



Harbour Heights Community Organization
House Rules and Regulations

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www.possessionbay.org

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SECTION 01 - GENERAL RULES

- 1) The purpose of the Harbour Heights Community Organization (HHCO) House Rules and Regulations is to provide policy guidelines to individual homeowners within the development as well as to provide direction to the board of directors.
- 2) Rules and regulations approved by the HHCO Board of Directors (Board) shall apply to and be binding on homeowners.
- 3) Homeowners shall be responsible for compliance with the provisions of the Declaration of Covenants (and any amendments thereto) as filed with either the City of Mukilteo, the County Recorder for Snohomish County, Revised code of Washington State: Homeowner Association, the Articles of Incorporation of HHCO, the By-Laws, and the rules and penalties as adopted by the HHCO Board.
- 4) If questions arise, the Declaration of Covenants and By-Laws filed with the County Recorder shall rule.
- 5) It is in the best interest of all homeowners that the appearance and condition of all homes within Harbour Heights Community be maintained in a uniform manner and use.
- 6) Each homeowner is responsible and required to maintain both the appearance and condition of all structural improvements and all landscaping, including: painting, cutting the grass, weed removal, trash accumulation and general appearance of each home.
- 7) Notices of meetings shall be posted at mailboxes or by direct mail addressed to the homeowner, or through email.
- 8) Committees:
 - a) The board may appoint ad hoc committees at its discretion and deemed necessary to assist in the operation of the affairs of HHCO. The committee members can be board members, homeowners of HHCO or outside consultants as needed. Those that have a financial involvement in the decisions of the committee, are excluded from being a committee member.
 - b) The Architectural Control Committee validates many physical aspects of the HHCO, including, but not limited to: house color schemes, roofing materials, grounds inspections and potential HHCO violations as it relates to the general rules. All board members are automatically included in this committee upon election to the board.
 - c) Approved projects should be aggregated as examples in a separate document managed and maintained by the board. This document does not guarantee future board approval; it is a supplement.
- 9) Management Company:
 - a) The use of a Management Company is approved by the HHCO Board to offset the normal business issues required to manage the day-to-day operations of the association. The business issues covered by the Management Company must be approved by the HHCO Board, and include, but are not necessarily limited to, the following:
 - b) Validate compliance of HHCO Board actions to the provisions of the Declaration of Covenants (and any amendments thereto) as filed with either the City of Mukilteo, the County Recorder for Snohomish County, Revised code of Washington State: Homeowner Association, the Articles of Incorporation of HHCO, the By-Laws, and the rules and penalties as adopted by the HHCO Board.
 - c) Management and audit of the Association monetary accounts, the receipt of dues, the dispersal of payments of HHCO Board approved expenses, and reporting of monetary activities on a monthly basis to the HHCO Board for review and acceptance. The Management Company has responsibility to assist HHCO Board members in the development and tracking of the yearly budget(s).
 - d) Maintenance of Association homeowner data information and associated requests for approval, audit, compliance and enforcement. Data needs to be inclusive and current of the homeowner contact information and any renter information as it pertains to the development. For protection of the association in the case of abandon or foreclosure homes, the financial institution that holds the deed of trust on such homes is also required.
 - e) Provide any administrative activity, such as supporting annual board meetings with mailings and correspondence as directed by the HHCO Board. In addition, Management Company representatives must be present at a majority of monthly board meetings. The management

- company will perform periodic inspection of the items and alert the HHCO board of any findings:
- i) Safety concerns
 - ii) Complaints raised by a resident related to items covered by the HOA governing documents
 - iii) Items of enforcement/emphasis approved at annual homeowner meeting explicitly covered by the HOA governing documents (dates will posted/provided to members)
 - iv) A Monthly inspection of HOA rules (dates will posted/provided to members)
- f) Through the management company, or a third party, pro-active maintenance of HHCO assets and, in an emergency, homes within the development. HHCO assets are defined as those areas, structures and open spaces in the development accessible for use for all association homeowners and renters.
- g) The Management Company is also required to solicit and obtain bids from contractors and companies for any endeavor approved by the HHCO Board or Association. The HHCO Board reserves the right to approve and execute whose bids it chooses.
- h) The Management Company shall maintain both a website and phone service for association members to write or call for complaints, alerts, requests and other pertinent information. All correspondence needs to be documented and forwarded to the HHCO Board for review and/or action. The Management Company can follow up with association members to inform them of the status of their requests, concerns or complaints by the HHCO Board.

SECTION 02 – DUES AND FEES

1) Dues Collection, Timeline, and Late Fees

- a) Annual dues are currently set at \$400, as of 2024, with board review and acceptance occurring in the fall.
- b) On March 1st association dues statements are mailed to each owner with payment due by April 1st.
- c) Unpaid accounts as of the 15th of the month when due will be charged a late fee of \$25 for the month in which they are late.
- d) Unpaid balances will be charged a \$25 late fee after every month until the balance is brought to zero.
- e) Monthly notices will be mailed to all delinquent accounts.
- f) Delinquent accounts of 120 days or \$400, whichever occurs first, may be sent to a collection agency or attorney, and a lien may be filed against the property.
- g) Owners will bear the expense of all collection fees, interest, and legal expenses.
- h) NSF fee of \$50 will be charged for all returned checks.
- i) Payment plans are subject to board approval. A good faith effort must be made by the owner to bring the balance current with minimum payments of \$50.00 per month. Late fees will not be waived on balances due, however, as long the payments are made timely the board will not file a lien. The community association reserves the right to file a lien and/or turn the account over to collections at any time to protect its interests.

2) Document Processing Fees

- a) Washington law specifically authorizes the Association to impose and collect reasonable charges for the preparation and recording of amendments to the Association's filed declaration, for statements of unpaid assessments, and for the Association's work on unit owner resale certificates. In the case of preparing resale certificates, this fee or charge may not exceed two hundred seventy-five dollars. Updates to the resale certificates done within six months of the initial request for the resale certificate may only be charged a nominal fee for the update.
 - b) With such specific authority under Washington law, HHCO hereby adopts the policy of charging reasonable fees for the preparation and processing of documents, including amendments to the Association's filed declaration, statements of unpaid assessments, and owner requested resale certificates. In the case of resale certificates, the Association will not charge more than two hundred seventy-five dollars.
- 3) This policy is in addition to any other existing policies or grants of

authority to the HHCO to assess and collect administrative costs incurred in operating the Association, its Property, and other related functions. This existing right and policy includes the right to assess and collect all fees incurred by the Association or its agent for services rendered incidental to the operation of the Association, including those services incidental to the sale or transfer of ownership rights in lots located within the Association, as set forth in the Association's governing documents and related maps and plans. The Association's current fees incurred incident to

SECTION 03 - IMPROVEMENTS & ENHANCEMENTS FOR STRUCTURES AND LANDSCAPING

The purpose of this section is to regulate and control the installation of fixed permanent improvements on individual lots. Fixed permanent improvements shall include the installation of fixed structures, fencing, changes in exterior colors of finishes,

- 1) The approval procedures are as follows:
 - a) Each request for the installation of additional improvement(s) shall submit to the Board a completed ACR Form ([see website https://macphersonspm.appfolio.com/connect/architectural_reviews](https://macphersonspm.appfolio.com/connect/architectural_reviews)) that will contain the following:
 - b) A description of the improvement,
 - c) A plan illustrating the improvement and description of the materials and
 - d) An installation plan providing start and end dates.
 - e) Submit all requests through the Management Company at least thirty (30) days prior to the anticipated date of installation.
 - f) All requests will be reviewed at the next regularly scheduled Board meeting and a written determination will be forwarded to the homeowner within five (5) days of the meeting.
 - g) The Board reserves the right to modify any request to meet existing standards. The HHCO Board reserves the right to deny any request for reason if it fails to comply with existing standards or would pose a health or safety issue within the HHCO.
- 2) Failure to comply with the above procedures prior to or without Board approval is prohibited. Homeowners commencing in the installation of additional improvements without the HHCO Board approval will be subject to the following:
 - a) Notice to stop all work immediately and not commence further installation until the Board has reviewed the proposed improvements and granted approval.
 - b) Submit to the Board a request to install any additional improvements, with all attachments, that were not included in the original request.
 - c) Pay a fine of one hundred dollars (\$100) for beginning installation of additional improvements without the required Board approval and remove the improvement (at homeowner cost) if it is not subsequently approved by the Board.
 - d) Pay a Five Thousand Dollar (\$5,000) fine for installation of a roof that does not meet the HHCO Roofing Standards and/or replace the roof with approved material.
- 3) Conditions for approval shall be that all improvements shall be consistent with the submittal, board approval and any conditions of approval required by the board. The board reserves the right to require the removal of any or all improvements not meeting the original submittal, the Board approval, any conditions of approval or installed in the manner and quality not consistent with the industry standards for similar installations including timeline.
- 4) In accordance with Article C, Architectural Control, Section 08, Standards, aesthetic considerations of harmony of construction and color; city and county ordinances are the determining factors for roofing improvements. All roofing material shall be limited to either cedar shakes, cedar shingles or material other than cedar shake that mimic cedar shake in its natural or weathered state. Composition (3-tab) and metal roofs and colors outside this spectrum, such as blue or green color tones, are strictly prohibited. Full sheet samples must be submitted to the Board for approval and be approved in writing by the Board. The Board will approve only those replacement roofing materials that maintain the architectural integrity of the

SECTION 04 - AIR CONDITIONERS AND HEAT PUMPS

- 1) Unit must have a noise rating at or below seventy-five (75) decibels As always, cabling needs to be updated with the house paint when the house is painted.
- 2) All units visible from the street must be approved by the ARC prior to installation including traditional window units mounted in and protruding from the window, but excluding portable (roll-around style) units that vent through an open window.

SECTION 05 - ALL VEHICLE STORAGE, OPERATION, & PARKING

- 1) Parking and other vehicle violations may be brought to the attention of the Property Manager or the Board.
- 2) Warning notices and fines shall be imposed at the discretion of the HHCO Board. Homeowners are urged to take responsibility in reporting repeat offenders.
- 3) Recreational Vehicles:
 - a) Storage of recreational vehicles, extra vehicles, project vehicles, and trailers (including campers, motor homes, boats, boat trailers, including row boats and kayaks, jet skis, snow mobiles, and all other types of recreational vehicles) are to be kept behind the homeowner's fencing which must be a minimum of 6 ft in height, in the garage, or outside the HHCO development at all times.
 - b) The association does not provide seasonal or day pass exceptions. Owners found in violation may receive notices from the Property Manager, and may be fined, with progressive penalties (see Complaints and Enforcement for schedule of fines), if patterns of violation are recorded.
 - c) It is also unlawful to park the following types of trailers and/or vehicles on any street in the association between the hours of one minute after twelve midnight and six a.m.
 - d) Motorhomes, campers, and all types of trailers designed to be drawn by a motor vehicle, including but not limited to boat trailers, trailer homes and mobile homes;
 - e) Vehicles over ten thousand pounds (licensed gross vehicle weight), the principal use of which is the transportation of commodities, merchandise, produce, freight, animals, vehicles, passengers for hire, or which are used primarily in construction or farming, including but not limited to bulldozers, backhoes, tractors and cranes.
 - f) Running electrical cabling from the residence to the recreational vehicle must not impede pedestrian sidewalk traffic nor lay on the ground.
 - g) No motor home may run their generators after 8:00 pm at night or before 8:00 am in the morning.
 - h) Homeowners are responsible for policing the area around recreational vehicles and ensuring debris, garbage or other discharge is cleaned up immediately.
 - i) Failure on any of these measures can result in the immediate revocation of daytime temporary street parking by the HHCO Board.
- 4) Inoperable Vehicles and Maintenance:
 - a) Inoperable vehicles must be kept out of plain sight, either in the garage, behind fencing, or stored offsite.
 - b) Vehicles may not be kept on blocks or jacks, even if they are operable.
 - c) Maintenance should be performed in the garage or behind the homeowner's fence. All maintenance performed in plain sight must be complete or out of view within 24 hours.

SECTION 06 – GENERAL STORAGE

- 1) No goods, equipment, materials, or supplies used for private purposes, or in connection with any trade or business service shall be stored in view of the street nor be a visible distraction or nuisance to adjacent

homeowners.

- 2) Storage and other outside structures for storage can be constructed within a homeowner's backyard. The maximum size of the structure is twelve (12) feet by sixteen (16) feet and requires HHCO Board approval prior to construction.
- 3) As with other items stored in the backyard or side yard, storage structures must not be visible from the street nor be a visible distraction or nuisance to an adjacent homeowner.

SECTION 07 – LANDSCAPING AND YARD MAINTENANCE

- 1) Curb or Street View - Each Lot and the improvements thereon and the landscaping shall be maintained by the owner in a neat and orderly condition. Examples as follows:
 - a) Front (Street Facing) Yard Maintenance
 - i) Includes the maintenance of any street or alley adjacent to the Lot by the homeowner.
 - ii) Grass and vegetation shall not grow over sidewalks, curbs, walkways or driveways.
 - iii) Grass shall be cut regularly and shall not exceed six (6) inches in height.
 - iv) Weeds shall be removed before blooming.
 - v) Shrubbery or tree branches extending over any sidewalk, street, alley or other public way shall be trimmed so they do not obstruct vision or the travel of motorists and pedestrians, including people with disabilities.
 - vi) Overgrown and dry or dead grass, weeds, bushes, or trees shall be considered a fire and safety hazard and a nuisance. Dead plants and trees are to be removed.
 - b) Junk, Litter, and Debris
 - i) A Lot shall not be used as a dump for trash or rubbish of any kind.
 - ii) Household trash, lumber, building materials, vehicle parts, abandoned or broken equipment or vehicles, grass clippings, branches and other yard refuse may not be left on front or side yards, sidewalks, streets or other areas where they are visible from the street or any other Lot.
 - c) Trash and Recycling Bins
 - i) Garbage, recycling, and yard waste bins shall not be visible from the street except. No more than 48 hrs prior to the day of scheduled collection. (See appendix for screening design option).
 - d) Lawn Replacements
 - i) All lawn replacements must be submitted for review via an ACC request.
 - ii) Artificial turf replacements should mimic, as best as possible, the color and style of the grass being replaced, or the prevailing color and style of the community.
 - e) Driveways
 - i) Driveway is defined as the path a vehicle navigates from the street to either a parking space on the homeowner's property or a garage. Driveways and parking spaces can consist of concrete- aggregate surface or concrete pavers (bricks are acceptable). All other materials are unacceptable including asphalt, crushed rock, sand or lawn.
 - f) Retaining Walls
 - i) Decorative rocks and concrete pavers are the standard materials for retaining walls within the development. Other materials can be used if prior approval is obtained by the HHCO Board.
 - g) Sidewalks
 - i) Sidewalks adjacent and parallel to City of Mukilteo streets are maintained by the City of Mukilteo. The City does NOT repair those sidewalks on the homeowner's property, such as those on driveways or walkways to the home. Report these issues to the Management Company for resolution by the City.
 - h) Play equipment
 - i) Play equipment, such as movable basketball hoops, backstops, toys, etc. can be placed

outside the home provided they do not block sidewalks nor impede both pedestrian and vehicular traffic nor become a visual nuisance. In addition, such play equipment must be kept in good, clean, functional condition. If it is determined not to be maintained to the proper quality the homeowner can be subject to fine if it is not repaired immediately and could be forced to remove the item. The play equipment must also be removed when not in use for a period of a year or more. Permanent play structures are generally not allowed as they are difficult to fully conceal from plain view, but an ACR may be submitted for review and are handled on a case by case basis.

- i) Holiday or Major Sporting Event Decorations
 - i) Must not be installed sooner than 30 days prior to the holiday or Major Sporting Event.
 - ii) Must be removed no later than 30 days after the celebrated holiday or Major Sporting Event.
 - j) Book Shares
 - i) See appendix for guidelines on the installation of Free Little Library book sharing kiosks.
 - ii) Books need to be maintained and rotated, if books are not of interest they should be removed.
- 2) Backyard and Side Yard
- a) Rules for back and side yards are the same as above regarding debris, weeds, junk, or litter.
 - b) All items stored in the backyard or side yard must be located behind fencing and out of public view.
 - c) Vegetation and trees on the outside of fences parallel to the street are still the homeowner's responsibility to maintain and manage up to the curb.
 - d) Clothes drying or hanging laundry of any kind is not allowed where it can be seen from any street or adjacent home.
- 3) Greenbelt and Gulch Adjacent Lots
- a) When adjacent to a greenbelt or gulch, delineation must be established to determine where the homeowner's property ends and where the greenbelt or gulch begins. The delineation can be timbers or stones laid on the ground or a fence.
 - b) Adjacent greenbelt areas can be accessed via a gate or unrestricted.
 - c) The greenbelt area is under HHCO board control. For greenbelt service please reach out to the board. The planting, pruning, and removal of any vegetation and wildlife within the greenbelt area is strictly under the control of HHCO Board, with exception of weeds and briars, which can be pruned or removed by the homeowner without board approval, provided it does not impact other vegetation (**no chemicals**). Changes to all other native species require Board approval. Requests for changes in the greenbelt are normally at the homeowner's expense. Costs for certain maintenance may be absorbed by the community if there is danger to property or people, and the work will be completed by an approved contractor or arborist.
 - d) No structures nor ornaments are to be built or installed in the greenbelt by a homeowner, especially if such items could imply ownership and exclusiveness. The greenbelt is for all homeowners' convenience and access.

SECTION 08 – PETS, LIVESTOCK, AND ANIMAL CARE

- 1) Homeowners are permitted to keep domestic pets within their homes, per Mukilteo City ordinances. Dangerous and endangered animals are prohibited in the development. (e.g. rattle snakes and boa constrictors are considered dangerous)
- 2) No livestock (e.g. cows, horses, goats, sheep, pigs, etc....) or poultry (e.g. chickens, ducks, turkeys, etc....) are allowed in the subdivision.
- 3) No breeding of animals or commercial activity related to animals is allowed.
- 4) It is the responsibility of the homeowner to maintain control of all pets and not allow any pet to become an annoyance, nuisance, or unreasonably disturbing to residents.
- 5) In accordance with Snohomish County Ordinances, all dogs must be leashed when not within the owner's fenced property.

- 6) Owners are responsible for cleaning up after their pets.
- 7) Pets are not to be tethered nor housed outside the home on the curb or visible street side without visible supervision.
- 8) You are not allowed to walk pet(s) in the neighborhood for the purpose of urinating or defecating in neighbor yards and/or on their landscaping. Every effort should be taken to try to prevent this. The Best place for your dog to go to the bathroom is in your own backyard.

SECTION 09 – POLITICAL YARD SIGNS

- 1) Political yard signs will be permitted only as required by Law. [RCW 64.38.034](#)

SECTION 10 – FIREARMS AND RELATED ACTIVITY

- 1) No firearm, crossbow, bow and arrow, or air gun, including without limitation to BB or pellet guns, whether for hunting or target practice, shall be discharged within the subdivision.

SECTION 11 – BUSINESSES

- 1) No Trade, craft business, profession, commercial or manufacturing enterprise, or business or commercial activity of any kind shall be conducted on any lot, or within any building, located in the subdivision. (The registration of a business (FEIN/UBI) with your home address does not instantly qualify as conducting business, nor does working remotely from home.)
- 2) The focus is on activity that may impact the harmony of the neighborhood, such as increased traffic, parking, noise, visible storage of goods or equipment, etc... Homeowners performing any routine activity that resembles that of a business will be required to stop.

SECTION 12 – COMPLAINTS, ENFORCEMENTS, AND FINES

- 1) Complaints:
 - a) If you feel comfortable attempting to resolve an issue with your neighbor, the association encourages homeowners to attempt to resolve any problem(s) with the other party prior to a formal complaint with Management.
 - b) It is the policy of the HHCO Board not to divulge the name of the person who files a complaint to anyone outside the HHCO Board or the Property Manager unless the party fined requests a review hearing.
 - c) All complaints must be filed electronically via appfolio or in writing with Management for consideration by the Board. The complaint shall:
 - i) Identify the nature of the violation, the date, time, location, and other information. b) Identify what steps you have taken to resolve the situation on your own, if any.
 - ii) Identify with name, address, and date of the complaint if possible.
 - d) Complaints received will be investigated, and based on the findings if valid, the Board or Management, will proceed accordingly.
- 2) Enforcement:
 - a) Items for consideration of fine structure included in process flows:
 - i) Safety concerns
 - ii) Unresolved complaints raised by a resident related to items covered by the HOA governing documents
 - iii) Unresolved items of emphasis approved at annual homeowner meeting explicitly covered by the HOA governing documents (*decide level of approval required – such as 10% of homeowners*)
 - iv) Unresolved issues from monthly site inspections.
 - b) Potential infractions are reviewed by selected board members and determined if they should

proceed based on the Covenants, Bylaws and the HOA Rules.

- i) Items that should be enforced based on Covenants, Bylaws and HOA Rules will enter the notice process. The time of the year will also be considered with certain items, such as landscaping, painting, etc. where the main emphasis is May through September.
 - ii) Items that are not specifically addressed in Covenants, Bylaws and HOA Rules and fall under a generalization, such as appearance, will receive special one-time Courtesy Notice if still of level of concern, but doesn't warrant full notice process and fines.
 - iii) Items determined not to be covered by Covenants, Bylaws and HOA Rules will be communicated back via email. This email is to include instructions to the management company to eliminate the potential infraction from future inspections. If the complaint is from an owner the communication is that the issue in question is not enforceable within the community documents and if other resources are known to resolve, they are provided for the concerned owner to pursue.
- c) Notices are sent out monthly to align with site visits in order to verify compliance, potential infractions raised, and status of previous items. The progression of notices are as follows:
- i) 1st Courtesy Notice
 - ii) 2nd Courtesy Notice
 - iii) 1st Violation Fine Letter
 - iv) 2nd Violation Fine Letter
 - v) 3rd Violation Fine Letter
 - vi) 4th Violation Fine Letter
 - vii) Daily Fine Letter
- d) The following are potential ways to achieve notice dismissal.
- i) After Hearing - You have the right to a hearing before the Board of Directors to request review and dismissal.
 - (1) The 2nd Courtesy notice will provide Hearing Information (next scheduled board meeting date/time/place).
 - (2) If you are unable to attend the hearing, you may submit a written statement to our office in lieu of attending the hearing in person. The statement must be received no later than two (2) business days before the date of the hearing. Your statement can be delivered via electronic mail or postal mail.
 - (3) Failure to attend the hearing or submit your statement in the time given will be deemed as your desire to waive your right to a hearing.
 - (4) Following the hearing, you will be notified of the Board's final decision.
 - ii) After Appeal - You have the right to appeal the action taken above to the Association's Board of Directors.
 - (1) In such a case, the Board will suspend imposition of any fine imposed pending determination of the appeal.
 - (a) If you wish to request an appeal, you must deliver a written request via electronic mail or postal mail to the Association's Manager within fifteen (15) days after service or delivery of the notice.
 - (b) The request for appeal will not be deemed to have been delivered until actual receipt by the Association's Manager. This information will also be provided on the 1st Fine Level and Daily Fine Letters.
 - iii) Confirmed Resolved by Site Visit – site visits occur every month and include visual inspection and confirmation that previous compliance matters are resolved.
 - iv) Email Evidence of Compliance - Provide an email stating the compliance matter is resolved, including any evidence, such as photos. The board will review within 30 days and provide an email or letter back, depending on the situation, if accepted or not.
- e) The timeline for repairs/resolution as compliance issues progress from Courtesy Notice through Violation Fine letters is monthly. This can vary if there is active correspondence occurring to work to understand and resolve. The time flow can also be set if a date for resolution has been communicated and agreed upon by all parties. The only exception is for Safety items, if they are determined to be of a degree that need to be addressed immediately.

3) Fines:

- a) Failure to comply with the HHCO rules stated herein shall result in one of the three (3) fine structures below unless otherwise specified:
 - i) A one-time fine of \$25 per violation
 - ii) A fine of \$25 per day until the violation is resolved to the Board or Property Manager. c) Progressive fine per violation:
 - (1) \$25 = 1st violation
 - (2) \$50 = 2nd violation
 - (3) \$75 = 3rd violation
 - (4) \$100 = 4th and each subsequent violation.
- b) Balances not paid within 15 days will accrue a \$25 late fee, applied monthly.
 - i) Delinquent accounts of 120 days or \$400, whichever occurs first, may be sent to a collection agency or attorney, and a lien may be filed against the property.
 - ii) Owners will bear the expense of all collection fees, interest, and legal expenses.
 - iii) NSF fee of \$50 will be charged for all returned checks.

SECTION 13 - EXTERIOR PAINT & GARAGE DOOR STANDARDS

- 1) Exterior Paint
 - a) Exterior paint colors are limited to earth tones to preserve the aesthetic appearance of the community.
 - i) See External source here for examples of earth tones
 - ii) Whether a paint sample is considered an earth tone is left to the discretion of the ACC/Board
 - b) Paint samples must be submitted with a signed ACR Form (see website) to process and approve the request
 - i) An ACR request must be submitted for exterior paint whether the homeowner is changing the color or not.
 - ii) A paint sample is not required if the exact same existing color is maintained – just the ACR Form.
 - c) The Board does reserve the right to deny an existing color to maintain the architectural integrity of the neighborhood.
 - d) Under normal circumstances the Board has 30 days to process your request.
- 2) Garage Doors
 - a) Garage doors can be of metal or wood material.
 - b) The garage door must have horizontal or vertical lines that maintain the architectural integrity of the neighborhood. No geometric designs will be permitted that can be viewed from the street.
 - c) If a homeowner chooses to add a window upgrade, the windows must be frosted glass. No clear or colored glass is permitted.
 - d) The color of the garage door must be approved.
 - e) Any major dents (over six (6) inches in length) in a metal door, broken or cracked glass in a door or windows, visible cracked or broken wooden boards, and/or garage doors with visible tilt must be repaired within 30 days of damage. If repairs are not completed within stated time, the homeowners will be subject to a progressive fine (in accordance with the Enforcement paragraph detailed in section 12) until repairs are completed.
 - f) Homeowners must include in the ACR request, pictures of the garage door, windows and a paint color sample before the Board can process your request.
 - g) Under normal circumstances the Board has 30 days to process your request.

SECTION 14 - ROOFING STANDARDS

- 1) In accordance with Article C, Architectural Control, Section 3, Standards, aesthetic considerations for harmony of construction and color, and city and county ordinances are the determining factors for roofing improvements. Full sheet samples must be submitted to the Board for approval.

- 2) The roofing material parameters
 - a) Limited to either cedar shakes, cedar shingles or material other than cedar shake that mimic cedar shake in its natural or weathered state. Metal roofs are strictly prohibited.
 - b) Shades of brown through gray and black that are in keeping with the natural color changes that cedar shakes exhibit as it ages and weathers shall be allowed. Colors such as red, blue, green are strictly prohibited.
 - c) A minimum of quarter (1/4) inch thick material that creates a shadow line (visual depth).
 - d) Visual Appearance – Only the following are acceptable:
 - i) Vertical parallel lines and irregular horizontal lines to create natural ridges of shakes and a staggered effect.
 - ii) Non-vertical (angled) lines and straight horizontal lines to create natural ridges of shakes and a staggered effect.
- 3) Homeowners who violate the standards or who install a roof without written HHCO Board approval will be subject to further actions, which may include:
 - a) Notification to stop all installation activities immediately pending Board review.
 - b) Removal and replacement of any roof not in compliance with current roofing standards.
 - c) A \$5000 fine
- 4) All Roofing projects must be submitted to the Board for approval at least 30 days prior to contract signing and proceeding with the work.

SECTION 15 - SOLAR PANEL INSTALLATION STANDARDS FORWARD

This document provides the standards that govern the installation of solar panels and conform to and reflect the changes in RCW [64.38.055](#). Solar Panels in Possession Bay Highlands must:

- 1) The cutting and/or removal of obstructions on homeowner's property for solar energy must not adversely affect the home's or development's appearance. Any cutting and/or removal of obstructions should have an ACR submitted for approval. Any changes are at the homeowner's expense.
- 2) The cutting and/or removal of obstructions on another owner's property requires prior written approval of that homeowner and the board, with all costs absorbed by the homeowner receiving benefit. All modifications and removal of such obstructions need to be included in the request for review and prior approval to the start of project initiation.
- 3) Greenbelt trees, hedges, and bushes are the responsibility of the board. The homeowner is prohibited from removing or pruning greenbelt vegetation without written consent and any such approval is at the board's direction and the homeowner's expense. The board reserves the right to back bill any homeowner who requests removal or pruning of vegetation in the greenbelt and later requests installation of a solar panel on their roof (within a minimum of one calendar year from when the vegetation was removed or pruned). If greenbelt vegetation is dying or pose a significant physical risk to property, the board may absorb such costs for removal or pruning. Final determination for removal or pruning due to dying or significant risk is with a board approved arborist.
- 4) Solar Panels are to be installed a minimum of 12 inches from the roof line using the lowest practical (3 inches minimum) risers to maintain roof sight lines. Solar panels are to meld into the environment, if possible, and not be highlighted with colors that make the panels more visible (e.g. Using a white trim on a black solar panel with a black color roof).
- 5) Conduit can be installed parallel to the roof sight lines but, as with the solar panels, are not to be visibly altering roof sight lines. In addition, conduit must be concealed within the home when possible and/or painted to blend into the existing environment that it is attached to. On the roof, the color should be consistent with the roof color texture. Against a wall, conduit should be consistent with the existing exterior wall paint and/or trim. and /or gutter color. In no case would the bare metal color of the conduit or supporting brackets be visible externally on the home.
- 6) Every two years, the owner is responsible to clean under the solar panels to avoid any accumulation of debris and remove potential insect nests and remove potential rodent infestation.
- 7) If the panels are removed for a minimum of 1 year, all visible signs of installation must also be removed. The

roof and walls must be returned to an appearance prior to the panel installation. (Normal weather discoloration excluded). This includes, but not limited to, all roof penetrations, electrical conduit, and external panels. Replace roofing tiles and patch hole penetrations to the plywood where the roofing material has been penetrated as opposed to covering holes with flashing and tar.

- 8) Failure to follow either RCW or Covenant rules can result in the board requesting removal of the solar panels at the owner's expense. Failure to remove from such a request can result in additional fines, liens, and attorney fees.

SECTION 16 - FENCING STANDARDS

- 1) The Association's covenants define specific requirements summarized below. If this document conflicts with the covenants, the covenants control.
- 2) All fencing plans need to be submitted and approved by the Board prior to installation using the ACR form found on the website. This includes plans for new fences, "major repairs", and modification of existing approved fences.
- 3) All fences, except at the development entrance, must be of wood materials.
- 4) Fence related applications must include the following information as part of the ACR Form submission:
 - a) An accurate drawing (sketch) of your Lot, including where the fence will be located relative to property lines, location of home, sidewalks, street, driveway and other applicable structures. Setbacks from the sidewalk need to be clearly marked with distance. Fences within the city right of way will not be approved. Applicants must warrant that the fence as designed and built complies or will comply with all existing local government requirements applicable to such fences.
 - b) The fence's length and height dimensions, including the location and size of all gates.
 - c) The style of fence – (Please see allowable fence styles in [external source here](#))
 - d) Proposed dates for the start and completion of the work.
 - e) Contractor contact information, including all insurance information. Or a statement of self-work and self-insurance.
- 5) Approval Process
 - a) Owners must submit the plans to management prior to starting the project and (in accordance with the Enforcement paragraph detailed in section 12) allow 30 days for the initial review.
 - b) The Board will review the submitted plans, may ask for additional or clarifying information, and may require changes to the submitted plans. (Applicants may request a variance to any HHCO requirement which may be granted at the board's discretion)
 - c) Management will issue approval of the plan by email. Any plan not receiving an approval 60 days after its initial submission shall be deemed denied.
 - d) The fencing plan will be filed with and retained by the Association.
 - e) Once an approved fence is built, repaired, or altered the Board shall review the fence as-built to confirm the work was completed according to the approved plan.
- 6) Minimum Materials and Construction Specifications:
 - a) Posts must be #2 or better pressure treated to minimize warping and spaced no more than 8 feet apart and should be symmetrical.
 - b) Posts must be a minimum of 4"x4" and cemented into the ground at least 20 inches deep
 - c) Cement must not be visible and needs to be covered with at least 3 inches of soil
 - d) Rails must either be #2 or better pressure treated or #2 or better western red cedar
 - e) Fence slats must be constructed from #2 or better western red cedar
 - f) Fences must have cap rails – please see allowable fence styles on the following pages
 - g) Fences that exceed 16 feet in length and are adjacent to the sidewalk require a shrub or tree be planted between the sidewalk and the fence at a minimum of 10 feet apart and no less than 6 feet from the end of the fence.
- 7) All gates should follow the same style as the fence installed. Hinges must be concealed to the inside of the gate. Decorative elements or styles are allowed with approval. Please include details in your fencing plan submission.
- 8) All stain colors need to be approved by the Board. The entire fence needs to be stained (front and back); no partial staining allowed. Fences are not required to be stained. Owners may choose to let their cedar fence

weather naturally.

- a) Note: as of 2020, the ACC is no longer approving paint, solid stains, or any coating that primarily sits on top of the wood surface. New fences will require transparent or semi-transparent stain. These products have proven to weather more naturally and be easier for owners to maintain, resulting in a higher degree of uniformity throughout the neighborhood.

9) Maintenance and Repairs:

- a) Fences and gates shall be kept in good physical and visual condition and in harmony with the subdivision. The Lot with the fence shall be responsible for ongoing maintenance. The HHCO will inspect fences to ensure proper maintenance; fines may be imposed for violations. Recommend re-staining after the first 2 years and then every 3-5 years to maintain life of the fence.
- b) Any repair of more than one post, more than re-staining, replacing existing hardware on one gate, or more than five fence slats shall be deemed a "major repair." The Association has the authority to require the removal of any fence-related work performed without approval.
- c) "Major Repairs" shall be submitted within 30 days of being identified. Once approved, the "Major Repairs" must be completed within 60 days.

10) Special Privacy Fencing Requirement

- a) Special screening fences (those that are designed to conceal boats, RV's, equipment, etc.) must be based on the standard 6 ft. capped-rail style fence but may be topped with a trellis for growing plants/vines. The trellis must be used to grow natural plants/vines and must create a solid visual barrier to fully conceal the vehicles behind it. (Lattice tops are not acceptable for screening because they do not create a solid barrier to fully conceal a recreational vehicle from plain view.)
- b) One large gate, up to a 12 ft. opening that allows for vehicle access, is permitted provided the gate is supported, does not sag and lacks any sizable gap between gate bottom and ground. These larger gates may need to have a steel frame system for support.
- c) As with all fencing projects, a detailed plan and Architectural Change Form must be submitted and approved by the board of directors prior to starting the work.

11) Existing Unapproved Fences

- a) Existing unapproved fences shall fall into one of two categories:
 - i) Unapproved and not conforming with municipal requirements
 - (1) Unapproved existing fences that meet current municipal requirements will be subject to the approval process when the fence is replaced, altered, or subject to a material repair.
 - ii) Merely unapproved.
- b) The HHCO may require the remediation of the fence to current HHCO design standards for all unapproved existing fences. However, if an existing unapproved fence is in violation of current applicable municipal requirements, then the HHCO shall require the fence to be remediated to conform with the current municipal requirements and with the current HHCO requirements.

12) Other Notes:

- a) Open rail fencing may be used, with approval, adjacent to greenbelts, gulches, or other open space tracts. Fencing in front of the home is prohibited.
- b) A variance from the above guidelines and requirements may be requested and granted on a case by case basis where consideration is given to balancing the property owner rights and the overall aesthetics of the neighborhood.

SECTION 17. Waste Cart Screen

The association CCRs require that all garbage, recycling, and yard waste carts or cans be kept out of sight except for the evening prior to and the day of trash pickup. Ideally, carts or cans are stored in the garage or behind fences, but this can be a challenge for some homeowners.

An alternate solution is to build a screen on the side of your home that leverages approved fencing design standards.

Guidelines:

- Must follow current fence standards, as published in the House Rules and Regulations, available at www.possessionbay.org/governance
- Blend with the existing fence.
 - Match in design, color, etc...
 - If your existing fence is no longer an approved style (i.e. no cap rail or is painted), please make note in your submission.
- Must be set back from the front of the house by at least 2 feet (not flush with front wall) • Must completely conceal carts or cans.
- Must be approved by the Architectural Control Committee prior to install.
 - Submit via the standard Architectural Change form located on our website.
 - Include all details – dimensions, placement, style, color, etc...
- Example provided below. Variations will be reviewed.
- Have questions? Need guidance? Feel free to contact the ACC for assistance through the website or property manager.

SECTION 18. Little Free Library Design Standards

Little Free Libraries are popular, providing a sense of community and sharing. In 2018 Possession Bay welcomed our first library built by and hosted at 4615 Harbour Heights Drive. The owners worked closely with the HOA architectural control committee to ensure certain design standards were met regarding visual continuity, build quality, and accessibility. The ACC has adopted this exceptional model as the “gold standard” for other libraries that may be added to the neighborhood in the future. While there are many artistic and creative versions of these in the world, the HOA has a mission of maintaining visual harmony, which impacts home values. Owners are not required to replicate this model *exactly*, but should follow the guidelines below to ensure visual harmony.

Guidelines:

- Library should blend with the design elements of your home and the community. In the approved example below, the owner used siding, paint, trim, and shingles to match their home.
- Dimensions should be consistent for all installations, but not larger than this model. (46” x 18” x 18” x 30”) • Gable roof designs are ideal as nearly all homes in PBH have this design. (Opposed to a lean-to roof) • Must be sturdy and watertight. Has to stand up to our wet climate, and high traffic.
- Encouraged to register the library at www.littlefreelibrary.org
- Planting a garden around the base to soften the appearance of the installation is encouraged.
- Must be accessible from the sidewalk for people of all heights, like children and those in wheelchairs.
- Must sign agreement to keep library in good visual and working condition, not accumulate items outside of the library, and acknowledge they are providing implied access to their property and are responsible for the library contents. The library is the owner’s property and is installed on their property, for public use.
- Must submit plans to ACC prior to install for review, as with any front yard additions, per the CCR’s