

Heleena Hills Homeowners Association

Rules & Regulations

Revised 9/30/2014

I. Purpose

The intent of the Rules & Regulations of Heleena Hills is to promote and encourage common sense and courtesy in its members' actions and attitudes. The Rules & Regulations are not intended to limit reasonable conduct, but rather to protect our common interest in the property, to provide an avenue of relief for problems, enhance the appreciation of the property, and to serve as guidelines for a harmonious community. The Rules and Regulations are designed to assure a minimum of regulatory intrusion into the lives of us who have chosen to live here. It is very important that in a community such as ours, each member do his or her share to protect the rights of all other owners and residents. All of u should be able to enjoy a safe, quiet, and peaceful home.

The authority for establishing these Rules and Regulation is founded in the Declaration of Covenants, Conditions and Restrictions (CC&R's) that are a part of the deed to every property in Heleena Hills. The Bylaws and Covenants establish the Heleena Hills Homeowners Association (HOA) Board of Directors (BOD), who in turn establish and approved these guidelines.

As a homeowner, you should have received a copy of the Bylaws and the CC&R's in the homeowner's document package (resulting from the title search) when you purchased your home. These Covenants are conveyed with the land, and are binding on all homeowners . Your acceptance of their provisions was a condition of sale. As a result, these covenants should be fully understood by each homeowner.

If there is any conflict between these Rules and Regulations and the original "Declaration Covenants, Conditions and Restrictions" for Heleena Hills, the original declarations shall take precedence.

II. Parking/ Vehicles

1. Vehicles are not to block side streets, walkways, or other home owners' driveways. Parking vehicles on the sidewalks or in other areas such as but not limited to streets deemed private drives, creating an unsafe environment for residents, (or in any way blocking pedestrian access to sidewalk) is strictly prohibited.
2. Vehicles are not permitted to be parked on the front lawn of any lot.
3. Parking in designated fire lanes (indicated by yellow curbing) or in front of fire hydrants is not permitted. Vehicles parked in designated fire zones will be towed at the owners' expense.
4. No campers, trailers, boats, or any other recreational vehicle shall be parked or permitted to remain on any lot more than three (3) days unless the vehicle is stored or place in a garage or in a fenced rear or side yard area.

5. All vehicles must be currently licensed, legally operable on public streets and capable of immediate movement under its own power.
6. NO major vehicle repairs shall be done in driveways or streets. Only minor repair work shall be conducted outside your own garage, and only during times other than quiet hours.
7. Each owner or tenant is responsible for maintaining his or her driveway free of oil drips and debris. If it becomes necessary for the Association to have space cleaned, the owner will be charged for the costs involved.
8. No owner shall permit any vehicle that is in a state of disrepair parked outside of the enclosed garage, upon any lot or upon the street for a period in excess of 7 days. A vehicle will be deemed in a state of disrepair when it has not been moved for a period of seven (7) days.
9. All vehicles are parked at the owner's risk. Heleena Hills accepts no responsibility for any vehicle or its contents.

III. Offensive Activities

1. Any unreasonable or excessive noise or disturbance is not permitted.
2. No noxious, illegal or offensive use of property shall be carried on upon any lot or Common Area, nor shall anything be done which may be, or become, an annoyance or nuisance to the neighborhood.
3. No trash, garbage, ashes or other refuse, junk, vehicles, underbrush or unsightly objects shall be thrown, dumped or allowed to accumulate on any property.
4. Noise shall be kept to reasonable levels and to a minimum between the hours of 10:00pm and 7:00 am. These hours will be referred to herein as "quiet hours".
5. Reasonable judgment should be exercised to minimize disturbing noise from stereos, TV sets, musical instruments if another homeowner can hear your noise from inside their house with their doors and windows closed, it is too loud.

IV. Pets

1. No animals, livestock or poultry of any kind shall be raised, bred or kept upon any lot except dogs and cats and other household pets. Dogs, cats and other household pets may not be kept or maintained for breeding or other commercial purposes.
2. Owners or tenants are to control their pets and, if it becomes necessary, remove any pet that unreasonably interferes with the peace or comfort of their neighbors. All pets should be restrained when not on their property, so as to not to cause a nuisance, or pose a threat, to other residents.

3. All pet owners are fully responsible for damage caused by their pets, including any damage to landscaping by digging, defecation, urination or personal injury to any owner, guest or to any member of the public. Pet owners are responsible for cleaning up the excrement of their pets.
4. All pets on the premises must be properly licensed with the city of Lake Stevens and all dogs and cats must be properly immunized.
5. The Association may, at any time, require the removal of any animal that it finds to be disturbing other owners unreasonably (in the Association's determination) and may exercise this authority for specific animals even though other animals are permitted to including, but not limited to, the remain.

V. Use Of Common Areas

1. Owners are financially liable for any damage to common areas incurred by themselves, or their children, pets, tenants, guests or hired contractors.
2. Yard waste and clipping are not to be dumped on any of the Common Areas- including, but not limited to, the ditches on the streets of Heleena Hills.
3. Owners may not build on, or otherwise take over for their personal use, land that is defined as "Common Area"(as outlined in the plat map).
4. NO bikes or motorized vehicles are permitted to ride or drive on any common area, including (but not limited to) or use the retention and detention ponds of Heleena Hills.

VI. General

1. No owner shall occupy or use their respective home or lot in a manner that would interfere with structural support of the neighboring home, or interfere with the lateral support of the ground surrounding the foundation.
2. No owner shall excavate under structure to create any basement or underground area other than to maintain the existing crawl space.
3. All outbuildings or other structures constructed on a "zero-lot-line" shall conform to the setback requirements of Snohomish County.
4. All home improvement projects must be completed in a timely manner. The Board will contact a homeowner if complaints about the length of time taken to complete a project.
5. Construction materials are permitted on the homeowner's property up to 60 days before the beginning of the project, and the entire time a project is actively in progress. Construction materials must be removed from the property within 30 days of the completion of the project.

VII. External Appearance

1. Garbage cans must not be set on the curb except within 24 hours around collection day, and must not exceed each owner's or tenant's allotted limit of garbage. Owners out of town on garbage day should make arrangement for cans to be moved. Garbage cans **MUST BE REMOVED** from the street within 24 hours of garbage pickup.
2. Garbage cans should be stored either in a garage, or by the side of the home. No garbage cans are permitted be stored in the front yard(including beside the stairways) of any lot at any time.
3. No exterior lighting shall be installed or maintained in such a way as to cause discomfort to adjacent neighbors. All spotlight security lighting is to be directed inside the property boundaries.
4. Holiday decorations shall be removed within 30 days of the conclusion of the observed holiday.

VIII. Landscape And Architecture

The careful design and planning of the Heleena Hills development, benefits all residents. The purpose of the design controls the standard established herein is to assure that the development's original design quality is maintained. This, in turn, protects property values and enhances the community's overall environment.

These guidelines are designed to address exterior alterations made by homeowners to the visible yard on their property. 'Visible Yard' includes all of the front yard, and any side or back yard that is not fenced (and therefore visible to others).

For any improvements, alterations or addition that differs from, or is not mentioned, within these Rules and Regulations, an application is required to be submitted to the BOD's for approval. In addition, homeowners must submit an application for approval for any structural changes to an existing house. Application requests are reviewed on an individual basis. There are no "automatic" approvals, unless provided for specifically in the homeowner who wishes to construct something identical to one already approved by the BOD is still required to submit an application.

The Board reserves the right to ask a homeowner to alter or remove any existing improvement, alteration or addition that does not meet these Rules and Regulations, the Bylaws and the CC&R's at the homeowner's expense. May be erected along property lines in the rear and side yard, not to extend beyond the front building line of all immediate adjacent lots. It is understood that irregular shaped lots may require some special compensation to this rule. In these cases, please consider your neighbor's opinion.

A. Fences

1. Fencing may be erected along property lines in the rear and side yard, not to extend beyond the front building line of all immediate adjacent lots. It is understood that irregular shaped lots may require some special compensation to this rule. In these cases, please consider your neighbor's opinion.

2. Fencing must involve boundary line consideration.
3. Fences shall be constructed of vertical 4" or 6" wide natural cedar. Wood pressure treated lumber maybe used for posts and rails. Pillars must be of an appropriate size and scale in relation to the fence they complement.
4. Fences may be sealed or stained, but not painted and shall be pressure washed as necessary, to maintain a clean appearance.
5. White picket fencing requires the approval of the BOD. For those homes whose picket fencing was builder installed, construction of further similar fencing is allowed to maintain a look of continuity.
6. Chain link or other wire fencing is specifically prohibited.
7. All front yard fencing requires the approval of the BOD.

VIII. Storage Sheds

1. The architectural design of the shed be compatible with the design of the house, i.e., same materials, same colors scheme, same detailing.
2. The roof slope and type and color of the roofing material (shingles) must be similar to those of the house.
3. Metal sheds are not permitted.
4. The dimensions of the sheds should not exceed 120 square feet in total, and the height of the sidewall must not exceed 6 feet.
5. Sheds will be permitted only in accordance with Snohomish County building standards.

IX. Patios and Decks

1. Additions or alterations to the existing decks are allowed. However, if the improvement is to any deck or patio that is not fenced yard(i.e. In an area considered 'visible yard') the homeowner must get prior approval from the BOD before any construction is to begin.
2. Materials should have natural weathering qualities such as brick, wood, stone or composite materials such as "Trex".
3. Natural woods such as redwood, cedar and pressure-treated lumber shall be left to weather naturally or may be treated with a clear sealer, a preservative or stain. If you wish to paint your deck a color other than white, an application for approval to the BOD is required.
4. All deck surfaces shall be regularly pressure-washed to ensure a clean appearance.

X. Exterior Painting

1. The exterior of any building shall not be painted a color different than the original colors of paint used on the homes in the development of Heleena Hills. Otherwise and application to the BOD is required, along with sample paint chip.

XI. Maintenance of Lawn and Property

1. Property ownership includes the responsibility for maintenance of all structures and grounds that are a part of the property. This includes, but is not limited to, items such as mowing grass, removal of trash and structural maintenance.
2. Turf areas need to be mowed and maintained at regular intervals, maintaining a maximum height of six inches. Bald spots and dead areas in the turf shall be re-seeded.
3. Weeds shall not be allowed to accumulate on any visible yard lawn of any lot.
4. A minimum of 50% of the front yard must remain in natural vegetation of grass and shrubs.
5. Planted beds must be kept neat and orderly manner. Flowers and plants should be pruned, and any dead plantings should be removed. Plastic sheeting used to prevent weeds from growing must not be visible and should be covered with rocks or bark.

XII. Flags and Flag Poles

1. Homeowners will have the right to display a United States of America and/or a Washington State flag using an outrigger pole installation at the front of Homeowners' house without any board approval. Flags from other Countries or States must be approved by the Board.
2. All flags authorized for display must be in good condition. Any ripped, faded, or discolored flags must be taken down and replaced immediately.
3. Seasonal landscape and sports team flags may be displayed using an outrigger pole installation at the front of the homeowners' house without any board approval.
4. All other flags that are not mentioned in paragraphs 1 and 3 are prohibited. Specialty flags on patriotic holidays (Your Military Service or Division flag), must be pre-approved by the board before displaying. Flags that are offensive, or discriminate/encourage, (including, but not limited to) Race, National Origin, Religion, Gender, Familial Status, or Disability are prohibited.
5. Permanent flag poles are prohibited. Temporary flag poles for specific occasions must be pre-approved by the board. Anyone who uses a Temporary Flag pole must follow the United State Code Title 4 Chapter 1- The Flag, Section 5 (Display and use of Flag by Civilians), Section 6 (Time and Occasions for Display), Section 7(Position and Manner of Display), and Section 8(Respect for Flag).

XIII. Communications Process

1. **Homeowners Assessments.** Statements or reminders of homeowner assessments sent by Board of Directors (BOD) or on behalf of the BOD is a courtesy. If it is not received, it is not a valid reason for assessments not being paid. All homeowners know what their yearly dues/assessments are and they should be mailed in a timely manner to the address provided below:

Heleena Hills HOA
C/O Assurance Property Management
8933 Market Place Suite H
Lake Stevens, WA 98258

2. **Emergencies.** If you have an emergency that requires the need of the police, fire, or medical assistance dial 9-1-1. If the emergency involves common area, call the appropriate authority, and then report the incident to the Board via email at the address heleenahills.blogspot.com or in writing to the above address.

3. **Non Emergencies and Maintenance.** When you see something that needs to be addressed please contact the BOD via email or contact the Association Manager at HeleenaHills@wpmnw.biz. Vendors on-site , working in the common areas , that have been contracted by Heleena Hills are to be directed only by the Heleena Hills Board of Directors. The scope of the work they are to accomplish on that visit is clear and complete. Any items you would like to have attended to must be addresses through the Board to avoid extra charges and confusion and to allow for tracking of the action.

4. **Board Meeting.** All homeowners are invited to attend the monthly board meeting. Notice of the time and place of upcoming meeting are posted on the website at heleenahills.blogspot.com

5. **Grievances.** If you are disturbed by the action of other residents, you are encouraged to make personal contact with the offending party to make them aware of the situation. Most times a friendly reminder resolves the situation. If the grievance is not rectified after talking with the other party, you may submit a formal written complaint to the BOD for action.

XIV. Delinquency Policy

1. If annual payment is made within 30 days of billing, no late fee will be imposed.
2. After 30 days of billing, a late fine of \$25.00 per month will be added to the ledger.
3. If annual payment is not received within 60 days of billing, a lien will be filed. All legal

Costs involved will be at the expense of the owner.

4. If after 90 days payment hasn't been made, the Association reserves the right to foreclose. All legal costs involved in the foreclosure will be at the expense of the owner.

XV. Fines for NON Compliance

General ACC Violations

Each month members of the ACC committee will conduct a review of the properties of the Association to review their compliance with the rules and regulations. The Board may also consider ACC violations that are brought to their attention and not observed during the monthly ACC review.

Any violation or warnings issued during the year will be reset on January 1.

Fines and warnings may be issued for each ACC violation. For example, a vehicle parked on an overgrown lawn may be violated for the vehicle being parked on the lawn AND the lawn being overgrown. If later in the same year the lawn is maintained but a vehicle is parked on the lawn a \$25 fine would be issued.

Fine Schedule for General ACC Violations:

- First Violation: Warning.
- Second Violation: \$25 Fine.
- Third Violation: \$50 Fine.
- Fourth and Subsequent Violations: \$100 Fine.

Egregious ACC Violations

An egregious ACC violation is one that clearly shows a flagrant disregard for the ACC rules. Leaving several bags or piles of garbage outside of a residence is but one general example of an egregious ACC violation. In addition to being unsightly and unsanitary, such exposed rubbish invites dogs and vermin to tear open the bags and strew around said rubbish.

A picture will be taken of the egregious ACC violation and sent with the violation notice.

Upon notification of an egregious ACC violation failure to act on and remedy within 72 hours will result in a second violation notice.

Fine Schedule for Egregious ACC Violations:

- First Violation: \$250.
- Second Violation: \$500.
- Third and Subsequent Violations: \$1000.

Criminal ACC Violations:

Few if any actions of the residents of the Association or their guests have a more detrimental effect on the Association members' safety, well-being, and property value than criminal activity.

Examples of criminal activity that would be considered an Association Criminal ACC Violation include, but are not limited to: possession and/or trafficking in stolen property, and possession, delivery, and/or manufacturing illegal drugs. Pursuant to City Ordinance 908 15:16C.070E.5, marijuana production, processing, or retail facility or similar types of enterprises are strictly prohibited.

A copy of the law enforcement officer's report (s) describing the criminal activity shall suffice to support a Criminal ACC Violation, regardless of whether or not the criminal activity results in a criminal conviction.

A copy of the law enforcement officer's report (s) will be sent to the homeowner and/or tenant by certified mail will be sent with the Criminal ACC Violation Notice.

Fine Schedule for Criminal ACC Violations:

- First Violation: \$2500.
- Second and Subsequent Violations: \$5000.

Any tenant who commits a Criminal ACC Violation shall vacate their residence within thirty days.

All fines not paid are subject to late fines as described above.