



# Architectural Rules

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## Overview

- The Board has the authority consistent with the Declaration to create rules and regulations regarding the community. See Article VII, Section 7.1. These Architectural Rules (“ARC Rules”) are created consistent with Article VII, Section 7.11 of the Association’s Declaration.
- It is the responsibility of every Owner contemplating a repair or remodel project to read these ARC Rules and to comply with its provisions.
- The Owner is additionally responsible for providing this document to their architect, engineers, designer, contractors, vendors, and tradesmen. The Owner is responsible for assuring their compliance. Prior to undertaking any planning, permitting, demolition, or construction associated with a project, the Owner must acknowledge receiving and agree to comply with these ARC Rules.
- The Board has the authority to review renovation applications and to accept over the counter applications (as clarified in Section 3.2 below).
  - The Association’s Onsite management will review all applications and assist Owners in the submission process. Management will approve or deny all over-the-counter applications.
- Association’s Onsite management will coordinate among the Owner, Board, and contractors during the entire process from application to completion.

## 1 Clarification regarding what components are owned or maintained by an owner and what is not.

- a. Exhibit C of the Association’s Declaration describes the Unit boundaries.
  - a. General boundaries are from the face of the exposed Unit-boundary wall, interior face of exterior walls (and including window and patio doors), and concrete floor to finished ceilings.
- b. Refer to the LAS VEGAS CAY CLUB Insurance Resolution (available from the LAS VEGAS CAY CLUB office) for detailed information.

## 2 Rules for all types of modifications

### 2.1 General

- a. Wall and ceiling framing must be non-combustible metal stud. Wood blocking is acceptable.
- b. Building common walls must use two sheets of Type X 5/8" fire-rated drywall on each side.
- c. Drywall used in common walls must be rated and match existing type and thickness. All modifications or repairs to rated wall systems must be inspected by Clark County via permit.
- d. There may be asbestos containing materials (ACMs) encountered during demolition which are the Owner's responsibility to evaluate and be responsible for any asbestos abatement including proper removal, disposal, permitting, testing, and any resulting contamination or damage.
- e. It is the Owner's responsibility to employ licensed and insured contractors and to obtain permits for all work when required by the Association, Clark County, and/or the State of Nevada.
- f. If a Clark County permit is required, the Owner and their contractors are responsible for securing all those permits, required inspections, and Certificate of Occupancy or Letter of Completion from the appropriate agencies for hazardous material removal and disposal.
- g. Upon completion of the project, a copy of the Certificate of Occupancy or Letter of Completion must be sent to the Association's Onsite Manager.

### 2.2 Owner (and contractor) responsibilities

- a. Owners are ultimately responsible and liable for the outcome of all work that is done and any resulting damages to their Unit, other Units, or any Limited Common Elements, or Common Element.
- b. **Unlicensed contractors, handymen, or others may be used for projects that do not impact other Units or Common Elements, but contractors who are licensed and insured are required for projects that may impact Limited Common Elements or Common Element, common building systems, or that require compliance with building codes including, all plumbing, electrical, and HVAC work and all projects that require building permits with the exception of items listed in section 3.1.**
- c. Project logistic requirements including worker parking, work hours & deliveries, waste removal, etc. as detailed in Section 3.4.7. Owners are responsible to make sure that all Common Elements are protected and cleaned after each day's work – including hallways, stairs, and balcony.
- d. Proper use, removal, and disposal of any hazardous materials including Asbestos Containing Materials (ACMs) according to local, county, and state, laws. Owners are required to provide a plan for the proper removal & disposal of Asbestos Containing Materials by a licensed ACM removal professional.
- e. Appropriate precautions must be taken to prevent construction dust & debris from contaminating Common Elements or other Units.
- f. Refer to Section 6.7 for the guidelines for the disposal of construction materials.
- g. Any shut down of water supply or electrical power must be approved by the Association's onsite manager using the appropriate over-the-counter form, within the required lead time for notice to all affected Units.
- h. If work is performed on the Limited Common Elements, such as the balcony/patio, appropriate measures to prevent debris from falling on the patio below or littering the adjacent grounds must be taken.

### 2.3 Modifications that involve Limited Common Elements

- a. Unit remodels or repairs that involve altering a Limited Common Element or Common Element require the unit Owner to sign the Maintenance, Insurance, and Indemnity Agreement (MI&I Agreement) which holds the Owner responsible for maintaining and insuring those alterations

(improvements) and to indemnify the Association from all future liabilities and expenses related to the improvements.

- b. Altering a Limited Common Element or a Common Element includes replacement, installation, or modification by mounting, cutting, drilling, etc.

### 3 Type and details of each class of modification

#### 3.1 Examples of work that do not require an application or approval

- a. Modifications to existing cabinets (such as re-facing doors, etc.)
- b. Unit maintenance/repair – Replacement in place of existing light fixtures; or replacement of existing appliances such as refrigerator, dishwasher, stove, or disposal.
- c. Replacing outlets, switches, or electrical fixtures in the Unit or patio.
- d. Painting & wallpaper
- e. Replacing Unit interior doors, closet doors, shelving, built-ins.
- f. Decorating of a Unit.
- g. Replacing locksets or peepholes on Unit entry doors. (Locks must be satin chrome)

#### 3.2 Examples of work that requires an over-the-counter application

- a. Replacing existing flooring with new pad and tile.
- b. Replacement of plumbing fixtures requiring a water shutoff.
- c. Replacing cabinets and/or countertops if no changes to plumbing or electrical are necessary.
- d. Minor electrical work requiring a shutoff in the Building or Unit shutoff using the electrical outlet outside the building.

#### 3.3 Minor Renovations Approved by Management

Applications will be reviewed by Management who may request further information or changes from the Owner.

- a. Tub to shower conversions.
- b. Tub replacement
- c. Hard surface flooring changes or additions.
- d. Deck surface, or guardrail modifications.
- e. Exterior door and window replacement.
- f. Installation of laundry plumbing boxes and electrical.

#### 3.4 Large Renovations Reviewed by ARC and Approved by the Board

##### 3.4.1 Requirements for application

Up to 30 days may be required to process a Large Renovation application. Applications will be reviewed by the ARC. The ARC will either request changes from the Owner or recommend approval by the Board. Any actions by the ARC can be appealed to the Board.

##### 3.4.2 Examples include, but are not limited to:

- a. Demolition or construction of walls.
- b. Adding or moving plumbing fixtures such as toilets, showers, or sinks.
- c. Kitchen remodels that include relocating plumbing or electrical.
- d. Installing or removing an ice maker plumbing box in the walls.

### 3.4.3 Large Renovation Submissions and Approval

- a. Absolutely no work may be undertaken prior to the Board's written approval.
- b. Owners should be aware that the approval process may take 30 days or longer depending on the scope of work. It is Owner's responsibility to coordinate applications with regularly scheduled Board meeting dates to ensure the quickest processing time. Any required corrections and modifications may take additional time.
- c. Association management will review for completeness and forward to the Board.
- d. The Owner or their legally authorized representative must attend the Board meeting, if requested, to answer any questions that may arise.
- e. The Board will review the submitted documents and work with the Owner to resolve any issues.
- f. The Board will review the application.
- g. If Board action results in rejection or modification of the remodeling plans, any costs relating to this process which are incurred by the Owner are the responsibility of the Owner. For that reason, if time is not an issue, the Owner may submit a conceptual application prior to submitting the final plans for a building permit and LAS VEGAS CAY CLUB remodel application.
- h. After review or approval, the office will provide written notice to the Owner of the Board's decision.
- i. The Owner has the responsibility to make the Board aware of potential changes including modifications to the plans or approved materials before they are in place. **Failure to do so can result in a fine or removal of approval work.**

## 4 Worker or Contractor Information Requirements for All Work

Evidence of the following must be provided:

- a. If required, a Clark County Permit – check with the county to determine permit requirements.
- b. Contractor's license number
- c. Association named as additional insured for ongoing and completed operations on contractor's liability insurance
- d. Article VII, Section 7.11(v) of the Association's Declaration states that "The Owner requesting the change obtain, prior to commencing any work, and maintain until completion of such work, comprehensive general liability insurance in such amounts as may be required by the Board."
- e. Refer to the Architectural Application for Large Renovations for insurance requirements when a licensed General Contractor is used.

General Liability: \$1,000,000 per occurrence and \$2,000,000 in the aggregate

Workers Comp: \$500,000 for all three coverage parts

Umbrella: At least \$1,000,000

## 5 Project Progress Reviews

- a. In approving the project, the applicant agrees that the Association's Management may check the project at various stages or have outside special inspections performed, with proper notice, to assure that specific elements of the project are being performed as agreed upon. There is no charge to the owner for Association's Management project progress reviews. Periodic reviews may include:
  1. Verification of project
  2. Installation of sound deadening material on floors
  3. Exterior rated materials for patio surfaces
  4. Proper repair and sealing of surfaces prior to installation of finishes
  5. Exterior color of new windows and doors

6. Modifications to Limited Common Element plumbing or electrical systems.
- b. Owners should be aware that outside special inspectors may be required by the Association, at the Owner's expense, for certain required inspections such as ACM removal, changes to the common plumbing systems, mechanical systems, structural changes, etc. The Owner or contractor should coordinate with Management to minimize the potential impact to the project schedule.

## 6 Project Logistics

### 6.1 Work Time

All work, demolition, moving and delivery of equipment and/or materials must be completed between the hours of 9:00 AM and 5:00 PM, Monday through Saturday. No work, demolition, moving and delivery of equipment and/or materials is allowed in the building on Sundays or major Holidays.

### 6.2 Area of Work

All remodeling work must remain inside the Unit or on the Unit's patio and may not include common element areas or use of common utilities. These restrictions include Owners and residents doing their own work. Carpet/tile may be cut outdoors in areas that don't affect other resident's access to the building or parking areas. Parking areas or any common areas may not be used to store materials.

### 6.3 Parking

Contractors and vendors may arrange with Association Management to park vehicles and work trailers in unassigned areas. Such vehicles or trailers may not occupy more than one parking space at a time.

### 6.4 Loading and Delivery

Temporary parking areas for loading and delivery are available in front of each building.

### 6.5 Entry to Building

Temporary lock boxes may be hung in the designated lock box room, on the door handle, or on the Unit patio railing to allow contractor and vendor access. Lock boxes stored in the lock box room must be registered with Association Management.

### 6.6 Protection and Clean Up

When a remodel project requires moving furniture, equipment, or construction materials through the common element areas, it is the responsibility of the Owner to see that all common area finishes (i.e. hallway floors, wall coverings, etc.) are protected from damage. This specifically includes protection of the floor finishes between the hallways and the Owner's Unit. Any excessive clean up charges or damage to common element areas or any other Unit caused by the activities associated with a remodel is the responsibility of the Owner and will be billed to the Unit Owner. If unpaid, the amount billed shall become a lien upon that Unit.

### 6.7 Disposal of Construction Materials

To facilitate the safe disposal of construction materials that move through the building's common element areas and minimize the inconvenience to residents, the Association has adopted the following additional guidelines:

- a. It is the responsibility of the Owner and his/her contractor to assure that all demolition and disposal of materials comply with the applicable statutes of the Clark County Landfill.
- b. No construction debris of any kind can be deposited in the Association's trash or recycle dumpsters. All construction debris must be put into the blue dumpster near building S.
- c. Any construction debris that moves through the building common element areas must be bagged in appropriate trash bags before it leaves the Unit. Any long or bulky items such as metal studs, doors, door frames, etc. must be protected and handled to avoid damage to walls, ceilings, floors, etc.
- d. Any construction debris that may contain any ACM must be bagged in accordance with state law, and properly labeled (if required) before it leaves the Unit.
- e. If the scope of the project requires a separate temporary dumpster for construction materials that dumpster must be placed in a Association approved location on the property. It is the responsibility of the Owner or the contractor to coordinate the timing and the approved location of the dumpster with Association Management prior to its arrival.

## 6.8 Utility Shutdowns

If it is necessary to shut down the building water supply or interrupt electrical power to complete work on a Unit remodel, the shutdown must be scheduled 48 hours in advance with the Association's Management. The scheduling will be done to minimize the inconvenience to most residents.

## 7 Guidelines for specific areas

Alterations, modification, additions, or relocations of electrical panels, mechanical systems, plumbing systems, and ventilation systems require written Board approval. Any alteration, modifications or relocations that lessen the support of any portion of the Building is prohibited. Structural elements including, but not limited to, concrete columns, structural walls between Units, perimeter bearing walls, and the concrete structure for both floors and ceilings may not be changed or modified under any circumstances.

### 7.1 Plumbing Modifications or Additions Connecting to the Limited Common Elements

- a. The Owner will be required to sign a Maintenance, Insurance, and Indemnity Agreement.
- b. A Clark County Building Permit is required, a copy of the permit as well as the final copy of the permit with all recorded inspections shall be submitted to the office to be filed in the Unit file.
- c. The LAS VEGAS CAY CLUB Facility Manager or, if applicable, an approved special building inspector, will perform project progress reviews of any modifications to a Limited Common Element plumbing before spaces are enclosed. The cost of inspections by an outside inspector will be the responsibility of the Unit owner performing the modifications or additions.
- d. Any removed areas or openings in the chase fire walls shall be replaced with 2 layer of Type X drywall with fire taping and fire caulking which will be inspected by the County.
- e. If access to the Unit below is required for work other than maintenance, repairs, or replacement, prior to and as a condition for Board review and approval of the above modifications or additions, an agreement shall be obtained between the remodel Unit Owner and the affected lower Unit Owner specifying all terms and both parties must participate in a preliminary ARC meeting to discuss the project, impacts to both Units, schedule, and responsibilities.
- f. The following items shall be presented to the Board by the Unit Owner: the extent of demolition required for access, schedule, alternate living arrangements, compensation, any other terms and conditions, etc.

## 7.2 Perimeter Wall Penetrations

Any penetrations or modifications to exterior walls require prior written Board approval. This includes piping for water systems, electrical conduits, venting, etc.

## 7.3 Party Wall Penetrations

Any penetrations or modifications to walls between Units require prior written Board approval. This includes piping for water systems, electrical conduits, venting, etc. Penetrations in the concrete walls will require approved structural design by a structural engineer.

## 7.4 Drywall Ceiling Modification

Requests to raise, lower, or modify portions of the drywall ceilings to accommodate lighting or interior decoration will be considered by the Board on a case-by-case basis, if the Owner can demonstrate that these changes can be accomplished without adversely effecting existing common elements or adjacent Units.

## 7.5 Floor Core Drilling and Concrete Trenching

The concrete that forms the upper and lower enclosures for the Units cannot be modified without prior written Board approval. Consideration will require a stamped structural engineer's recommendation letter and be included or amended in the County building permit. Floor coring will require location detection of reinforcing and structural elements in the location of proposed core holes. The Owner is responsible for any resultant damage.

## 7.6 Unit Entry Doors

An Owner may replace the original entry door with a door of equal or higher fire rating. The label must be affixed to the door. The Owner may not modify an original door or a new door in any way that would negate the fire rating, such as adding a panel of glass or other material. The color, wood species, wood grain pattern, and finish on the hallway-side must match the original door.

## 7.7 Main Electrical Breaker Panels

Main electrical breaker panels cannot be changed or modified without prior approval. They are Limited Common Elements which contain shared lines that run through the panel which feed the Units in the building. Changes within the panel must be performed by a licensed electrician. Installation of additional higher amperage breakers or sub-panels require a design by an Electrical Engineer taking into consideration all Units that share a common main breaker. Board approval is required.

## 7.8 Telephone Conduits

Telephone conduits may or may not include wiring to other Units. Owners and contractors are responsible for ensuring that any other affected owners and the office are notified, and precautions taken for any outage. Precautions for other affected residents must consider loss of phone use, entrance intercom access, lifelines, etc. during a telephone outage.

## 7.9 Toilets

All replacement or new toilets must be gravity flow type. Macerating or pressure assisted toilets are not allowed.

## 7.10 Washing Machine Hoses

Metal or nylon mesh reinforced hoses are required.

## 7.11 Windows and Sliding Glass Doors Replacement

Replacement of Unit windows or patio sliding glass doors shall comply with the specifications below:

- a. The following materials are acceptable for door and window frames:
  1. Metal (steel or aluminum)
  2. Wood with an exterior casing of aluminum or vinyl
  3. Vinyl
- b. New windows or doors shall be the same overall size, pane size, operation, and general appearance, from the exterior of the building, as the originals.
- c. New window and door frames in the Building shall be white and match current standards. The interior color and finish is at the discretion of the Owner.
- d. Window and door configuration must match original.
- e. Glazing shall be clear insulated Unit.
- f. Reflective glass or reflective coatings are not allowed.
- g. New windows and doors must meet Clark County wind requirements.

## 7.12 Interior Floor Finishes

All new flooring materials must be installed over an approved underlayment. No other underlayment products are allowed.

- a. Existing tile with pad may be replaced by similar tile with pad.
- b. Materials that substantially increase floor loading are prohibited such as:
  1. Terrazzo
  2. Concrete
- c. One of the following sound reducing underlayments for any flooring must be used (these have a Sound Transmission Class (STC) rating of 50 or higher using the "ASTM E90" standard test method and an Impact Isolation Class (IIC) ratings of 50 or higher using the "ASTM E492" standard test method for concrete floors without suspended ceilings below):
  - Carpet pad must be installed under all carpet
  - [MAPEI Mapsonic 2](#) – STC=50 & IIC=52 for LVT or laminate
  - [MP Global Products QuietWalk](#) – STC=52 & FIIC=60 for laminate, LVT, or LVP (available at Lumber Liquidators as QuietWalk and Corelux)
  - [MP Global Products Insulayment](#) – STC=50 & FIIC=60 for laminate or ceramic tile (available at Lumber Liquidators)
  - [Acoustical Solutions ISO-STEP](#) – STC=55 & IIC=58 for laminate and for porcelain tile STC=57 & IIC=53
  - Reward Flooring Silencer LVT underlayment – STC=50 & IIC=55 for LVT and LVP (also called Tranquility Ultra underlayment at Lumber Liquidators)

## 7.13 Patio Modifications

- a. A Patio enclosure may be installed with prior Board approval. No plywood, blankets, sheets, screens, plexi glass, plastic, wood latticework, umbrellas, homemade covers, etc. may be used as an enclosure. The only pre-approved shade is the "Coolaroo Select Series Top Roll Up Sun Shade, color Mocha"
- b. You may have permanent patio storage units installed inside the water heater closet.

- c. Any changes to patio flooring will require the floor to be coated with exterior water-proof coatings approved by the Association.
- d. No permanent materials may be installed over the water-proof coating.

#### 7.14 Fire Rated Construction

All framing must be non-combustible metal, all drywall used in common walls must be rated and match existing type and thickness.

#### 7.15 Unit Ceilings

Units must not install any ceiling surface other than a grid/tile system so that common element HVAC units, pipes, and valves may be accessed, maintained, or replaced.

### 8 Contingency Planning

When unanticipated issues arise in the project, the Facilities Manager should be contacted to work through and find alternative solutions.

### 9 Project Closeout

For all remodel projects requiring a Permit, the owner shall provide copies of all required City inspections and Letter of Completion from Clark County to the Association's onsite office.

### 10 Assessment of Fines

According to the Schedule of fines, fines may be assessed, after notice and opportunity for a hearing, upon Owners for non-compliance with any applicable section of this document including remodeling work done without an approved Association ARC application or work done without proper building permits when required. Work done without required permits must either be removed, or approved by the Association and the regulating authority with proper documentation of the approval submitted to the Association. Copies of the Schedule of fines Policy are available on the Association's website at [www.levelprop.com](http://www.levelprop.com) or from the Onsite Office.

## 11 Acknowledgement and Signatures

I acknowledge that I have read these Architectural Rules and am responsible for following all contained procedures, conditions, and specifications. I further acknowledge that I am responsible for all Contractors' and Subcontractors' adherence as well.

Return this page to the Association's onsite office with your signed Architectural Application.

Unit Number: \_\_\_\_\_ Building: \_\_\_\_\_

Unit Owner's signature(s): \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

(General) Contractor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_