



Amesbury Homeowners Association

— Preserving Our Investments and Our Community

CC&R Enforcement Guidelines for Lot Maintenance (Yard, Bins, Vehicles and Notification, March 2017

March 1, 2017

Dear Amesbury Neighbor,

Why do you live in Amesbury?

Is it the lovely Buchan home? Is it the neighborhood, the large lot size, the peace of being away from high density development? Whatever your reason, you are here and part of a community of 77 homes and a lot of great neighbors.

Your Homeowners Association (HOA) exists to help create a sense of community and to maintain standards for building and maintenance. That is why you bought a house in Amesbury and that is why we have a set of standards and rules in the CC&R's that we all signed when we purchased our homes.

For most of the past 23 years since Amesbury was built, the newness of the homes, landscaping and the normal climate made our homes and lawns, yards look great. However, in the past few years there has been a noticeable aging of our homes, a maturing of our yards, and the weather extremes of the past few years has done damage to lawns, trees and shrubs.

The Board of Amesbury Homeowners Association that you elected wants and needs to do its job of upholding the CC&R's by periodically reviewing and setting guidelines that will help us all to know what is expected to keep our homes and yards beautiful.

Over the past six months the Board has been working hard to create the guidelines for maintenance that are reasonable, thoughtful and serve to clarify the CC&R's. Enclosed is the document that the Board has approved articulating these guidelines, including the institution of fines for non-compliance. Please read it and offer any feedback to the Board that will assist us as we work through this process while we all continue to support our wonderful Amesbury Community.

Thank you,

The Amesbury Homeowners Association Board



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AMESBURY HOMEOWNERS CC&R Enforcement Guidelines Update - March 2017

The Board of the Amesbury Homeowners Association is empowered and obligated to define, clarify and enforce the intent and letter of the CC&Rs for the Amesbury community. The CC&R's is a broadly worded document that requires the Board to define and clarify more specific standards and rules in order to reflect the changes affecting our community, its constituencies and our values. The Board is elected to represent the homeowner(s)/members in this vital process, and it has taken on this serious responsibility with positive and professional intent.

CC&R's --Article IX - Maintenance of Lots, Section 1

This provision deals with exterior maintenance of lawn, flower beds, trees, shrubs, garbage and recycling containers and vehicles parked in the driveways of homes.

1. YARD MAINTENANCE

CC&R Article IX - Maintenance of Lots, Section 1 Exterior Maintenance by Owner

“Each Lot and Residence shall be maintained by the owner in a neat, clean and slightly condition at all times and shall be kept free of accumulations of litter, junk, containers, equipment, building materials, and other debris. “

AHA Board Guidelines for Yard Maintenance Compliance

- Lawns should be maintained to appear neat, orderly, and uniform. They should be well-mowed and edged.
- Lawns should be kept alive year-round to avoid die-off that does not re-grow after dormancy. There should be remediation for dead lawns and dead areas within lawns or 'dead zones'.
- Lawns should be kept mostly free from moss and weeds.
- Plants, hedges, and trees should be maintained in a healthy condition through pruning and any other necessary treatments. Dead plants, hedges and trees should be removed.
- Flower beds should have a well-maintained appearance achieved by effective weeding and edging.

AHA Board has the Authority and Responsibility to Enforce the Yard Provisions of the CC&R's with Remediation and Fines

In a.) the event of non-compliance to yard maintenance standards and guidelines and b.) upon receiving a written complaint from a homeowner, the Board will assign a Director or Board Officer to confirm the complaint. If the complaint is confirmed as true and if the Board decides, in its sole discretion, to pursue action, the Board will then issue a written notice to the homeowner giving time for the homeowner to remediate or contact the Board with an explanation and request for delay, not to be unreasonably denied. The homeowner may appeal the non-compliance, and fines will be suspended until the appeal process is complete.

If the homeowner does not comply with the request after thirty to forty-five (30-45) calendar days from the date of the written notice, a fine of \$250 or more will be levied based on assessment of remediation costs. Payment of any fine is due thirty (30) days from date of written notice, and any fine or assessment not paid by due date, shall be charged interest as stipulated in the CC&R's, Article VIII, Section 8. After sixty to ninety (60-90) calendar days of non-compliance from the date of the original written notice, an additional fine of \$500 or more will be levied. At that time, the Board will determine if remediation is necessary and may then hire maintenance services to undertake the needed yard maintenance. The costs for maintenance, fines, legal expenses and filing expenses will first be billed to the homeowner and if unpaid the Board may file a lien on the house undergoing the maintenance.

Initial Action	Phase I	Phase II	Phase III	Phase IV
Confirm written complaint	Written notice to owner	30 – 45 days, \$250 fine for non-compliance	60 – 90 days, \$500 fine for continued noncompliance	>60 – 90 days, remediation action by Board

The Board reserves the right to file a lien at any point in time after original written notice should the house be put up for sale.

2. GARBAGE, RECYCLING AND COMPOST CONTAINERS

CC&R Article IX - Maintenance of Lots, Section 1 Exterior Maintenance by Owner

“All refuse shall be kept in sanitary containers sealed from the view of any Lot; the containers shall regularly be emptied, and the Contents disposed of off the Properties.”

AHA Board Guidelines for Garbage/Recycling Containers Compliance

Garbage, recycling and compost containers must not be left in driveways or streets except from Sunday afternoon through Tuesday evening, to allow pick up and must be hidden from view when being stored.

AHA Board has the Authority and Responsibility to Enforce the Garbage and Recycling Containers of the CC&Rs with Remediation and Fines

In a.) the event of non-compliance to garbage and recycling containers standards and guidelines and b.) upon receiving a written complaint from a homeowner, the Board will assign a Director or Board Officer to confirm the complaint. If the complaint is confirmed as true and if the Board decides, in its sole discretion, to pursue action, the Board will then issue a written notice to the homeowner giving time for the homeowner to remediate or contact the Board with an explanation and request for delay, not to be unreasonably denied. The homeowner may appeal the non-compliance, and fines will be suspended until the appeal process is complete.

If the homeowner does not comply with the request after fourteen (14) calendar days from the date of the original written notice, a fine of \$100 will be levied. Payment of any fine is due thirty (30) days from date of written notice, and any fine or assessment not paid by due date, shall be charged interest as stipulated in the CC&R's, Article VIII, Section 8. After thirty (30) calendar days of non-compliance from the date of the original written notice, an additional fine of \$500 or more will be levied. The costs for fines, legal expenses and filing expenses will first be billed to the homeowner and if unpaid the Board may file a lien on the house.

Initial Action	Phase I	Phase II	Phase III
Confirm written complaint	Written notice to owner	14 days, \$100 fine for noncompliance	30 days, \$500 fine for continued noncompliance

The Board reserves the right to file a lien at any point in time after original written notice should the house be put up for sale.

3. VEHICLES PARKED IN DRIVEWAYS

CC&R Article IX - Maintenance of Lots, Section 1 Exterior Maintenance by Owner

“No storage of goods, vehicles, boats, trailers, trucks, campers, recreational vehicles, or any other equipment or device shall be permitted in open view from any Lot or right—of—way. (Vehicles, boats, trailers, trucks, campers, and recreational vehicles shall be referred to as “Vehicles.”) This provision shall not exclude temporary (less than 24 hours) parking of Vehicles on the designated driveway areas adjacent to garages on the Lots.” (see full provision in CC&R’s for more detail, exceptions, etc)

AHA Board Guidelines for Vehicles Parked in Driveways

The Board will enforce this provision except for cars used as primary transportation. All other vehicles, boats, trailers, RV’s etc. must comply with the stated CC&R’s.

AHA Board has the Authority and Responsibility to Enforce the Vehicles Parked in Driveways of the CC&R’s with Remediation and Fines

In a.) the event of non-compliance to vehicles parked in driveways standards and guidelines and b.) upon receiving a written complaint from a homeowner, the Board will assign a Director or Board Officer to confirm the complaint. If the complaint is confirmed as true and if the Board decides, in its sole discretion, to pursue action, the Board will then issue a written notice to the homeowner giving time for the homeowner to remediate or contact the Board with an explanation and request for delay, not to be unreasonably denied. The homeowner may appeal the non-compliance, and fines will be suspended until the appeal process is complete.

If the homeowner does not comply with the request after seven (7) calendar days from the date of the written notice, a fine of \$250 will be levied. Payment of any fine is due thirty (30) days from date of written notice, and any fine or assessment not paid by due date, shall be charged interest as stipulated in the CC&R’s, Article VIII, Section 8. After fourteen (14) calendar days from the date of the written notice, the Board will authorize the vehicle(s) to be towed and stored at the homeowner’s expense. However, any costs incurred by the AHA in towing of such vehicle(s) including towing, storage, fines, legal expenses and filing expenses will first be billed to the homeowner and, if unpaid after thirty (30) calendar days, the Board may file a lien on the house of the homeowner in violation of the CC&R vehicles provisions.

The Amesbury Board has a signed contract with Ibsen, a towing company. The current impound rates are as follows:

Impound	<u>\$229.50</u> per hour, 1 hour minimum
Storage	<u>\$58.00</u> per day, \$29 per half day (12 hours)
After Hours Release:	<u>\$85.00</u>

Junk Vehicle Removal Fee: \$229.50 or per quote

Washington State sales tax will be applied to all impounds per State law.

Initial Action	Phase I	Phase II	Phase III
Confirm written complaint	Written notice to owner	7 days, \$250 fine for noncompliance	14 days, vehicle(s) to be towed for continued noncompliance

The Board reserves the right to file a lien at any point in time after original written notice should the house be put up for sale.

4. OTHER PROVISIONS OF THE CC&R'S --

Other rules articulated in the CC&R's will be handled on an individual basis, if necessary. Violations of these rules will be addressed similarly and in the same spirit as the procedures above.

5. Example Notification

Date: July 12, 2023

To: Smith, Jane and John , Lot # 78

From: Amesbury HOA Board

Re: A Friendly Reminder

We are PROUD of AMESBURY and hope you are, too. We would like you to pay attention to the following needed maintenance:

X	Mow/ Edge Lawn
	De-Moss Yard
X	Weed/ Edge Flower Beds
	Water lawn and flower beds
X	Remove and conceal Garbage, Recycling and Compost Bins
	Remove Vehicle/ Van/ Boat/ Trailer or RV from Driveway
	Fertilize Lawn
X	Trim Hedges
X	Remove Dead Plants or Trees
X	Other: Store Wheelbarrow from street view

THANK YOU FOR YOUR ATTENTION

Please feel free to contact any Board Member or Officer by emailing 'amesburyhoaboard@gmail.com' if you need extra time to comply with the CC&R's of Amesbury. The Board is open to working with all members of the community to help them.

We are all one community, so let's work together to find common ground.