

## **RULES & REGULATIONS**

### **RECREATIONAL VEHICLES**

#### **I. INTRODUCTION:**

1.1 **Authority.** The presence of Recreational Vehicles ("RVs") in the neighborhood is governed by the Declaration of Covenants, Conditions and Restrictions ("Covenants") and may be regulated consistent with Covenants and the Homeowners' Association Act, Chapter 64.38 Revised Code of Washington. Article VIII of the Covenants requires each homeowner to provide exterior maintenance of his/her own lot. Article IX, Section 4 of the Covenants prohibits anything from being done on any lot which may be or may become an annoyance or nuisance to the neighborhood. The Covenants are intended to enhance and protect the value, desirability, and attractiveness of the neighborhood.

1.2 **Definition.** An RV shall refer to and mean any trailer (whether for boats, camping or any other use), travel trailer, bus, motor home or camper, and "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 as used for personal recreational use, as opposed to daily or routine family transportation or similar use. Motorcycles and golf carts are not included.

1.3 **Purpose.** The prolonged presence of RVs in the neighborhood can be unattractive if not properly maintained. This regulation is adopted to prevent the prolonged presence of RVs 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.

1.4 **Permissive RV Parking.** RV under 6000 pounds gross weight parking is permitted on the homeowners property provided the RV is not visible from the street, and if parked outside, is not offensive to any of the neighboring homeowners.

#### **II. PROHIBITED ACTIVITY:**

2.1 **6,000 Pounds.** Recreational Vehicles ("RVs") in excess of 6,000 pounds gross weight may **not** be kept, parked, stored, dismantled or repaired outside on any lot or street within the neighborhood. See Article IX, Section 4 of the Covenants.

2.2 **Garage or Carport.** RVs may **not** be stored inside a building or structure larger than a garage or carport designed for three standard size passenger automobiles. See Article IX, Section 1 of the Covenants.

2.3 **Residences.** RVs may **not** be used for temporary or permanent residences. See Article IX, Section 5 of the Covenants.

### III. LOADING, UNLOADING, AND/OR CLEANING:

3.1 48 Hours. 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 in Part 3.2. Four (4) of these 48 hour periods are allowed within a 30 day period (this shall not be interpreted as being 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 the covenants and subject to fines and/or being towed away at owner's cost..

3.2 Extension Permit. An RV may be at a homeowner's property or on the adjoining street for longer than 48 hours, provided:

- a. A prior written request for a permit pursuant to Part 3.3 is submitted to the Association – attn: Property Maintenance Committee.
- b. The permit is issued to the homeowner by the Association.
- c. Permitted extensions do not exceed seven (7) days per quarter.

3.3 Permit Requests. In order 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.

3.4 Permit Display. Valid permits issued by the Association must be displayed prominently on the RV so that the Fairwood Greens' Security Patrol can easily verify it. Displayed prominently means in the front window, driver side, unless the RV is parked with front end toward the house, then in rear window. Homeowners who park their own or a guest's RV without a valid permit will be in violation of this regulation and may be subject to a fine and/or being towed away at owner's cost.

### IV. SCREENING

Screening is subject to Homeowners first submitting plans and specifications to the ACC Committee for approval prior to any installation or work on screening. 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 must be adequate to screen the RV so that it is not visible from the street or deemed unsightly by neighbors

## V. Repetitive / Chronic Offenders

5.1. Definition. When the 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 of the Association informing owner that such actions or omissions are violations, such an owner is a "Chronic" or "Repetitive Offender."

5.2 Purpose. The Board considers it reasonably necessary to address the Repetitive Offender situation because it results in far more Association time, monies (including attorneys fees), materials, monitoring and corrective effort being spent or done than on owners who are single, isolated or rare offenders. Further, the Repetitive 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 particular Article and those in other Articles in this Rule or Policy related to this topic, in the hopes, first of all, of deterring owners from becoming or continuing to be Repetitive Offenders, and, secondly, to help recover the costs of the excessive time, effort and monies expended by the Association in dealing with such owners.

5.3 Standards. The following standards of conduct/violations will assist the Board in determining whether an owner should be classified as a Repetitive Offender, but are not the sole factors that the Board may or are required to consider when making a determination whether an owner is a Repetitive Offender.

- a. 48 Hour violation (see Section 3.1) – three (3) violations occurring within any twelve (12) month period;

5.4 Enhanced Fines. The above listing is not intended to limit the Board in considering other patterns or topics as being within the category of Repetitive Offender. The 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.

Due to the increased problems for the Association and the community caused by Repetitive 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 Offender regarding one or more issues or violations of the governing documents, the Board will issue a written notice to owner at his or her last known address that owner is now considered a Repetitive Offender, and to cease and desist the violation(s) conduct then at issue. At that point and thereafter, if such owner does not stop, correct, or refrain from future similar or same violation(s), enhanced fines may be imposed pursuant to those listed in the schedule below (see **Article VI, Fines, Section 5.2**).

## VI. VIOLATIONS

5.1 Notice. When the Board of Trustees ("Board") is advised of a violation of this regulation, the Board will give written notice ("Notice") of the violation to the owner of the lot where the violation is occurring. The owner of the lot shall remove the RV in violation of this regulation.

5.2 Fines. If the owner of the lot fails to timely remove the RV after receipt of the Final Notice, the Association may fine the owner as follows:

- A. a. First violation: \$50/day
- b. Second violation: \$100/day
- c. Third and subsequent violations: \$200/day
- d. A single violation shall include immediately subsequent consecutive days of noncompliance.

**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 may be imposed against such owner as to all subsequent same or similar violations:

- 1) First confirmed violation: notice/warning letter; no fine;
- 2) Second and thereafter confirmed violations: \$25 fine per day until fully corrected; provided, however, that if the nature of the repeated violation or offense is entirely intermittent, by way of example such as failure to continuously violating the parking / storage of a Recreational Vehicle the fine will be \$500 per incident.

5.3 Other Action. In addition to fines, the Association may seek legal action against the owner of a lot in violation of this regulation, including without limitation towing and storage of the RV at the expense of the owner of the lot where the RV is located. Fines may continue to be assessed for so long as the violation continues, even while legal action is pending. All legal expenses associated with the enforcement of this regulation by the Association shall be paid by the offending owner.

5.4 Lien. All fines and expenses owed pursuant to this Rule are lien able, may be recorded as a lien against the real property of the offending owner, and shall be considered and may be collected as if they were an assessment under the covenant provisions covering assessments.

5.5 Appeal. Fines issued, and actions taken, by the Association pursuant to this Rule may be appealed pursuant to the Association's Rules and Regulations on "Appeal Process".

## **VII. MISCELLANEOUS**

6.1 Effective Date. This regulation shall become effective 60 days after being adopted and enacted by the Board.

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

**Dated and adopted by the Board of Trustees the 22th day of May, 2012.**