

# **1. Introduction to Rules and Regulations**

## **I. Introduction**

- II. Consistent with Article VI, Section 1 of the Declaration of Protective Covenants for Bonney Lake Manor (CC&Rs) and Chapter 64.38.020 (11) of the Revised Code of Washington, the Bonney Lake Manor Homeowner's Association (Bonney Lake Manor) does hereby establish the following Rules and Regulations to become effective on March 1, 2007.

## **II. Purpose**

The purpose of these Rules and Regulations (Rules) is to provide specificity to the CC&Rs and to establish a fine schedule for violations of these Rules.

## **III. Fine Schedules**

Specific fine schedules for the infraction of any Rule shall be contained within that specific Rule.

## **IV. Attorney's Fees and Collection Costs**

Consistent with Article XII, Section 1 of Bonney Lake Manor's CC&Rs, Bonney Lake Manor shall be entitled to recover attorney fees and costs from the homeowner for actions taken to collect such imposed fines

## **V. Lienability**

Consistent with Article IV and Article XII, Section 1 and of Bonney Lake Manor's CC&Rs, Bonney Lake Manor shall be entitled to file and foreclose a lien against the homeowner's property for unpaid costs associated with any fines or the collection thereof established within these Rules.

## **II. VI. Rule Enforceability**

If any portion of these Rules is determined to be legally unenforceable, it shall not negate the enforceability of the remaining portions of these Rules.

## **VII. Amendments**

These Rules may be amended from time to time through a majority vote of the Bonney Lake Manor Board of Directors and with sixty (60) days notice to the membership.

## **VIII. Appeal**

- II. The opportunity to appeal the Board's decision regarding the imposition of fines under these Rules is available as detailed in Chapter 10 of these Rules.

## **2. Exterior Maintenance**

### **I. Introduction**

- II. Article V, Section 2 and Article VI, Section 11 of Bonney Lake Manor's CCRs establishes the requirements of each individual lot owner to maintain the exterior appearance of the owner's lot.

### **I. Owner's Responsibility**

Notice will be sent by Bonney Lake Manor to any homeowner who is not maintaining their lot in the manner consistent with Article V, Section 2 and Article VI, Section 11 of Bonney Lake Manor's CCR's. Owner's Responsibility defined therein requires:

**“Except as provided in Section 1 above, all maintenance of the Lot and all structures, parking areas, landscaping, and other improvements thereon shall be the sole responsibility of the Owner thereof, who shall maintain such Lot in a manner consistent with the Community-Wide Standard and this Declaration.**

### **I. Community-Wide Standard**

The following constitute the Community-Wide Standards referenced in the CC&Rs;

- A. Yards shall be routinely mowed to maintain a neat and clean appearance. Yards shall be primarily grass (turf) with minimal weeds.
- B. Trees, hedges, shrubs, and flowerbeds shall be neatly maintained and cultivated. Bed areas must be relatively weed-free and topped with dirt, decorative rock, or beauty bark. Areas up against houses, garages and sheds shall be kept weed-free.
- C. All sidewalks, street-lines, concrete slabs, driveways, walkways, bed edges, fence lines and all **immediate visual areas** shall be routinely edged to maintain a neat and clean appearance.
- D. Yard waste including leaves, grass clippings, branches, etc. shall not be stored and piled in yards or placed in the street. Composting is to be maintained in a self-contained manner and located in an unobtrusive area on the property.
- E. No garbage of any kind including but not limited to buckets, brooms and

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unused pots shall be stored in yards (front and back), up against buildings, in driveways or on porches.

- F. No indoor furniture including but not limited to couches, sofas, love seats, end tables and coffee tables are permitted to remain outside on any porch.
- G. Unused or excess building and landscaping materials including but not limited to bark, gravel, dirt, topsoil, wood, and lumber may not be kept or stored in the front yard, driveway, or on the street.
- H. All approved projects (house painting, fence building etc.) must be completed in the timely manner that has been agreed upon by both the homeowner and the Board.
- I. All structures including but not limited to houses, garages and sheds shall be maintained to present a neat and clean appearance. Unacceptable maintenance includes but is not limited to broken windows, plants growing in gutters, weeds growing up the sides of houses, excessive moss growing on roof tops and/or siding.
- J. All painted areas on houses, garages and sheds must be maintained and neat in appearance. All structures on the property must be matching in paint color in accordance with the plans submitted to the Bonney Lake Manor Architectural Board.

This list does not represent all possible scenarios of Community Wide Standards and Homeowners must maintain the Lot in a manner consistent with the CCR's and the examples addressed within this Rule. Following identification by the Board of a violation, the homeowner will be mailed a Notice of Violation. The homeowner must respond to the Notice of Violation within fourteen (14) days from the date of its mailing. The homeowner may respond by curing the violation or by providing a written response indicating how the homeowner intends to cure the violation within a reasonable time frame.

If no such response is received by Bonney Lake Manor within fourteen (14) days, fines may begin to accrue as detailed in the Fine Schedule section herein.

#### **IV. Fine Schedule**

Failing to respond to the Notice of Violation within fourteen (14) days shall result in fines being imposed at the daily rate of \$10 commencing on the fifteenth (15) day following Notice and concluding upon the homeowner's cure of the violation.

### **3. Vehicles and Parking**

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- II. Article VI, Sections 5 & 6 of Bonney Lake Manor's CCR's establish the guidelines regarding the appropriate parking of all vehicles within Bonney Lake Manor.

**I. Vehicles**

No vehicles including but not limited to cars, motorcycles, motor homes, campers, trailers, boats and golf carts may be left upon any portion of the Community, except in a garage or other Parking areas designated by the Board, for a period longer than five (5) days if it is unlicensed or if it is in a condition such that it is incapable of being operated upon the public highways. After such five (5) day period, such vehicle shall be considered a nuisance and may be removed from the Community.

No motorized vehicles shall be permitted on pathways or unpaved Common Property except for public safety vehicles and vehicles authorized by the Board.

**I. Parking**

Vehicles shall be parked only in appropriate parking spaces or designated areas. All parking shall be subject to these Rules and Regulations

**I. Infractions**

Failure to adhere to Section II and/or Section III, of these Rules is an infraction of these Rules and may result in the homeowner incurring fines consistent with the Fine Schedule contained herein.

**V. Fine Schedule**

Fines for each infraction described in Section IV above shall be imposed at the following rates:

1. First Day of Offense – Written Warning\*
2. Seven Day “Grace Period” to cure violation
3. First Day of Offense after “Grace Period” through last day Vehicle remains in violation - \$10 per day
4. All Subsequent Offenses by homeowner - \$10 per day without “Grace Period”, effective upon written notification

\*Written Warning will be left on offending vehicle and a notice will be mailed to the Homeowner. Fines may commence without further notice.

Consistent with Article VI, Section 5 of Bonney Lake Manor's CCR's, in addition to the imposition of homeowner fines, vehicles that remain in violation of these Rules for more than five (5) days are subject to be towed away at the expense of the homeowner.

## **10. Opportunity to be Heard**

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Any homeowner determined by the Board to be in violation of any of these Rules and Regulations may request a hearing to offer a defense to the imposition of fines. All hearing requests must be received by the Bonney Lake Manor Homeowner's Association, P.O. Box 7433, Bonney Lake, WA 98391 no later than fourteen (14) calendar days following homeowner notification of the violation. Failure to request a hearing within this time frame shall be deemed as the homeowner's waiver of this chapter of these Rules and Regulations.

**II. Hearing Request Procedure**

A. Within fourteen (14) calendar days following receipt of a complete written request by a violating homeowner, the Association President will assemble a three-member Review Board. The Review Board will consist of not less than one (1) current Board member. To be complete, the homeowner's written request must contain the following information:

- 1) Name and address of homeowner,
- 2) Explanation of why the fine is unwarranted,
- 3) Three (3) copies of all documentation to be presented by the appealing homeowner at the hearing,
- 4) Names of attorney/witnesses that the violating homeowner intends to bring,
- 5) Dated signature of homeowner.

B. The hearing will take place at a time and place to be determined by the Review Board, but not later than ten (10) calendar days following its formation. The appealing homeowner will have up to thirty (30) minutes to explain why he/she should not be fined. At the conclusion of the presentation, the Review Board will close the hearing and discuss the merits of the explanation.

C. The Review Board will send written notice to the appealing homeowner within seven (7) calendar days stating the outcome of the hearing. If the Review Board finds in favor of the appealing homeowner, the homeowner will incur no fines. If the Review Board determines that the explanation was inadequate to justify waiver of the fines, the fines will be assessed to the homeowner and where applicable, continue to accrue.

**III. Fine Collection**

All homeowner's fines will be billed by Bonney Lake Manor at the end of each month. If the fines remains unpaid 45 days past the billing date, all available collection methods will be used, up to and including a lien against the violating homeowner's property. Interest and legal fees incurred while pursuing collection of the same may also be charged to the violating homeowner.