

Rules & Regulations

3.090.0 - Recreational Vehicles

I. Introduction

Article IX, Sections 1, 4, and 5 of the Fairwood Greens Homeowners' Association CC&R prohibits anything from being done on any lot which may be or may become an annoyance or nuisance to the neighborhood. These declarations are to protect all homeowner property values by ensuring a well-kept and desirous place in which to live.

The prolonged presence of an RV in the neighborhood is deemed to be unattractive and undesirable. This regulation is adopted to prevent the prolonged presence of an RV from becoming an unattractive annoyance or nuisance to the neighborhood and to require approved screening of RVs in the exterior maintenance of each homeowner's lot when the presence of an RV is prolonged.

An RV shall be defined to mean any trailer (whether for boats, camping or any other use), travel trailer, bus, motorhome or camper, all-terrain vehicle with more than two wheels, as well as snowmobiles, jet skis and boats, and all other equipment with the primary purpose of transporting or holding people which are typically considered to be for personal recreational use, as opposed to daily or routine family transportation or similar use. Motorcycles and golf carts are *not* included in this definition.

Homeowner is responsible for all that occurs on their property, whether by tenant, guest, or other occupants. This document is sole authority for fines and the timing thereof.

II. Rule

A. Prohibited RV Activity:

1. An RV in excess of 6,000 pounds gross weight shall not be kept, parked, stored, dismantled or repaired outside on any lot or street within the neighborhood.
2. An RV shall not be stored inside a building or structure larger than a garage or carport designed for three standard size passenger automobiles.
3. An RV shall not be used for temporary or permanent residences.

B. Allowed RV Activity:

1. Loading, Unloading, or Cleaning:
 - a) Homeowners may have up to 48 hours to load, unload, and/or clean an RV on or adjacent to their property, unless extended as permitted. Four (4) of these 48 hour periods are allowed within a 30 day period (this shall not be interpreted as allowing consecutive periods of time, i.e. 8 days in a row). No permit will be required, but RVs that remain longer than 48 hours will be in violation of this Rule and subject to fines and/or being towed away at owner's cost.
 - b) An RV may be at a homeowner's property or on the street for longer than 48 hours, provided:
 - 1) A prior written request for a permit is submitted to the Property Maintenance Committee.
 - 2) The permit is issued to the homeowner by the Association.
 - 3) Permitted extensions do not exceed seven (7) days per quarter.
2. Permit Requests: To ensure a timely permit confirmation, a written request for an extension permit must be received by the Association no less than seven (7) calendar days prior to the arrival of the RV, and must contain the following information:
 - a) Name and address of the homeowner.
 - b) Both the arrival date and departure date of the RV.

- c) Year, make, model, and license plate number of the RV.
 - d) RV owner's name and address.
 - e) Signature and date of requesting homeowner.
3. Screening for RV Storage: Screening is subject to approval by the Architectural Control Committee (ACC) prior to any installation or work on screening. Homeowners must submit plans and specifications to ACC review. Screening may include landscaping, fencing or lattice, but no tarps, subject to approval by the ACC committee as to materials, color, size, and adequacy for screening purposes. Whatever is submitted and approved for use for screening shall be adequate to screen the RV so that it is not visible from the street or deemed unsightly by neighbors.

III. Repetitive/Chronic Offenders

When acts or omissions of an owner which violate governing documents requirements or restrictions including those within this Rule or Policy repeatedly and continually occur over periods of time despite past notice or letters from the Association informing homeowner that such actions or omissions are violations, such an owner is defined as a "repetitive" or "chronic offender."

The Association Board considers it reasonably necessary to address the repetitive/chronic offender situation because such homeowner behavior may result in Association exerting more time, monies (including attorney fees), materials, monitoring, and corrective action effort than with homeowners who incur single, isolated, or rare offense. Further, the repetitive/chronic offender has a much greater adverse impact on the attractiveness and value and marketability of homes in the community, and on the quality of life of other owners. Accordingly, the Board has adopted this Article and those in other Articles in this Rule or Policy related to this topic in the hopes of deterring owners from becoming or continuing to be identified as repetitive/chronic offenders and to help recover the costs of the excessive time, effort, and monies expended by the Association in dealing with such owners.

Due to the increased problems for the Association and the community caused by repetitive/chronic offenders, and because such owners continue to violate the same or similar governing document issues time after time, it is reasonable to impose enhanced fines or penalties on them. If the Board or any Committee designated by it to monitor and address this topic determines that an owner is a repetitive/chronic offender regarding one or more issues or violations of the governing documents, the Board will issue a notice to owner at his or her last known address that owner is now considered a repetitive/chronic offender, and to cease and desist the violation(s) then at issue. At that point and thereafter, if such owner does not stop or correct the violation(s) involved, enhanced fines may be imposed pursuant to those listed in the schedule below.

The listing is not intended to limit the Association Board in considering other patterns or topics as being within the category of Repetitive Offender. The Association Board retains the discretion to look at other categories or topics and evaluate an owner's pattern of conduct in addressing such topic, and determine whether the owner is a Repetitive Offender and therefore subject to this Rule or Policy and the enhanced fines set forth below.

48-hour parking violation: Four (4) violations occurring within any twelve (12) month period.

IV. Infractions

Once a violation has been reported and confirmed, the violating homeowner notified in writing, and, if not corrected in a timely manner, fines shall be assessed.

At the Association Board's discretion, legal action may be taken against the violating homeowner at any point once a violation has been confirmed. Additional fines will continue to be assessed while the legal action is in process if the homeowner remains in violation of the declaration. All attorney fees and other costs associated with enforcement of this Rule may be assigned to or assessed

upon the violating homeowner and shall be an automatic lien upon the homeowner's lot and collectible in the same fashion as if an assessment under the provisions in the Declaration of the Association, including the recording of a formal lien and foreclosure of it to protect the interests of the Association in collecting of all sums owed to it. Procedure to appeal the Association Board's decision can be found under Rules & Regulation for Appeal Process.

V. Fines

- A. Failure of a homeowner to comply with this Rule & Regulation is a violation/infraction of this rule and shall result in fines as may be assessed as described below. A single violation shall include immediately subsequent consecutive days of noncompliance.
 - 1) First occurrence: notice/warning letter, no fine
 - 2) Second occurrence: \$50/day
 - 3) Third occurrence: \$200/day

- B. Repetitive Offenders: at such time as an owner is determined to be a Repetitive Offender as set forth above, the following enhanced fines are applicable to and shall be imposed against such owner as to all subsequent same or similar violations:
 - \$300 fine per day until fully rectified.

VI. Collection of Fines

The Association will bill the violating homeowner the applicable fines at such time and for such periods as the Association considers reasonable. All fines imposed by the Association upon a homeowner which remain unpaid for 60 days shall automatically constitute a lien on the lot and all its improvements and may be handled and foreclosed upon in the same fashion as if it were a lien for unpaid assessments under the Association's governing documents and the laws of the State of Washington. The Association may file a formal lien with King County to further protect its interests regarding the unpaid fine(s). The amount of the lien shall include interest, and all costs and expenses, including attorney fees, incurred by the Association in the imposition and collection of such unpaid fine(s).

VII. Rule Enforceability

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

END OF SECTION

Originally dated and adopted by the Board of Trustees the 22nd day of May 2012.
Revised: 8/23/22