

## **Suncadia Residential Owners Association**

### **RESOLUTION #111c**

**October 25, 2019**

#### **Relating to Community Associations Violation Procedures and Fines**

**WHEREAS** the Governing Documents of Suncadia Residential Owners Association (“CCRs”) assigns the Board all powers and duties necessary for the administration of the affairs of Suncadia Residential Owners Association (“Association”), and states that the Board may do all such acts and things, except those matters that the Board is prohibited from doing by law or the governing documents;

**WHEREAS**, Section 3.17 of the Bylaws provides that the Directors shall exercise their powers and duties in good faith and in the best interest of the Association and its members;

**WHEREAS**, the Board has determined that it is in the best interest of the Association and the Association’s members to adopt a policy for Community Associations Violation Procedures and Fines;

**THEREFORE, IT IS RESOLVED** that the Board of Directors hereby adopts the following amended policy of procedures and fine schedule. This resolution 111c will go into effect as of November 30, 2019 and supersedes Resolution 111b.

**Procedures:** Violation of the Association’s governing documents (CC&R’s DRC Guidelines, Park Use Policies, Rules & Regulations), **unless of a nature that needs immediate action**, will result in a Courtesy Notice, and a Warning Notice and possible fine or other penalties as follows:

#### **Courtesy Notice**

The Board will first assume that the Owner is unaware of the violation and if such violation does not require immediate action, a verbal Courtesy Notice will be communicated. This includes an e-mail to the owner containing a copy of the current Fine Schedule. The email also notifies the Owner of the issue while allowing appropriate time to address the problem or to respond to the Community Associations Compliance Department concerning resolution of the violation. If the Owner does not have an e-mail address, the Courtesy Notice will be sent by regular mail and followed up with a phone call. The appropriate time is determined by the Board in its sole discretion, taking into account the nature of the violation. Copies of any correspondence will be kept and referenced in any follow up actions.

#### **Warning Notice**

If the issue is not remedied after the Courtesy Notice, a Warning Notice will be sent via e-mail and regular mail. The Owner is to respond to the Compliance Department with a resolution within **seven (7) business days** from the date of the First Warning Notice letter or the Owner may request a hearing before the Board; otherwise a fine or other remedy as listed on the Fine Schedule will be imposed. If the violation is one that requires

immediate action, the time period in which the Owner has to respond to the Community Associations may be less than seven (7) business days.

### **Repeated Offenses**

Repeat offenders will be fined as listed on the Fine Schedule for repeated and / or continued offenses. The Board may impose other penalties or if appropriate impose self help at the expense of the Owner.

### **Impose Fine**

Community Associations will issue the appropriate fine (see Exhibits A & C - Fine Schedules) if the Owner does not comply by the stated date. The fine will be billed on the Owners account or deducted from the DRC Damage and Compliance Deposit and the Owner will be notified of the fine. The Board has the right to impose additional fines for repeat violations.

### **Self Help**

If the situation warrants immediate action or has not been remedied, the Board may authorize self help at the expense of the Owner.

Once Owner has corrected the issue that gave rise to the violation:

### **Letter of Compliance**

A Letter of Compliance will be sent to the Owner verifying that the violation has been addressed to the satisfaction of Community Associations.

**Any violation that needs immediate action will result in a warning and then a fine if not remedied. Any action that cannot be undone, such as the cutting of trees greater in diameter than 6 inches without permission, will result in an immediate fine and other self help remedies.**

Any illegal violation will be reported to the appropriate local, state or federal agency.

All documents related to violations will be recorded in the Owners TOPS file.

**Opportunity to be heard:** Owners shall have the right to send a letter, send a representative, or appear in person at a hearing to present evidence as to why they should not be fined. In all cases, the Board has the discretion to rescind or hold fines in abeyance. In the event the violation has been corrected prior to the hearing date, then, if appropriate, the hearing may be discontinued. Within seven (7) days of the hearing, the Owner will be given written notice of the Board decision.

**Fine Schedule:** See Exhibits A and C.

**Rules Summary:** See Exhibit B – Suncadia Rules & Regulations for Owners, Residents, Tenants and Guests

IN WITNESS WHEREOF, the Directors of Suncadia Residential Owners Association  
have adopted this resolution on October 25, 2019.

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President

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Vice President

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Secretary/Treasurer

## Violations and Schedules of Fines Exhibit A Resolution 111c

Violations Needing Immediate Attention	Courtesy / Warning Notice	First Offense	Repeat / Continued Offenses (in addition to the 1st fine)
<b>Animals</b>			
Failure to control pets that become a nuisance, harass or chase wildlife or disturb the peace.	Warning	\$100	\$200
Letting pets loose or off leash pets within Suncadia. Not properly picking up or disposing of pet droppings.	Warning	\$50	\$100
<b>Discharging of weapons or fireworks</b>			
Firearms (including air guns) or fireworks may not be discharged within Suncadia.	Warning	\$500	\$1,000
<b>Noise Disturbance</b>			
Violation of quiet hours (10 pm to 7 am) ( Charged per home not occupant)	Warning	\$250	\$500
At any time, creating any loud, unpleasant, or raucous noise, which unreasonably disturbs the peace, and comfort of others. I.e. Playing amplified or otherwise loud music and voice amplification either live or recorded; yelling or shouting at a continuous loud level of sound; allowing pets to bark, howl for extended periods.	Warning	\$150	\$250
Installing Wind Chimes or similar item that can be heard by other residents or from the common areas.	Warning	Removal	\$100
<b>Offensive or Unlawful Activities</b>			
Carrying on noxious or offensive activities or placing on any Unit something which interferes with or jeopardizes the enjoyment of other Units or the Common Areas, or which is a source of annoyance to residents.	Warning	\$250	\$500
<b>Open Burning Fires</b>			
Burning charcoal or having an open fire except for gas BBQ's and approved gas fire pits. (Charged per home not occupant)	\$500	\$500	\$1,000
<b>Prohibited Vehicles</b>			
Operating of snowmobiles and other off road vehicles within the Residential Areas. Snowmobiles and ATVs must remain on trailers at all times when in Suncadia or Tumble Creek. No motorized vehicles are allowed on paths, trails, or in open spaces. Only licensed vehicles are allowed on roadways <b>with the exception of Golf Carts in Tumble Creek</b>	Warning	\$250	\$500
<b>Solicitation/ Door to Door Promotion</b>			
Door to door selling or promotion of any item, including handbills, literature or advertisement. The wearing or displaying of any advertisement i.e. sandwich boards.	Warning	\$250	\$500
<b>Solid Waste/ Discarding of Trash</b>			
Discarding, dumping, burying, burning or other improper disposal of garbage, trash or litter in Suncadia.	Warning (& Possible clean up at Owner's expense).	\$250	\$500
<b>Speeding</b>			
Speeding and/or reckless driving	Warning	\$100	\$250
<b>Temporary Living Accommodations</b>			
Temporary Structures. No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other outbuildings nor any uncompleted building shall be used on any Unit at any time as a residence either temporarily or permanently. Erecting tents and/or camping equipment upon residential property is not allowed.	Warning	\$50	\$250
<b>Trees and Vegetation</b>			
<ul style="list-style-type: none"> <li>• The removal of any tree that has a diameter greater than 4 inches, as measured 4 feet above grade, or any shrub measuring greater than 5 feet in height on private property, must be approved in advance by the DRC.</li> <li>• Any cutting, pruning or clearing of trees, shrubs or vegetation within the Conservation Easement Open Spaces without prior explicit written permission of the DRC is considered trespass and civil or criminal penalties may apply.</li> <li>• Periodic thinning and grooming may occur based upon the Firewise Program or such other written plan as approved by the DRC. All thinning, grooming, fire fuel reduction and down tree removal must be accomplished by hand (chainsaws are not permitted except by a licensed and insured contractor).</li> <li>• Any tree designated as a Wildlife Tree, as marked by a card attached to the tree, may only be removed with the approval of both the Declarant and the DRC.</li> <li>• Removal of any trees and/or shrubs of the above-mentioned size or type without DRC approval will result in a fine per tree/shrub and/or additional tree/shrub mitigation as specified by the DRC. The DRC reserves the right to periodically adjust fines for unapproved tree/shrub removal.</li> </ul>	Up to \$2500 and replacement of tree with one of similar size	Up to \$5000 and replacement of tree with one of similar size	Up to \$7500 and replacement of tree with one of similar size

## Violations and Schedules of Fines Exhibit A Resolution 111c

General Violations	Courtesy / Warning Notice	First Offense	Repeat / Continued Offenses (in addition to the 1st fine)
<b>Wildlife Protection</b>			
The capturing, harassing, trapping, injuring, or killing of wildlife within the Residential Areas is expressly prohibited, except when reasonably necessary to avoid an imminent threat of personal injury or death to any person or except when reasonably necessary to protect property from damage by rodents or other pests and then only to the extent permissible under applicable laws. The chasing, injuring and killing of wildlife within the Residential Areas by pets is also expressly forbidden.	Warning, possible fine and possible notification to appropriate governmental authority.	\$500	\$1,000
<b>Abandoned Vehicles</b>			
Parking of stripped down, partially wrecked, inoperative or junk motor vehicles on any Unit or Common Area.	Warning	\$250	\$500
<b>Address Markers</b>			
Installing or maintaining an address marker not in compliance with DRC guideline.	Warning	\$50	\$75
Not installing an approved address marker prior to occupancy.	Warning	\$50	\$75
<b>Animals</b>			
Raising, breeding or keeping an animal of any kind except dogs, cats and such other household pets as may be approved by the Board, and then only provided they are not kept, bred or maintained for any commercial purposes.	Warning	\$100	\$500
<b>Completion of Construction/Landscaping</b>			
Not completing the construction of any building of any Unit, including painting and all exterior finish or <b>driveway paving</b> within twelve (12) months from the beginning of construction without written approval for an extension which has been granted by the DRC.	Warning	\$100/ mo	\$250/mo after 3 months
Not completing landscaping within ten (10) months from the date occupancy of the Unit constructed thereon is approved by the applicable Governmental Authority. In the event of undue hardship due to weather conditions, this provision may be extended for a reasonable length of time upon written approval of the Design Review Committee.	Warning	\$100/ mo	\$250/mo after 3 months
Construction, landscaping, painting and exterior improvements or revisions being conducted without written approval from the Design Review Committee.	Warning	\$2,500	\$3,500
<b>Exterior Lighting</b>			
All exterior lighting not preapproved by the DRC or use of non dark sky compliant bulbs	Warning	\$25 per week	\$50 per week after 6 weeks
<b>Holiday or Other Outdoor Decorations</b>			
Using holiday decorations not in accordance with current Holiday lights resolution	Warning	\$25 per week	\$50 per week after 6 weeks
<b>Landscape &amp; Irrigation</b>			
Exceeding the maximum area of approved irrigation	Warning	\$100	\$150
Installation of an above ground irrigation system as a permanent system.	Warning	\$25	\$25
Mowing of native areas outside of the 2 times allowed per year. Mowing is allowed once in the Fall after October 1st and once in the Spring before June 15th. Failure to preserve the natural landscaping look by mowing native area or mowing areas visible from roadways. Excluded from this restriction is the 15' Fire Free Zone measured from the building eaves.	Warning	\$150/ mow	\$200/ mow after 6 mows
Failure to maintain individual unit grounds and structure in a clean, attractive and good repair.	Warning	\$250	\$400
<b>Outside Storage</b>			
Failure to maintain an interior solid waste disposal enclosure. Exceptions can be grandfathered. Garbage cans are not permitted outside of this enclosure except for removal by Waste Management Staff or on trash collection day.	Warning	\$25	\$50
After any allowed construction period, placing storage areas, machinery and equipment upon any Unit, unless obscured from view of neighboring property and streets by an appropriate screen or enclosure approved by the DRC.	Warning	\$25 per week	\$50 per week after 6 weeks
Using tarps and covers except as otherwise provided in the Design Review Guidelines. Tarps and furniture covers must be earth tones and blend in with the environment.	Warning	\$250	\$500 after 6 weeks
Landscaping for each Unit shall be in compliance with forest fuels management and fire prevention practices as outlined in the currently published Firewise guidelines	Warning	\$500	\$1000 per month

## Violations and Schedules of Fines Exhibit A Resolution 111c

General Violations	Courtesy / Warning Notice	First Offense	Repeat / Continued Offenses (in addition to the 1st fine)
<b>Parking</b>			
No parking over or on any vegetation. No overnight street parking. No Contractor street parking except for deliveries. No parking on unimproved lots. Parking is permitted only in driveways, auto courts or parking lots. Note: Special parking permits will be issued for special needs or events. Homeowners are responsible for notifying their guests of parking policy. Fines will be assessed by property not by individual vehicle.	Warning	\$50	\$100/ Possible Towing
Constructing a gravel or paved areas built along the street edge or within the road right of way	Warning	\$200	Removal by Association at Owners Expense or Blocking of access
<b>Paths and Trails</b>			
Creating paths or trails within the Residential Areas without prior written approval from the Design Review Committee. Pathways may not be built within the golf course buffer to connect a residence to a golf course or golf cart path.	Warning	\$250	\$250
<b>Prohibited Vehicles</b>			
No mobile home, recreational vehicle (including campers), snowmobiles, all terrain vehicles, dirt bikes and other vehicles designed primarily for off-road use, commercial vehicles, any vehicles exceeding 9,000 pounds in gross vehicle weight, any trailer of any kind, any truck with a rated load capacity greater than one ton, or any boat, shall be kept, placed, maintained or parked for more than 48 hours in any 30 day period on any Unit or Common Area except in enclosed garages approved by the Design Review Committee, areas designated by the Board, or screened from view in a manner approved by the Design Review Committee.	Warning	\$50 per day after 48 hours	Towing
<b>Residential Use</b>			
Using a unit for non-residential purposes. Except with the consent of the Board, no trade, craft, business, profession, commercial or similar activity of any kind shall be conducted on any Unit, nor shall any goods, equipment, vehicles, materials or supplies used in connection with any trade, service or business be kept or stored on any Unit. Nothing in this paragraph shall be deemed to prohibit (a) activities relating to the rental or sale of Units, (b) the right of Declarant or any contractor or homebuilder to construct Improvements on any Unit, to store construction materials and equipment on such Units in the normal course of construction, and to use any Unit as a sales or rental office or model home or apartment for purposes of sales or rental in Suncadia, and (c) the right of the Owner of a Unit to maintain a professional personal library, keep personal business or professional records or accounts, handle personal business or professional telephone calls or confer with business or professional associates, clients or customers, in their Unit The Board shall not approve commercial activities otherwise prohibited by this paragraph unless the Board determines that only normal residential activities would be observable outside of the Unit and that the activities would not be in violation of applicable governmental ordinances.	Warning	\$100	\$250
<b>Satellite Dishes/Hot Tubs/Outdoor Art</b>			
Installing a hot tub, hot tub / pool equipment room, satellite dish or outdoor art in a location visible from the street, golf course and adjacent properties which is not adequately screened with approved fencing or landscaping. Satellite dishes may be painted to blend in with the environment.	Warning	\$500	\$1000 after 6 weeks
<b>Signage</b>			
Placing signs in conflict with Resolution 113a. Except outdoor political yard signs no larger than 15 square feet, which are permitted per State law: <b>(RCW 64.38.034)</b> , which may be placed by the owner or resident, one per candidate, before any primary or general election.	Warning & Immediate Removal	\$200 & Immediate Removal	\$300 & Immediate Removal
<b>Solid Waste</b>			
Not removing garbage and litter left on a regular basis so that it becomes unsightly, odorous or a nuisance.	Warning	\$250	\$250
<b>Structures Permitted</b>			
Erecting or maintaining any structure except structures containing residential dwellings and structures approved by the Design Review Committee. Tree houses and playhouses must be approved by the DRC.	Warning	\$2,500	Removal
<b>Wood Burning Fireplaces and Stoves</b>			
Use of Wood burning fireplaces and stoves within a residence in the residential areas.	Warning	\$500	\$1,000

## Exhibit B – Summary of General Suncadia Rules & Regulations for Owners, Residents, Tenants and Guests

**Suncadia is a master-planned community governed by special covenants, conditions, restrictions and rules. Residents, tenants, and guests must comply with these rules. Failure to comply can result in substantial financial penalties and other enforcement actions.**

1. We live in a forest. Please protect our valuable resource. Burning of open fires, wood or pellet fueled smokers, uses of charcoal fuels and discarding of smoking materials in vegetation is prohibited. Outdoor gas fueled fire pits and gas fueled BBQ's are discouraged, but may be permitted with prior Design Review Committee (DRC) approval.
2. No parking on streets between the hours of 10:00 pm and 7:00 am.
3. Permission is required in advance for temporary parking for a special event or party from Community Services during weekday business hours at (509) 649-6273 or after hours / weekends at (509)-649-6109 (Suncadia) or (509) 649-6459 (Tumble Creek).
4. From 7:00 am until 10:00 pm street parking is permitted subject to the following guidelines:
  - 4.1. No parking over or on any vegetation.
  - 4.2. During snow plowing operations, on street parking **is prohibited** until that particular street is plowed. Vehicles obstructing snow plows may be towed at owner expense
  - 4.3. No parking on unimproved lots, whether owned by you or not.
  - 4.4. Construction parking and temporary work site office trailers and storage areas will be designated by the Design Review Committee during the home building planning and approval process. Street parking for construction related vehicles is permitted **only** with advance DRC approval; however, temporary on-street deliveries are permitted when the designated parking and storage areas on the lot will not accommodate the delivery vehicle.
  - 4.5. Contractors, delivery services and vendors must use designated arterial road truck routes for deliveries, new construction and home improvement / remodel work within residential areas. Alternate routes must be pre-approved by the DRC for ingress and egress to work sites before construction work commences on any lot or existing structure. All speed limits and parking regulations must be observed at all times.
  - 4.6. Vehicles that compromise safety or impede emergency access, or are blocking an entrance or exit, or parked in a fire lane or within 15 feet of a fire hydrant can be immediately towed at owner expense.
5. For the safety of owners, guests and wildlife, all posted speed limits must be observed. Do not tailgate vehicles. Passing vehicles while travelling on roadways is prohibited. Stop for occupied or waiting pedestrians and golf carts at marked crossings.

6. Bicycles must be ridden in designated areas within Suncadia. Skateboarding and rollerblading are strictly prohibited within Suncadia unless an area has been expressly and officially marked as a skateboarding or rollerblading area. To preserve the surface of the sports courts, skateboarding, skates, or bicycles may not be ridden on the areas. No bicycles or motorbikes are permitted on grass, mulched, barked or landscaped areas, including parks.
7. Please keep our community beautiful. Bicycles, toys, skateboards and roller-skates, etc. are not allowed on Lodge patios, balconies, hallways, or stairways. Hanging of any items from decks, patios or windows is prohibited. Portable sports poles, hoops and related structures will only be allowed to the extent that they can be stored inside the garage. Portable sports equipment may not be left outdoors overnight or when not in use.
8. Washington State law prohibits driving of unlicensed golf carts, ATVs or snowmobiles on roadways. For the protection of pedestrians, no motorized vehicles including golf carts, scooters, ATVs may drive on any paved pathways or paved hiking trail.
9. For the safety of all, only golfers may be on the golf course or on the golf cart paths. Others must not walk or play on the golf courses or fish in the ponds. Unauthorized use of golf courses for sports games is prohibited.
10. Pets must be on a leash at all times, within Suncadia, except when within designated dog park location(s), accompanied by a person in control or custody of the dog.
11. Any person owning, having custody or control of a dog or pet shall at all times prevent the animal from attacking, biting or otherwise causing injury to any person or animal or from damaging personal property.
12. Any person owning, having custody or control of a dog or pet must not allow defecation on a private property or common areas and must immediately remove, place in a closable bag or container and deposit such defecation in trash receptacle designated for public use or in a private trash receptacle.
13. No person shall own or harbor an animal in such a manner that the peace or quiet of another person is unreasonably disturbed by any frequent or long continued noise or causes unreasonable annoyance or discomfort to any person of normal sensitivity in the vicinity.
14. Wildlife must not be fed or harassed. Violators will be reported to the Department of Fish and Wildlife.
15. Noise must be kept to a minimum volume, especially after 10:00 pm and before 8:00 am to ensure no complaints from neighbors.
16. For fire safety and in consideration of others, no smoking within the Inn, the Lodge or within 30 feet of any commercial building.
17. Trailers for boats or snowmobiles, RVs or commercial vehicles can only be kept on property for a maximum of 48 hours within a 30-day period, in designated areas only. Absolutely no trailer, boat or RV parking allowed on the roadways.
18. Sleeping in campers, RVs or vehicles is strictly forbidden.



19. Litter, trash, empty boxes or other debris must be disposed of properly in designated trash areas. Residential trash cans must be stored in designated enclosures and cannot be left on the street once they have been emptied. For residences with self-serve curbside pickup, trashcans shall be kept inside garages or enclosures except on collection day. The containers shall not be placed on the street earlier than sundown the day before pick up. If a resident plans to be away on garbage collection day, arrangements should be made with Waste Management or a neighbor in advance to remove the trashcans from the curb following collection.
20. Door to door or street solicitation, yards sale or other signs and banners are prohibited
21. Camping tents are not permitted to be erected on home sites or common areas.
22. Firearms (including air guns) or fireworks may not be discharged within Suncadia.

**Exhibit C**

**Resolution 110**

**Construction Violations and Schedule of Fines**

<b>Access to Construction Site</b>	
Driveway access road not graveled	100.00 each occurrence
Only 1 access to construction site unless approved by DRC	100.00 each occurrence
<b>Air quality</b> - Open burning of removed vegetation	500.00 each occurrence
<b>Construction Trailers and/or Temporary Structures</b>	
Unapproved trailers or temporary structures on jobsite	200.00 each occurrence
<b>Damage Repair and Restoration</b> – Damage and scarring to other property	Cost to repair plus 200.00
<b>Debris and Waste Removal</b>	
Construction site debris and trash	100-300.00 each occurrence
Tracking dirt, mud and debris onto roadway	100-300.00 each occurrence
Failure to use the designated disposal site	100.00 each occurrence
<b>Excavation and Grading</b>	
Silt fence not erected	100 each occurrence
Silt fence is down in areas or requires repair	50.00 each occurrence
Uncovered dirt piles	50.00 each occurrence
Damage to existing trees	Cost to repair plus 200.00
<b>Fire and Safety Precautions</b>	
Improper disposal of smoking materials	500.00 each occurrence
Improperly stored rags & flammable materials	500.00 each occurrence
Require fire safety equipment no on jobsite	500.00 each occurrence
<b>Hazardous Waste</b>	
Dumping or burying hazard waste materials	500.00 each occurrence
Improper disposal of mortar, cement concrete, etc.	200.00 each occurrence
<b>Hours of Construction</b>	
Working unauthorized hours	100.00 each occurrence
Working on designated holidays or Sundays	200.00 each occurrence
<b>Noise Disturbance</b> – Radios, stereos or similar devices	100.00 each occurrence
<b>Pets</b> brought to the development	100.00 each occurrence
<b>Sanitary Facilities</b>	
Refusal to install sanitary facility	100.00 each occurrence
Use of sanitary facilities other than own	100.00 each occurrence
Vandalism to sanitary facilities	100.00 each occurrence
<b>Signage</b> – Refusal to remove construction sign or unauthorized signage	100.00 each occurrence
<b>Speeding and/or reckless driving</b>	100.00 each occurrence
<b>Storage of Materials and Equipment</b>	
Building materials stored outside of Approved Construction Area	100.00 each occurrence
<b>Temporary Living</b>	
Sleeping overnight in the Job Trailer, home or vehicle	200.00 each occurrence
<b>Vehicles and Parking Areas</b>	
Blocking Fire Hydrants within 10 feet	100.00 each occurrence
Blocking Emergency vehicle access	100.00 each occurrence
Blocking the roadway	100.00 each occurrence
Not parking in uniform manner	100.00 each occurrence
Parking on neighboring property or open spaces	100.00 each occurrence
Parking overnight	100.00 each occurrence
Driving or parking within the staked drip line canopy of trees	100.00 each occurrence
Entering through Firehouse Road or unauthorized entrance	100.00 each occurrence
<b>Warming Fires / BBQ use</b>	
Open Fires, Warming Fires or BBQ on jobsite	500.00 each occurrence
<b>Water / Storm Drains</b>	
Tapping into fire hydrant or water source other than own	200.00 each occurrence
Dumping material into storm drains	200.00 each occurrence