State of New Mexico requirements and regulations and must possess and maintain the type of contractor's license required by the New Mexico Construction Industries Division for the type of work performed.

**CONSTRUCTION TRAILERS, AND TEMPORARY FACILITIES**

Any Owner or Builder who intends to use a construction trailer, field office, or the like shall first apply for and obtain written approval from the ACC. To obtain such approval, you must submit a copy of the Architect's site plan that notes the proposed location of the construction trailer or field office. Overnight occupancy of these facilities is prohibited.

The ACC reserves the right to require any construction trailers, portable field offices, and temporary facilities to be moved to alternative locations on the site.

All temporary structures and facilities shall be removed within five (5) days after completion of construction as defined in Article 3.9 of the C&R

**DEBRIS AND TRASH REMOVAL**

Each construction site must have a dumpster and approved trash containers on-site during the entire construction period. These containers should be screened from view of other lots, streets and public areas as much as possible. Trash and debris shall be removed from each construction site

and adjacent areas frequently and shall not be permitted to accumulate. Lightweight materials, packaging, and other items shall be covered or weighted down to prevent them from being blown from the construction site.

Builders are prohibited from dumping, burying, or burning trash anywhere in Sundance Estates. During the construction period, each construction site and the route to and from the construction site must be kept neat and clean. Sites should be policed to prevent them from becoming public eyesores or adversely affecting other lots or open spaces.

### **SANITARY FACILITIES**

Each Builder shall be responsible for providing adequate sanitary facilities for his construction workers. Sanitary facilities must be screened from view of other lots, streets and public areas as much as possible.

### **VEHICLES AND PARKING AREAS**

Construction crews shall not park on, or otherwise use, other lots. All construction vehicles and machinery are, to the extent possible, required to park within the lot they are working on. When no space is available, automobiles and pick-up trucks are allowed to park on the street. In such cases, all vehicles should be parallel parked on one side of the street. Builders are responsible for restoring the road shoulder to its original condition.

Builder's equipment and vehicles shall not interfere with vehicular or pedestrian access and shall not park on streets overnight. Each Builder shall be responsible for its subcontractors and suppliers obeying the speed limits posted within the development.

### **RESTORATION OR REPAIR OF OTHER PROPERTY DAMAGES**

Damage and scarring to any property, including, but not limited to roads, driveways, utilities, vegetation, and/or other improvements, resulting from construction operations, will not be permitted. If any such damage occurs, it must be promptly repaired and/or restored to the original condition. In the event of default by the Builder in meeting these obligations, the lot Owner shall be responsible.

### **MISCELLANEOUS PRACTICES**

All Owners will be held responsible for the conduct of their agents, representatives, Builders, contractors, and sub-contractors. The following rules must be followed:

- a) Careless disposal of cigarettes or any other flammable material is prohibited.
- b) Concrete suppliers, plasterers, painters, and other subcontractors may not clean their equipment anywhere but at the location specifically designated for that purpose by the Builder. No cement, plaster, stucco, paint, or other building material may be released onto the site during the process of cleaning.
- c) Changing oil on any vehicle or equipment on the site is prohibited.
- d) Pets (dogs or other animals) belonging to construction personnel must be must be leashed and/or sequestered at all times on the construction site.
- e) Radios and other audio equipment used on construction sites must be at a reasonable level so as not to disturb others.

- f) Littering is not permitted on construction sites or elsewhere within Sundance Estates.
- g) The Builder shall be responsible for controlling dust and noise.

### **CONSTRUCTION ACCESS**

While a residence or improvement is under construction, the construction sites may be accessed only via the approved driveway for the lot unless the ACC approves an alternative access point. In no event shall more than one construction access be permitted onto any lot.

The Builder is required to apply base course to the construction access road to help keep mud and dirt off the main thoroughfares in the community. Clean up shall be required should the builder cause mud and dirt to accumulate on the main thoroughfares.

### **CONSTRUCTION SIGNAGE**

In an effort to maintain the residential character of Sundance Estates, the design and location of all construction signs shall be subject to the review and approval of the ACC and should meet the following criteria:

- a) Maximum of one sign per lot.
- b) Additional items such as the building and SWPP permits may be attached to the main sign or be suspended below it.
- c) Signs shall be a maximum area of 10 square feet, with a maximum height of 6', measured from grade to the top of the sign.
- d) Only the following information may appear on a construction sign:

Builder's name  
Architect's name  
Owner's name or name of house (Desert Wind, etc.)

One phone number for a primary contact  
Construction site lot number and street address

### **FINES**

The HOA Board has the authority to assess fines against the owner for unresolved violations, the details of which are available in the Sundance Estates HOA fine schedule.

### **EFFECTIVE DATE**

This policy shall be effective as of October 1, 2017.

**Karl Klessig**

**Board President**