



Key Mason County Ordinances and BATA Covenants

Mason County Code of Ordinances – <https://www.masoncountywa.gov/government/codes.php>

Due to limited resources, Mason County does not accept code complaints by phone or email. To request a code compliance investigation, you have to submit a Code Compliance Complaint Form also called an Investigation Report Form. It can be downloaded from the county's website at the above link. We will also post it on the BATA website in the safety information page. Some codes of interest are below. This is not the actual code wording, but the general gist.

- MCC 9.32.040-Health Concerns – No discarding litter, vehicles, or appliances on other people's property or on your own property if it presents a health or environmental hazard
- MCC 9.48.030-Outdoor Burning – No burning garbage. Only vegetation burning allowed and within required dimension and containment rules.
- MCC 6.76.130-On-site Sewage – No discharge of sewage to surface water or onto the ground. Must use an approved, working sewage system.
- MCC 4.08.030-Animals, Pet owner responsibility – No allowing your animals to damage property of others or cause injury, etc.

Also be aware that there are state laws on the various types of easements or right-of-way agreements. Utility easements must be kept clear for maintenance access. Per RCW 54.16 a utility provider does not need to obtain permission from the property owner to conduct utility maintenance or repairs within a utility easement. Be advised that if you or someone residing on your property blocks an active easement, it can lead to civil lawsuits, court orders (injunctions) to remove the barrier, and potential liability for damages or attorney fees. Enforcement applies to the language in the specific easement. For example, most community well easements prohibit parking, building, or blocking access to the well or the well access roads, for other residents sharing that same well, including a ten-foot clearance around the well.

BATA Covenants and Restrictions – (These are key excerpts from our BATA Declaration of Covenants and Restrictions and not a complete list. As stated in the covenants document, if the Association does not enforce a covenant/restriction, it does not waive the Association's right to do so in the future. So just because a particular restriction was not enforced in the past, does not mean it won't be enforced in the future. The current board is primarily concerned with safety issues, so we ask for your urgent cooperation to avoid potential fines, liens, or legal action. Please check your property and take corrective actions as soon as possible. Again, if you are allowing people to use your property or camp out on your property, with or without a rental agreement, you are still the one responsible for compliance with laws, codes and covenants. Concerns or questions may be brought to the Board.)

Article V, Building Restrictions, Sect 1 - No tract shall be used for any purpose other than for residential, recreational, or agricultural use, including mobile homes, duplexes and single-family residences.

Art V, BR-1B - All structures shall be built in accordance with recognized and approved building codes in force in this State and County, at the time of construction.

Art V, BR-1E - All structures shall conform with the set-back requirement required by the Mason County Building Code

Art V, BR-1G - Each residence or mobile home must have an individual sewage disposal system. Such system must be designed, located and constructed in accordance with the requirements, standards and recommendations and approval of the proper officials of Mason County.

Art V, Land Use Restrictions, Sect 1 - No trucks or vehicular equipment shall be kept on any street or road or access within the property.

Art V, LUR, Sect 6 - No obnoxious or undesirable use or offensive activities shall be carried on upon any tract nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood, or the adjacent neighbors as determined by the Board of Directors of the Association and shall be subject to civil suit at the expense of the tract owner if the nuisance is not abated within 30 days of receipt of written notice from the Board of Directors.

Art V, LUR, Sect 7 - No hunting of any kind which involves the use of firearms or of bow and arrow shall be allowed on the property. Firearms may be kept on the property by the owners for their own personal use on other property or for their own personal protection. Any use of firearms must be in accordance with the Mason County regulations and with the laws of the State of Washington. It is recommended that each purchaser legally post his property.

Art V, LUR, Sect 8 - Construction of all driveways and roads by tract owners shall not interfere with drainage or adversely affect the existing roads. Tract owners are responsible, at their expense, for repairing any damage to existing roads at power, telephone or water lines crossings onto their property.

Art V, LUR, Sect 9 - The use of the property within the BPA transmission line easement is restricted as set forth in the BPA (USA) transmission line easements and restrictions of record... The property within the BPA (USA) transmission line easements shall remain open land for farming, grazing or gardens. No dwellings or appurtenant structures may be placed on or within the BPA (USA) transmission line easement.

Art V, LUR, Sect 10 - There is an under-ground gas transmission line through tracts 31,32,33,34, 41,42,43,44,51,52, and 53, and at road and easement crossings on tracts 34 and 52. No structures may be built on or within 10 feet of the boundary of said Easement.

Declaration of Covenants and Restrictions, page 1 - These "Covenants and Restrictions" shall run with the real property and shall be binding on all parties having or acquiring a right, title or interest in the described properties or any part thereof, and shall inure to the benefit of each owner thereof.