



*Morningview Ridge
Homeowner's Association*

Morningview Ridge
Homeowners Association

GOOD NEIGHBOR POLICY

Rules, Resolutions, & Architectural Review Guide

Mission Statement

It is the Mission of the Morningview Ridge Homeowners Association to promote a safe, enjoyable, and harmonious environment while assisting members in maintaining their investment.

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Objective of this Document

This document serves four purposes. It is to be used as a guide to homeowners in maintaining MVR as a first class community, including complaint and violation procedures. It contains the Rules & Resolutions adopted by the Board of Directors. It details assessment and collection procedures, and it defines the Architectural Control Committee's (ACC) purpose and actions. Your help in seeing that the provisions of this booklet are carried out is welcomed and appreciated.

This document does not supersede the legally binding Revised Code of Washington, Title 64, Chapter 64.38, Homeowner's Associations and Title 24, Nonprofit Corporations and Associations, the Articles of Incorporation, the Covenants, Conditions, and Restrictions (CC&Rs), or the Bylaws of MVR HOA. Members should have received a copy of the CC&Rs when they purchase their property. A copy of the CC&Rs may also be found on the MVR website, <http://www.morningviewridge.com/>. The CC&Rs provide a framework for any written rules, resolutions, and guidelines adopted by the board and the ACC.

Article I

Morningview Ridge, a First Class Community

The Morningview Ridge CC&Rs state "Each owner shall have the obligation to maintain his lot and any building or improvements located on the property to the standards appropriate for a first class residential community." Owner are responsible for the activities and conduct of their household members, tenants, guests, and pets, including compliance with the CC&Rs, the Bylaws, and this Good Neighbor Policy. With this in mind, we make every effort to be an association of friendly members who respect their neighbors.

1) Problem Resolution

One of the goals of the MVR HOA is to encourage amicable community living. Positive communication with your neighbors is the best solution to many problems. All residents must share in this responsibility. The enforcement procedures contained herein should only be used as a last resort after all attempts have been made by the parties involved to resolve the issue.

a) Grievance Procedure

Any member or resident may write a letter or email to the board or managing agent, giving a full and detailed account of the problem, including who (owner/tenant name and/or property address), what, when, and where.

- Any member or resident filing a complaint must identify themselves.
- In a bona fide emergency, the manager will accept a telephone call, with a written complaint to follow.
- Any member or resident filing a complaint still has the right and responsibility to file a complaint with the police or other civil authorities, if appropriate.

If the original problem persists, the member or resident may file additional written complaints with the Association.

b) Dismissal of Grievances

The board or managing agent reserves the right to dismiss any complaint if:

- It is of a frivolous nature
- Its intent appears to be harassment
- It is vague and lacking in necessary concrete details
- It is reported anonymously
- If the infraction is not included in the CC&Rs or this Good Neighbor Policy

2) Enforcement Procedures on Violations of Rules

The board or managing agent, after receipt of a complaint or observance of a violation, will mail to the homeowner in violation a letter stating the nature of the complaint and the penalty, if any.

- The name and the lot number of the person filing a complaint will not be released except to the board members.
- The letter from the managing agent shall include a statement providing the resident in violation with an opportunity to respond to the alleged violation. This statement shall be worded in a manner that allows for and encourages this response.
- The violation must cease or be corrected immediately unless otherwise specified in the letter.
- Anyone against whom a fine has been assessed shall have the right to be heard by the board or its authorized representative. Any request for such a hearing must be submitted to the board in writing.
- All expenses incurred by the Association, including all legal and collection costs, will be assessed to the lot whose member is in violation.

On the **FIRST VIOLATION**, a courtesy letter will be sent. This will be a friendly reminder about the CC&R of which they are in violation. The letter shall **warn of a \$75.00 fine** if the violation is not corrected within the specified amount of time given to correct said problem.

On the **SECOND VIOLATION** of the same rule, the second letter will be sent. The second letter will **impose a fine of \$75.00** and will also **warn** of doubling the fine (**\$150.00**) if the violation is not corrected within a specified time frame or an established date.

On the **THIRD VIOLATION** of the same rule, the third letter will be sent. The letter will **impose a fine of \$150.00** and will also **warn** of doubling the fine (**\$300.00**) if the violation is not corrected within a specified time frame or an established date.

On the **FOURTH VIOLATION** of the same rule, the fourth letter will be sent. The letter will **impose a fine of \$300.00**. The letter will **warn** that all further notices of the same rule will incur additional fines of **\$300.00** and that a lien may be filed against the property in an attempt to collect the fines. If the violation continues, the board or managing agent will proceed with further action (i.e. liens, legal action etc) as provided for in CCRs Article V Paragraph 5.9

Article II

Rules and Resolutions adopted by the Board of Directors

1) Maintenance Activities Exception

To the extent that exterior painting, landscaping or reconstruction is performed that restores the property to the original approved state, no ACC approval is required. Exterior painting may only utilize the identical existing color scheme to qualify for this exemption. Landscaping maintenance may include the removal and replacement of existing plants that have died or become overgrown or unsightly over time with plants of a similar nature, except that removal of trees in excess of 15 feet in height requires prior written approval of the ACC.

2) Welcome Home Decorations for US Service Members

Temporary decorations for the purpose of welcoming members of the US Armed Services returning from overseas deployment do not require approval from the Board of Directors or the ACC so long as the decorations do not obscure traffic signs or impair the flow of vehicle or pedestrian traffic. All Association common areas may be utilized for said decorations so long as the decorations used do not damage common areas or create a safety hazard. The member placing the decorations is responsible for removal of the decorations within 7 days. Decorations may not be placed on other member lots without prior approval of the owner.

3) Vehicles

a) Commercial Vehicles

Commercial Vehicles shall be defined as any automobile, SUV, truck, or van that is configured or marked for a business purposes in such a way as to create a significant adverse visual impact on the property or an annoyance or nuisance to the surrounding owners by reason of, but not limited to, noise, parking or exterior appearance. Examples include, but are not limited to:

- Vehicles with roof racks for materials or equipment.
- All trucks with open sided flat beds, or dump beds
- Trucks with more than 6 wheels.

b) Parking

Vehicles are not to be parked on lawns, sidewalks, vacant lots, or common areas. All homeowners are to ensure their guests comply with these rules.

No inoperable vehicles, boats, motorcycles or other motorized apparatus shall be stored on the premises or the streets within the community. This provision also applies to utility trailers and vehicles with expired tabs. If it cannot be driven on public roads, it will be considered inoperable.

A trailer, truck camper, motor home, boat, or boat trailer will be considered in violation of the parking restriction if it is found to be stored on the property intermittently, but on a regular basis and not screened as defined in the CC&Rs. This would include the routine storage of work and utility trailers when not in use, even where those trailers are used on a daily basis. No trailer, truck camper, motor home, boat, or boat trailer should be stored overnight on any lot more than 7 days in any 30 day period unless properly screened. Reasonable accommodation can be made under unusual circumstances, but application for a variance from this rule should be made to the managing agent or board in advance.

c) Off-road Vehicles

Dirt bikes, ATVs, or other off-road vehicles are not permitted to be driven within the Morningview Ridge community.

4) Portable Storage Structures

A Portable Storage Structure is any container, storage unit, shed-like container or other portable structure, other than an accessory building or shed complying with all building codes and land use requirements, that can or is used for the storage of personal property of any kind and which is located for such purposes outside an enclosed building.

The use of portable storage structures are allowed under the following conditions:

1. The ACC must pre-approve the proposed location and duration prior to placement of any portable storage structures.
2. There must be no more than one (1) grouping of portable storage structure(s) per property and the aggregate size of the grouping must be no larger than ten (10) feet wide, twenty (20) feet long and ten (10) feet high.
3. A portable storage structure must not remain at a property in excess of seven (7) consecutive days, and multiple placements at any one property must not exceed fourteen (14) days in any calendar year.
4. The portable storage structure(s) must be set back a minimum of five (5) feet from all property lines and may not encroach on sidewalk or roadway right of way.
5. The portable storage structure must be placed on an asphaltic or concrete surface.
6. Portable storage structures associated with construction at a site where a building permit has been issued are permitted for the duration of construction and shall be removed from the site within seven (7) days of the end of construction or any pause in construction.

7. The ACC may approve extensions or exceptions to the above requirements at its discretion, except in no case may a portable storage container be located on the street or sidewalk, or remain at a property for more than 14 consecutive days. (9/19/2012)

5) Commentary on CCR Article 14.10 Animals

Only household pets will be permitted on lots unless legal documentation from properly licensed physicians or authorities is presented to the board of directors that an animal is a registered service or companion animal. No more than three (3) pets total may be kept.

Dogs are to be on leashes and supervised when outside of the confines of the owner's lot. No pets shall be left leashed to trees, shrubs, street light poles, or other natural or manmade features of the common areas. Pet owners will immediately remove pet waste from any location within the Morningview Ridge Homeowners' Association. The owner of a pet is financially responsible for any damage done by the pet to the common areas.

Pet owners must control barking or any other frequent, repetitive noises from pets that interfere with the peace and comfort of their neighboring residents.

6) Commentary on Owners, Landlords, and Tenants

Any Association member who leases or rents their lot to others retains full responsibility for the tenant's actions, including, but not limited to:

- Use, maintenance, and care of the lot.
- Informing tenants (& providing them with copies) of the Good Neighbor Policy and the CC&R's, which can be found on the MVR website: <http://morningviewridge.com>
- The activities, conduct and compliance with the CC&Rs and the Good Neighbor Policy by any tenants, tenant's household members, pets, and guests.
- Any property damage arising from any acts by any tenants, tenant's household members, pets, or guests.

In the event the homeowner cannot or will not enforce the rules, the board or managing agent will enforce them. All fines and other enforcement expenses will be assessed against the member who owns the lot in which the tenant resides. An owner's private information will only be distributed to property managers if the Association has a signed "Privacy Act Form," which can be found on the MVR website <http://morningviewridge.com>

Article III Assessments and Collections

The annual assessment is due before January 31st of each year. The assessment is delinquent after the 31st of January each year.

1) Delinquent Assessments

Any assessment not received by January 31st is delinquent and subject to a late charge. For each delinquent account, the managing agent will mail the member a notice of delinquency including the amount of the delinquent payment. The managing agent will send at least one (1) notice by certified and one (1) notice by regular mail warning that a lien will be filed against the property if payment is not received.

The managing agent will review all accounts delinquent two or more months and will authorize special collection procedures, including but not limited to:

- Filing a lien and adding cost of legal fees to account
- Submitting to legal counsel and/or collection agency
- Filing a personal judgment and pursuing garnishment of wages and assets
- Filing a complaint in the courts
- Foreclosing on the lien (you could lose your property)

2) Late Charges

Any assessment not paid within thirty (30) days after it's delinquent date shall bear interest at a rate of 12% per annum in accordance with the governing documents and state statutes. The procedure to collect unpaid late charges will be the same as specified above in "Delinquent Assessments."

3) Collection Expense

All expenses incurred by Association including all legal costs, fees of collection agencies, and fees to release a lien will be assessed to the homeowner, and further are subject to all the provisions specified above in "Delinquent Assessments" and "Late Charges."

4) Waiver of Collection Procedures

The board reserves the right to waive these procedures when a member notifies the managing agent that a special hardship exists and the board agrees in writing to waive these procedures for a specified period of time.

Article IV Architectural Control Committee

The CCRs require that the Association have an ACC to review and approve most changes to the visible portions of members' property. The ACC consists of three association homeowners, at least one of whom is a board member. An ACC member is appointed by the board for a one-year term.

1) Purpose of the ACC

The purpose of the ACC is to create and preserve an attractive, harmonious design in our community. It is widely recognized that discordant architecture, materials, colors, and styles can detract from the appearance and property values of a neighborhood. But it is also widely known that individual families need to have the ability to use their land as they desire. It is the job of the ACC to balance the needs of the individual families with the needs of the entire community. Because we are all neighbors in relatively close proximity, it is to everyone's benefit to have an ACC to protect the interests of the community. The most equitable way for this committee to function is to require all external modifications, with a few basic exceptions, be reviewed by the ACC for approval.

2) ACC Approval Requirements

To the extent that exterior painting, landscaping or reconstruction is performed that restores the property to the original approved state, no ACC approval is required. CCR Article XI, Section 11.1 requires the approval or disapproval of the following:

- The construction of any structures, additions, and alterations or any building, fence, wall or other structure on owner's property. This includes the installation, erection, or construction of any solar collection device.
- The construction of private roads or driveways.
- The landscaping, remodeling, exterior repainting or alteration, reconstruction, or alteration of any structure, road, driveway, or other improvement on or to an owner's property.

3) Review Criteria

The ACC will evaluate all submissions on the individual merit of the application. Judgments of acceptable design are based on the following general criteria:

- All projects will be reviewed first to be sure they are consistent with the CC&Rs.
- Projects must be compatible with the applicant's house, adjoining houses, and the neighborhood. Compatibility includes size, style, quality of workmanship, materials, and color.
- The topography of the lot and its location within the community will be considered in conjunction with the project design. Projects should relate favorably to the landscape, existing structures, and the neighborhood. Primary concerns are access, view, sunlight, ventilation, and drainage. As a common courtesy, neighbors should be informed of all exterior changes as most exterior alterations have an impact on adjacent properties.
- Since color can do much to lessen or increase the impact of the proposed structure, considerable weight will be given to this detail.

4) Responsibilities of Homeowner

The ACC will not knowingly approve a project that is in violation of any building or zoning codes. The responsibility of compliance rests solely with the homeowner, who will be held responsible for any building violations and the penalties they incur.

ACC approval does not waive the necessity of obtaining the required Pierce County permits. Obtaining a Pierce County permit does not waive the need for ACC approval.

All construction or alterations approved by the ACC must be commenced within six months following the date of approval, and must be completed within one year of the approval date. In the event that construction/alteration is not commenced within the six month period, the approval of the ACC will be considered void. The homeowner must then resubmit the application for approval before undertaking the project. There shall be no deviations from the plans and specifications approved by the ACC without the ACC's prior written consent.

5) Submitting an ACC Request Form

The homeowner should complete the ACC Change Request Form, including any additional information or supporting documentation that may be required. To ensure timely review and action on requests, homeowners are encouraged to provide complete, detailed information, including pictures, diagrams, color charts, or other information that supports the application. ACC members will review applications, and will respond to the homeowner within fifteen (15) days.

The ACC may:

- Determine that an application is incomplete and request additional information from the homeowner
- Unconditionally approve the application as submitted
- Conditionally approve the application, stating the condition(s) in writing
- Deny approval of the application, stating the reasons for denial in writing

Note: Any calculation of time related to the processing of an application will not start until the application is received by the ACC, complete with all required attachments.

6) Notification of Approval or Disapproval

Homeowners will be notified in writing when their application has been approved or disapproved. The ACC reserves the right to refuse permission for a project that may be viewed as detrimental to neighboring properties or the community as a whole. If an application is denied, the applicant may resubmit the request to the ACC if new or additional information demonstrates its acceptability. No work should commence until approval has been received in writing from the ACC. Homeowners are advised against purchasing materials prior to receiving written approval.

7) Failure to Submit Change Request Form

If a homeowner begins or completes a project considered under the jurisdiction of the ACC, he will be required to submit a written proposal for review and will be fined by the Association according to the established fine schedule. It is not the intention of the committee to be punitive but to ensure that projects are in line with the neighborhood standards.

8) Non-Compliance

If the ACC does not approve a project, and the homeowner does it anyway he will be fined by the Association according to the established fine schedule and will be required to remove what he has done. If he does not take action to remove the completed work, the Association will hire appropriate contractors to remove the work and the homeowner will be billed for it.

9) Appeals Process

If an appeal is desired following disapproval, the homeowner is requested to work with the ACC to reach a resolution. If a resolution cannot be reached, an appeal can be made to the Board. Homeowners may present their case to the board at any board meeting provided the homeowner notifies the board of any such appeal at least 48 hours prior to the meeting. Upon hearing from the homeowner and any other concerned person, the board shall render a decision, and such decision shall be final.

Special Note Homeowners should contact the ACC and request that it issue a letter approving any variance from the Design Guidelines in the case of buildings that have been constructed and changes that have been made prior to the adoption of these Guidelines. By obtaining such a letter a homeowner will protect himself and any purchaser of his home from being charged with a violation of the Guidelines.

10) Rules and Guidelines

Paragraph 10.3 of Article X of the CC&Rs gives the ACC the authority to adopt written rules and guidelines which can be used to further the intents and purposes of the CC&Rs. These guidelines are not intended to be a set of all-inclusive regulations, nor are they laws. They are designed to specify what is most likely to be approved in typical circumstances, and to assist all residents in maintaining high standards of design and compatibility. Special circumstances regarding one property may allow the approval of an application which might be denied at another location. Each application for these and other projects not covered by these guidelines will be reviewed on a case by case basis. The Rules and Guidelines address improvements for which homeowners will most often submit applications to the ACC as well as proper maintenance of lots. They are not absolute and irreversible dictates. However, the closer these guidelines are adhered to, the more harmonious and aesthetically pleasing the community will be. The ACC is open to other ideas and suggestions. Changes to these guidelines can and will be made as time goes on.

11) Home Changes & Enhancements

This section provides guidance on structural and decorative changes and enhancements to the home itself.

a). House Colors

Repainting exterior of a house using the existing, identical color scheme is considered routine maintenance and does not require ACC approval. All proposed color changes to the exterior of a house must be submitted for approval by the ACC. Color samples must accompany all requests. When evaluating the impact of proposed color changes, the committee will consider criteria such as compatibility of the proposed change with color schemes that were originally established in the neighborhood and compatibility of the proposed color change with surrounding house colors.

b) Roof Materials and Color

Re-roofing with existing or nearly identical material and color requires no approval from ACC. When material and/or color changes are requested, the homeowner will provide material and color samples with the Change Request Form submitted for ACC review.

c) Driveway Widening

Driveways may be extended to the width of the garage, but not beyond. All extensions must be approved by the ACC.

d) Landscaping

General landscaping will not require special approval. However, no tree, hedge or other landscape feature shall be planted or maintained in a location which obstructs sight-lines for vehicular traffic on streets, driveways or roadways.

Prior approval is necessary for the following cases:

- Plantings intending to form a hedge or natural screen.
- Substantial removal of turf. (At least 75% of every front yard, less driveway and walk, shall be maintained as lawn area unless otherwise approved by the ACC.)
- No sound hardwood trees measuring in excess of 15 feet in height shall be removed from any Lot without written approval of the ACC.

Retaining walls will be approved on a case by case basis for the following purposes:

- To prevent soil erosion
- To increase the usefulness of a lot (level area)
- For landscaping purposes such as flower beds or rock gardens

Note: Owners of walls which divert ground water onto adjoining properties (private or common) or change existing drainage patterns will be cited for corrective actions. Professional advice is highly recommended and may be required. Pressure treated lumber, brick masonry and natural stone are acceptable materials.

e) Fences and Gates

Fences will be approved on a case by case basis, provided they meet the following specifications:

- Fences must be built of cedar unless otherwise approved by the ACC and may be no more than six feet in height. Chain-link, barbed wire, corrugated fiberglass, or similar fencing shall not be permitted on any lot except as may be specifically approved by the ACC.
- Gates shall be located so that they open on to Lot owner's property without trespassing onto the property of a neighbor. Gates must be constructed of the same material as the fence. Gate widths shall be considered on a case by case basis.
- Fences should not extend forward of the front building line of the dwelling on the Lot upon which such fence is erected.

f) Vegetable Gardens

Vegetable gardening is prohibited in front of all homes. Vegetable gardening in rear of homes must be kept in a neat manner and pests must be controlled.

g) Storage Bins and Sheds

Plastic storage bins and sheds including upright storage units do not require prior approval from the ACC if they are placed at the rear of the property and not visible from the street. If the storage unit is to be placed on the side of the house, it must be screened from public view.

h) Clothes Lines

Permanent outdoor clotheslines are prohibited. Temporary or retractable clotheslines are permitted as long as they are removed after each use and are located only in the rear yard.

i) Decks, Patios, and Walkways

An application must be submitted for any new or expanded deck, patio or walkway, or for any major changes to existing structures. In general, patios and walks should be constructed of materials similar to those used by the builder and which harmonize with the colors of the community. These structures should disturb existing contours as little as possible and should be located to provide reasonable visual and sound privacy for applicants and neighbors. Applications must include the following information:

- Site plan of the lot showing the building restriction lines and location of proposed structure.
- Project plans showing elevations and dimensions, including rail height and spacing.
- A list and description of materials to be used, including a color sample if other than clear stains are to be used.
- Names and addresses of any architect or contractor involved in the planning and building of the proposed structure.

j) Basketball Hoops and Children's Play Equipment

Portable basketball hoops are permitted, and, if stored outside, must be kept to the side of the owner's house. Basketball equipment (hoops, nets, backboards and poles) must be properly maintained, i.e., broken backboards must be replaced and kept in functionally safe condition by the homeowner. Permanent basketball hoop installations are not permitted (i.e. pole cemented into the ground, hoop attached directly onto a house or garage).

Children's play equipment including, but not limited to, houses, gym sets, slides, swings, trampolines, and pools, if stored outside, must be kept in the rear of the property not visible from the street. No permanent play equipment should be installed at the front or sides of property with the exception of basketball hoops (as stated above).

k) Radio and Television Antennas

Radio and television antennas shall be approved on a case by case basis according to the appropriateness of the placement, size, and configuration of the equipment.

l) Storm Doors

'Full view' style storm doors do not require approval of the committee as long as the frame color matches the color of the front door or trim around the door. Bare aluminum color storm doors are not permitted.

m) Lighting

Lighting which is part of the original structure may not be altered without prior approval. Proposed replacement or additional fixtures must be compatible in style and scale with the applicant's house. Exterior lighting shall not be directed outside the owner's property, and should not have an adverse visual impact upon adjoining neighbors. The intensity and direction of landscape lighting shall be such that they do not provide a visual nuisance for neighbors or when viewed from the street.

n) Solar Collection Panels

The installation of a solar energy panel by a homeowner is permitted as long as the solar panel meets the requirements put forth in the state of Washington HOA Governing documents regarding solar panels (RCW 64.38.055).

Additionally: *(taken directly from state statute-RCW 64.383055)*

- No part of a roof mounted solar panel may be visible above the roofline.
- A solar panel may be attached to the slope of a roof facing the street only if the panel conforms to the slope of the roof and the top edge of the panel is parallel to the roofs ridge.
- A solar panel frame, support bracket, or any visible piping or wiring must be painted to coordinate with the roofing material.
- An owner or resident may be required to shield a ground-mounted solar panel if shielding the panel does not prohibit economic installation of the panel or degrade the operational performance quality of the panel by more than ten percent.
- Owners or residents who install solar panels will be required to indemnify or reimburse the association or its members for loss or damage caused by the installation, maintenance, or use of a solar panel.

o) Flagpoles and Flags

The installation of a flagpole and the outdoor display of the flag of the United States are permitted as long as the flag is displayed in a manner consistent with requirements put forth in the state of Washington HOA Governing documents regarding outdoor display of the flag of the United States (RCW 64.38.033). The installation of the flagpole requires **prior** approval from the ACC in regard to the location and size of the flagpole. Poles should be installed no closer than ten feet from the sidewalk. Only one pole and one flag are permitted per house.

For more regulations, see the CC&Rs Section XIV Permitted and Prohibited Uses.

12) Deterioration

If at any time the Board is made aware of a property that has deteriorated to the point that it is affecting the aesthetics of the community, an ACC member and/or board member will be requested to assess the site for compliance with applicable CC&Rs and ACC guidelines. The board has the **obligation** of enforcement as described in the CC&Rs. Based on the severity of the deterioration, the homeowner will be given a specified time in which to make the necessary repairs. If, after that time, the repairs have not been completed to the satisfaction of the board, the Association may hire appropriate contractors to complete the work and the homeowner will be billed for it. Note: The ACC, and the board will give due consideration to extenuating circumstances, including, for example, illness or temporary disability, accidents, vandalism or other incidents, and/or storm damage. The homeowner should advise the board when any of these – or other – conditions exist that may affect the timeliness of property improvement(s) and provide an estimated date for completion of any necessary repairs to the property.

Board Adoption

AS ADOPTED BY THE BOARD OF DIRECTORS THIS 18TH DAY OF JUNE 2014.

President, Morningview Ridge Homeowners Association