

ATTACHMENT 10

RULES AND GUIDELINES FOR RETRACTABLE AWNINGS

1. Retractable awnings are defined in the Ohio Building Code Section 3105.2 "RETRACTABLE AWNING. A retractable awning is a cover with a frame that retracts against a building or other structure to which it is entirely supported."

In Greenwood Village awnings are restricted for use over decks or patios that have hard surfaces – such as stone, brick or wood, and only at the rear of the residence. (For corner residences, the rear will generally be the side opposite the front door.)

2. Awnings may only be in use or extended during the period of May 1 to October 31 and must be retracted when the residence is unoccupied for more than two hours.
3. Awnings must be equipped with an electric motor and manual override (hand crank) and equipped with a wind sensor, or rain and wind sensor, installed per awning manufacturer's specification.

Awnings must be certified to withstand wind loads of at least 20 mph winds, and the wind sensor must retract the awning automatically before winds exceed wind load rating.

4. Awning materials: Acrylic fabrics or synthetic composite materials are required, in solid colors to match the roof, exterior siding, or trim of the residence. The fabric must be plain, that is, without any pattern, stripes, logos, or decoration. An awning may have a valance on the front edge of the same color fabric as the awning itself. Such a valance must be removed or covered from November 1 through April 30. The type of valance must be included with the written request for ACCES approval.

5. Color: Fabric colors of the canopy must be coordinated with the color of the residence as specified in Rule No. 4 above and be approved by the ACCES Committee in writing prior to installation. At least three fabric samples, a primary choice and two alternative colors, consistent with the roof, exterior siding or trim color of the residence must be submitted with the Request for ACCES Approval application form to the ACCES Committee and the Committee will select the color to be approved. Condominium associations are required to submit standards for the colors acceptable for their residents before the awning submittal will be considered.

The color of the frame of the retractable awning should be a neutral tone and/or coordinated with the color of the awning fabric.

6. The awning frame and fabric shall be warranted for a minimum of 10 years.
7. Required mounting locations are on the soffit, or on the vertical exterior wall of the residence. Roof mounted retractable awnings are prohibited.
8. It is the responsibility of the owner to insure that retractable awning and all accessories are installed in full compliance with the manufacturer's guidelines and or instructions. The owner has the option of either retaining a contractor or the awning dealer to install the retractable awning or perform the installation themselves. If electrical work is required beyond the customary installation (e.g., hardwire to a new outlet as no exterior outlet is available), the owner must retain a licensed electrician to perform such work, who will obtain an electrical permit if one is required.

The installation shall be performed in such a manner that the full extent of the manufacturer's written warranty is obtained and in the owner's file for future reference.

Note: If lights are included with the awning, or are an accessory, ACCES rules on lighting apply. See Section III.M and Attachment 5 of the ACCES Procedures and Rules document.

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9. All requests for the installation of a retractable awning must be made to the ACCES Committee using the Request for ACCES Approval application form and include the information specified in the requirements matrix (Section – I.D. of the ACCES Procedures and Rules document.) In addition:
 - a. All applications must provide evidence of conforming to the rules as specified above, such as a copy of the manufacturer's specifications, a dealer's written proposal, etc.
 - b. Installation is prohibited until the ACCES Committee approves a request in writing.
10. As stated on the Request for ACCES Approval form, neighbors' signatures proving notification is required and approval is strongly encouraged.
11. Retractable awnings may be permitted on condominium units provided that the condominium association governing documents allow such installation in writing and has a set of written rules and requirements about awnings that conform to the ACCES rules herein, with additional requirements that clearly consider obstructed sight lines and require neighbor notification, neighbor approval is strongly encouraged. Condominium association written approval is required before ACCES will accept your submittal. The written approval of the condominium association must be provided with the application to ACCES. Please check with your condominium association for any additional requirements. The ACCES Committee and its process is the final authority of the application by a condominium owner and as such may approve or disapprove the request.
12. ACCES approval of an awning is considered a change in use, and may be withdrawn for violation of ACCES rules, including but not limited to:
 - a. Failure to maintain the awning in good working order
 - b. Installation of an awning that differs from the awning submitted for approval,
 - c. Creation of a nuisance, or
 - d. Failure of a subsequent owner to sign the Awning Agreement before purchasing the residence.If approval is withdrawn, ACCES may use any and all enforcement procedures available to have the awning removed, and all costs incurred, legal or other, shall be the obligation of the current owner.
13. ACCES approval of the installation of a retractable awning requires that the owner agrees to comply with the awning agreement described below. The owner's agreement to comply is indicated by the owner's signature on the ACCES application and on the awning agreement.

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AWNING AGREEMENT:

The owner of the retractable awning agrees to the following requirements:

- Awnings will be used or extended only during the period of May 1 to October 31 and will be retracted when the residence is unoccupied for more than two hours.
- The owner is responsible for the regular maintenance, cleaning, care, repair, and replacement of the awning to insure that the unit operates electrically, as well as with a hand crank, and the wind sensor is functioning, and the awning fabric is in good condition. Inspections to confirm satisfactory operation and condition are to be performed by the owner each year when the awning is first used.
- Damage to the residence caused by an awning is the responsibility of the owner.
- If the awning is damaged, it must be repaired within a 45-day period and restored to its original condition. If the repair time is estimated to be longer than 45 days, the owner must provide a written estimate (from the repair company/parts provider) with an explanation of what needs to be done to get the unit operating again. Owners must request relief from the ACCES Committee if the awning cannot be repaired during the 45 day period, and the owner may be granted up to an additional 45 day extension to make the necessary repairs. If the awning cannot be repaired in the time agreed upon by the ACCES Committee with the owner, the awning must be removed. If the damaged awning is removed because it cannot be repaired, installation of a replacement awning will require a new application to the ACCES Committee.
- When the residence is to be sold, the seller agrees to disclose to the buyer that the buyer is required to sign this awning agreement in order to retain ACCES approval of the awning on the residence. If the new owner refuses, the seller agrees to remove the awning before the sale is completed. If the seller fails to remove the awning before the sale, ACCES approval of the awning is revoked (see Rule #12.)

Acceptance Signatures:

Original Awning Owner: _____ Date: _____

Subsequent Awning Owner: _____ Date: _____

Required Updates to Incorporate the “Rules and Guidelines for Retractable Awnings”
Into the ACCES Architectural Review Procedures and Rules:

Section I.A.

(The prohibited section) Replace current #1 with:
“1. Awnings - Non-retractable or Roof Mounted”

Section I.D.

Add Line for “Retractable Awnings” above “Roofing”

Items to be checked in the matrix as required for submittal:

- Plot map showing location
- Drawing showing top view
- Drawing showing side view
- Dimensions
- Color (chips or samples)
- Sample of materials
- Wiring Location

Section III. C. Replace “AND STEPS.” with “STEPS, AND AWNINGS.” (Here and in Table of Contents.)

Section III. C.1 Replace “or steps.” with “steps, or retractable awnings. (Also see Attachment 10)”

Section III. C.2 Replace “or steps” with “steps, or awnings” in both locations.

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(Now blank) Insert new “Rules and Guidelines for Retractable Awnings” pages 1-3.