

**POLICY
OF
NOW COLORADO AT WILDERNEST, INC.
ADOPTING RULES AND REGULATIONS PROHIBITING OPEN FLAME
COOKING DEVICES AND OTHER COMBUSTIBLE DEVICES**

SUBJECT: Adoption of rules and regulations prohibiting use and storage of Open Flame Cooking Devices and Other Combustible Devices in the Units and on the Common Elements, including Limited Common Elements

PURPOSES: To adopt rules and regulations prohibiting certain use and storage of Open Flame Cooking Devices and Other Combustible Devices in the Units and on the Common Elements, including Limited Common Elements and set forth enforcement procedures for same

AUTHORITY: Declaration, Articles of Incorporation, Bylaws, and Colorado law.

**EFFECTIVE
DATE:** _____ March 5, 2026

RESOLUTION:

WHEREAS, Article III(b)(viii) of the Articles of Incorporation authorizes the Association to adopt and amend reasonable rules and regulations regarding the management and operation of the Premises; and

WHEREAS, Paragraph 9 of the Declaration provides that the Association shall maintain property insurance and the Association has a duty to take the appropriate steps necessary to obtain and keep that insurance; and

WHEREAS, the Association's insurance carrier has recommended, due to safety concerns, that all gas grills or similar devices which have an open flame, i.e. charcoal, pellet, and wood grills, including Other Combustible Devices, be prohibited on decks, balconies, patios, and porches, within ten (10) feet of any buildings/structures within the Community; and

WHEREAS, in order to actively foster, promote and advance the common interests of the Owners, the Board of Directors has determined that it is in the best interest of the Association to regulate all types of grills and Other Combustible Devices within the Community because the buildings within the Community are closely situated and the use of grills and other combustible devices on decks and patios or near buildings constitutes a potential fire hazard.

NOW, THEREFORE BE IT RESOLVED, the Board finds it is necessary to adopt rules and regulations which regulate the use and prohibition of grills and Other Combustible Devices, as defined below, and sets forth procedures for the Association's enforcement of violations of same.

The Board of Directors, on behalf of the Association, hereby adopts the following:

1. Charcoal/Wood Burning Grills and Smokers. As used in this Policy, "Charcoal/Wood Burning Grills and Smokers" shall mean charcoal grills or smokers; charcoal kettle grills or smokers; kamado grills or smokers, hibachi, pellet/ wood fired grills or smokers; hearth grills or smokers; and, all other types of open flame cooking devices, charcoal grills, and smokers not specifically mentioned herein.
2. Gas Grills. As used in this Policy, "Gas Grills" shall mean liquid, or gas fueled grills; infrared grills or smokers; and all other types of gas cooking devices where neither charcoal, briquettes, wood chips or other fuel sources are used.
3. Electric Grill. As used in this Policy, "Electric Grill" shall mean electric grills or flat top griddles.
4. Electric Smoker. As used in this Policy, "Electric Smoker" shall mean electric smokers; infrared grills or smokers; and all other types of electric cooking devices, except Electric Grills.
5. Other Combustible Devices. As used in this Policy, "Other Combustible Devices" shall mean any firepit, tabletop firepit, gas heater, and all other types of combustible light or heat source which have an open flame.
6. Restrictions on Grills.
 - a) The use of Charcoal/Wood Burning Grills and Smokers, Gas Grills, Electric Smokers, or Other Combustible Devices on decks, balconies, patios, porches, elevated walkways, under any overhang, or within 10 feet of any structure or combustible materials, including trees and brush, in the community is strictly prohibited.
 - b) The use of Electric Grills on decks or balconies, patios, porches is allowed provided there is no open flame.
7. Definitions. Unless otherwise defined in this Policy, initially capitalized or terms defined in the Declaration shall have the same meaning herein.

8. Supplement to Law. The provisions of this Policy shall be in addition to and in supplement of the terms and provisions of the Declaration and the law of the State of Colorado governing the Community.
9. Deviations. The Board may deviate from the procedures set forth in this Policy if, in its sole discretion, such deviation is reasonable under the circumstances.
10. Amendment. This Policy may be amended from time to time by the Board of Directors.

**PRESIDENT'S
CERTIFICATION:**

The undersigned, being the President of the Association, certifies the foregoing Policy was adopted by the Board of Directors on _____ 2025, and in witness thereof, the undersigned has subscribed their name.

NOW COLORADO AT WILDERNEST, INC.
a Colorado nonprofit corporation

By: 
President