

ISSUE #1

Section 1: [Article III, Section 3.12] Electric Vehicle Charging and Exterior Electrical Conduits

No exterior electrical outlets, charging stations, or surface-mounted conduits for electric or hybrid vehicles may be installed on the exterior of any Residence, driveway, or parking area without prior written approval from the Architectural Committee and execution of a \$1,000,000 commercial general liability insurance policy naming the Master Association as an additional insured.

MARKUP #1 ->



True
HOA

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. Article III, Section 3.12 (p. 1): Prohibiting exterior EV charging stations on a unit owner's lot/driveway and requiring a \$1,000,000 commercial liability policy.

Statutory / Legal Reference: C.R.S. § 38-33.3-106.8

Statutory Comparison: Under C.R.S. § 38-33.3-106.8, an association may not prohibit the installation or use of a Level 1 or Level 2 electric vehicle charging system on an owner's unit or limited common element parking space, nor may it require a commercial general liability policy for a charging station installed on an owner's own lot/property (insurance naming the association applies only to installations on general common elements).

CURRENT WORDING IN DOCUMENT:

[Article III, Section 3.12] Electric Vehicle Charging and Exterior Electrical Conduits - No exterior electrical outlets, charging stations, or surface-mounted conduits for electric or hybrid vehicles may be installed on the exterior of any Residence, driveway, or parking area without prior written approval from the Architectural Committee and execution of a \$1,000,000 commercial general liability insurance policy naming the Master Association as an additional insured.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Amend Section Article III, Section 3.12 ([Article III, Section 3.12] Electric Vehicle Charging and Exterior Electrical Conduits - No exterior electrical outlets, charging stations, or surface-mounted conduits for electric or hybrid vehicles may be installed on the exterior of any Residence, driveway, or parking area without prior written approval from the Architectural Committee and execution of a \$1,000,000 commercial general liability insurance policy naming the Master Association as an additional insured.) to conform with C.R.S. § 38-33.3-106.8 and the manual attorney audit recommendations for Ken-Caryl Ranch Master Association.