

# ARROWHEAD POINT HOA

General Meeting June 9, 2025





# AHP HOA GENERAL MEETING

7 PM June 9, 2025

## CC&R Amendments - Agenda

- Why?
- Process
- Proposed Amendments
- Comments, Questions, Concerns



# CC&R AMENDMENTS – WHY?

- Four amendments to the AHP HOA CC&Rs have been approved in 1987, 1989, 1998 and 2023
- Our CC&Rs are not fully up to date with WA State RCWs
  - 64.38 – HOAs
  - 64.90 – Uniform Common Interest Ownership
- Governor Inslee signed SB5796 into law last year. The bill affects common interest properties including HOA's (now RCW 64.90 which will replace 64.38)
- Additionally, there are recurring issues in our HOA and the proposed amendments will help reduce ambiguity, interpretation and improve communication



# CC&R AMENDMENTS – PROCESS

- draft the amendments (**complete**)
- legal review (**complete**)
- distribute to members for comment (**complete**)
- hold general meeting with members to discuss – **thank you for coming!**
- review comments and consult with counsel if needed
- send ballots to members for a vote

Article 11.3 states an amendment must be approved by 75% of the members. All members will need to submit one ballot either approving or rejecting each proposed amendment. Ballots will be mailed when the amendments are finalized after input from the Members, Board and legal counsel



# CC&R PROPOSED AMENDMENTS

- 7.1 – Lots to be kept in good repair
- 8.6 Garbage and Refuse Disposal
- 8.8 – Signs and Flags
- 8.14 – External Lighting
- Others - TBD

## Proposed amendment of Section 7.1 (see blue text below)

Modifying Section 7.1 is in compliance with <https://app.leg.wa.gov/RCW/default.aspx?cite=64.90.405>, <https://app.leg.wa.gov/RCW/default.aspx?cite=64.90.440> and <https://app.leg.wa.gov/RCW/default.aspx?cite=64.90.512>.

### 7.1 Lots to be Kept in Good Repair; Creation of Lien.

Each owner shall keep all Lots owned by him, and all improvements thereon, in good order and repair, including, but not limited to, the seeding, watering and mowing of all lawns, the pruning and cutting of all trees and shrubbery, the proper maintenance of septic systems, and the painting (or other appropriate external care) of all building and other improvements, all in a manner and with such frequency as is consistent with good property management. Garage interiors shall be maintained in a clean and orderly manner, so as to avoid the danger of fire. If, in the opinion of the "Architectural committee" as hereinafter defined, any owner fails to perform the duties imposed by the Association, and after approval by a two-thirds (2/3) decision of the association Board, and after fifteen (15) days written notice to the owner to remedy the condition in question, the committee shall have the right, through its agents and employees, to enter upon the Lot in question and to repair, maintain, repaint and restore the Lot or such improvements and the cost thereof shall be a binding, personal obligation of such Owner as well as a lien (enforceable in the same manner as a mortgage) upon the Lot in question.

Subject to RCW 64.90.512(2), owners shall keep all Lots owned by them, and all improvements thereon, in good order and repair, including, but not limited to seeding, watering and mowing of all lawns, pruning and cutting of trees and shrubbery. The prevention and control of weeds and grasses in planting areas and landscaping beds, stump removal or mitigation (e.g., cover with grass or landscape bark) must be done in a timely fashion. Failing brickwork which includes monuments, decorative planters/walls, lamp posts, mailboxes, etc. shall be repaired, replaced or removed. The proper maintenance of lawn watering/irrigation systems and the painting (or other appropriate external care) of all buildings and other improvements (e.g., painting, staining or other preserving coating for fences), all in a manner and with such frequency as is consistent with good property management. If, in the opinion of the "Architectural Committee" as hereinafter defined, any owner fails to perform the duties imposed by the Association, after approval by a two-thirds (2/3) decision of the Association Board, and after fifteen (15) days written notice to the owner to remedy the condition in question in accordance with RCW 64.90.515, and allowing the lot owner to meet with the Board to discuss in accordance with RCW 64.90.405(i), the Board has the right and obligation to initiate the Enforcement Policy and Schedule of Monetary Penalties (approved by the Membership in January, 2009 and updated and properly furnished to the Owners by the HOA Board in May, 2025, (<https://ahphoa.com/ahp-hoa-documents>) pursuant to RCW 64.90.505.

## Proposed amendment of Section 8.6 (see green text below)

Modifying Section 8.6 is in compliance with RCW 64.90.510 (<https://app.leg.wa.gov/RCW/default.aspx?cite=64.90.510>).

*8.6 Garbage and Refuse Disposal. No Lot shall be used or maintained as a dumping ground for rubbish. ~~Trash, garbage or other waste shall not be kept except in sanitary containers.~~*

*No Lot shall be used or maintained as a dumping ground for rubbish. All garbage/trash, yard waste and recyclables shall be placed in Spokane County approved containers and, subject to RCW 64.90.510(4), shall not be visible from adjoining homes or streets, except the day before, day of and after collection day. Exceptions may be requested to the Board, and must be approved in writing by the Board. Pursuant to RCW 64.90.510(4), nothing herein shall prevent an Owner from storing containers for municipal or private collection, such as compost, garbage, and recycling receptacles, in any private garage, side yard (screening from street view is encouraged), or backyard reserved for the exclusive use of an Owner. Yard rakings, landscaping bark, dirt and debris resulting from landscaping work shall not be dumped onto adjoining lots or streets.*

## Proposed amendment of Section 8.8 (see red text below)

Modifying Section 8.8 will bring our CC&R's in compliance with RCW 64.38.034 (<https://app.leg.wa.gov/RCW/default.aspx?cite=64.38.034>).

The State of Washington has not defined the word “reasonable” as it applies to political signs. The Board is asking the AHP members to clarify “reasonable” as it should apply to our HOA.

~~8.8 Signs. No sign of any kind shall be displayed to the public view on any Lot except one professional sign of not more than one square foot or one sign of not more than five square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period.~~

No more than three professional signs of any kind (e.g. safety, security signs and pet signs) no larger than 12 inches x 18 inches may be permanently displayed.

No more than two professional political signs (up to 18 inches by 24 inches maximum per sign) may be displayed for up to 7 days after election day.

No flags or banners (except the US Flag as described in 4 U.S.C. Sec. 1 and the WA State flag) may be permanently displayed to the public view (in accordance with RCW 64.90.510). Exceptions may be granted by the Board for special occasions.

One sign of not more than five square feet advertising the property for sale, or signs used by a contractor during the construction period are permitted.



## **Proposed amendment of Section 8.14 (see purple text below)**

Modifying Section 8.14 will ensure that external lighting does not create a nuisance to the neighborhood (AHP CC&R Article 8.12).

**8.14**    *External Lighting.* ~~All external lighting shall be approved by the Architectural Committee prior to installation.~~

All external lighting must be maintained in good working order, as determined by the Architectural Committee. Any additions or changes to permanent external lighting require prior approval from the Architectural Committee. Any year-round lighting installation requires prior approval from the Architectural Committee, including but not limited to permanent holiday lighting. Guidance from the Architectural Committee: Permanent visible lights attached to the front of the house will likely not be permitted and holiday lighting is meant for temporary display only.