

CLEARWOOD COMMUNITY
ASSOCIATION INC.
21603 N CLEAR LAKE BLVD SE
YELM, WA 98597

(360) 894-2941

Rules and Regulations

(RED BOOK)

The Rules and Regulations were Last Rewritten and
Approved by Membership January 7, 2007.

The Rules and Regulations were Last Updated with Member
Approved Resolutions August 17, 2019 and Reviewed by
Membership in **October, 2015.**

The Rules and Regulations were Last Updated with Member
Approved Resolutions August 17, 2019; Approved by the
Clearwood Board of Directors **November 7, 2015;** and
Corrected by the Clearwood Board of Directors October 28,
2019.

The Rules and Regulations were Last Updated with
Member Approved Resolutions November 7, 2020

RED BOOK

RULES & REGULATIONS CLEARWOOD COMMUNITY ASSOCIATION, INC.

RESOLUTION NO. 91-05-20:

A RESOLUTION presenting codified Rules and Regulations governing the use of Clearwood and its facilities by property owners and their guests.

WHEREAS, according to the Articles of Incorporation, the Bylaws and Amended Protective Covenants of the Clearwood Community Association, Inc., the Board of Directors has the authority to develop operational policies and procedures, and,

WHEREAS there is a need to establish orderly and reasonable procedures for governing activities and for maintaining the integrity of Clearwood while restricting individual freedom as little as possible,

THEREFORE, BE IT RESOLVED: that, the Board of Directors adopt the Book of Rules and Regulations governing the use of Clearwood (hereinafter known as the RED BOOK).

Adopted 18th day of May 1991

CLEARWOOD COMMUNITY ASSOCIATION, INC.

Darlene Johnson, President

Attest: Everett (Bob) Cox, Secretary

RED BOOK INTRODUCTION

This Red Book contains the Rules and Regulations governing the use of Clearwood and its facilities by property owners and their guests. These Rules and Regulations were duly considered and officially adopted by the Board of Directors of the Clearwood Community Association on May 18, 1991.

These Rules and Regulations were adopted with the following intents:

1. To establish orderly and reasonable procedures for the governing activities and
2. To maintain the integrity of Clearwood while restricting individual freedom as little as possible.

It is also intended that these regulations will be followed by members and their guests in a spirit of cooperation and that common sense will prevail in those instances where the interpretation of a rule or regulation does not sufficiently apply to a particular situation. In the final analysis, the application of common sense and courtesy, together with respect for one's neighbor and property, are the primary requisites to ensure that Clearwood will be a truly enjoyable place to live and visit.

Other pertinent documents include the **Declaration of Amended Articles of Incorporation and Protective Covenants Applicable to Clearwood Community Association, Inc. (Blue Book)**, and the **Clearwood Community Association Bylaws (Yellow Book)**. In the event of conflict between the Articles of Incorporation, Covenants, Bylaws and the Rules and Regulations as stated in this Red Book, the actual Articles of Incorporation, Covenants, and Bylaws shall take precedent and prevail. Copies of all books are available at the CCA office.

The Rules and Regulations in this Red Book must be reviewed by members every four (4) years and shall be immediately updated upon the effective date of new amendments approved by the membership.

The Covenants & Restrictions run with the land. When there is a change of ownership, the new owner(s) is deemed to have accepted such Covenants & Restrictions and is bound by them to the same extent as the original owner.

Table of Contents

A. MEMBERSHIP.....	6
1. GENERAL.....	6
2. TRANSFER OF MEMBERSHIP.....	6
3. VOTING.....	6
B. CCA BOARD OF DIRECTORS & COMMITTEES.....	6
1. BOARD OF DIRECTORS.....	6
2. ARCHITECTURAL CONTROL COMMITTEE.....	6
3. VIOLATION COMMITTEE.....	7
4. FINANCE COMMITTEE.....	7
5. OTHER COMMITTEES.....	7
C. ENTRY PROCEDURES AND GUEST REGULATIONS.....	7
1. GENERAL REGULATIONS PERTAINING TO MEMBERS & GUESTS & RENTERS.....	7
2. ENTRY GATES.....	7
3. ENTRY KEY CARDS.....	7
4. GUESTS, DELIVERY AND SERVICE PERSONNEL.....	8
5. CONTRACTORS AND REAL ESTATE AGENTS.....	8
6. RENTING OR LENDING OF RESIDENTIAL/RECREATIONAL LOTS.....	8
7. SOLICITORS.....	9
D. CAMPING AND PICNICKING.....	9
1. GENERAL.....	9
2. GROUP USE OF PICNIC FACILITIES.....	9
3. RECREATIONAL VEHICLES AND EQUIPMENT.....	10
a. <i>Permanent Residency</i>	10
b. <i>Summer Residency</i>	10
c. <i>Storage</i>	10
E. ASSESSMENTS.....	11
1. BASIC ASSESSMENTS & WATER SERVICE RATES.....	11
2. SPECIAL ASSESSMENTS.....	11
3. FINES.....	12
4. WATER SERVICE CUTOFF.....	12
5. IMPACT FEES.....	12
6. STEP RATES FOR WATER USAGE.....	12
F. SECURITY AND SAFETY.....	13
1. STATEMENT OF POLICY.....	13

2. AMBULANCE AND RESCUE, FIRE DEPARTMENT AND LAW ENFORCEMENT	15
G. MISCELLANEOUS REGULATIONS	15
1. FIRES, FIRE PITS AND PUTTING OUT FIRES	15
2. ANIMAL CONTROL.....	17
3. SIGNS.....	18
4. REFUSE COLLECTION/DISPOSITION.....	18
5. WATER WELLS.....	19
6. FIREARMS & DANGEROUS DEVICES	19
7. NOISE.....	19
8. FIREWORKS	21
9. SKATEBOARD SAFETY ISSUES	21
10. ALCOHOL USE.....	21
11. EQUESTRIAN ACTIVITY	22
12. VANDALISM, FINES AND REWARD PROCESS.....	22
H. BUILDING AND LANDSCAPE RESTRICTIONS	22
1. GENERAL REGULATIONS.....	22
2. THURSTON COUNTY BUILDING REQUIREMENTS.....	22
3. CLEARWOOD BUILDING REGULATIONS.....	22
4. FENCES	23
5. TREE, BRUSH REMOVAL & GENERAL CLEARING.....	24
6. INSTALLATION OF DRIVEWAYS & WALKWAYS.....	25
7. DISTRIBUTION OF CERTIFICATES OF WATER AVAILABILITY (COWAs)	25
8. DEFINING TEMPORARY STRUCTURES.....	25
9. DEFINING RETAINING WALLS	26
10. PLUMBED ACCESSORY UTILITY STRUCTURE	26
I. PROPERTY MAINTENANCE REGULATIONS.....	27
J. VEHICLE AND TRAFFIC REGULATIONS	27
1. GENERAL REGULATIONS.....	27
2. OPERATOR'S PERMITS.....	28
3. ROADS	28
4. PARKING.....	28
5. SPEED LIMIT	28
6. PASSING A MOVING VEHICLE	28
7. PASSING LOADING/DISCHARGING SCHOOL BUS.....	28
8. IMPEDIMENTS TO TRAFFIC AND SAFETY.....	28

K. TRAIL REGULATIONS	28
L. SWIMMING BEACH & POOL REGULATIONS	29
1. BEACH AREAS	29
2. SWIMMING POOL.....	29
M. BOAT REGULATIONS	29
1. BOAT POLICY.....	29
2. IMPOUNDED BOATS.....	29
3. IDENTIFICATION	29
4. SPEED LIMIT	30
5. MONTHLY RENTAL CHARGE	30
N. FISHING REGULATIONS	30
O. TENNIS COURT REGULATIONS.....	30
P. ENFORCEMENT OF RULES & REGULATIONS	30
Q. SERVICES, WHERE TO GET THEM.....	31
R. DISCLOSURE OF ASSOCIATION AND MEMBER INFORMATION	31
SCHEDULE OF FINES: EXHIBIT NO.1	35

A. MEMBERSHIP

1. **General** - Any owner of property within Clearwood, is a member of the CCA. Memberships may not be withdrawn from the CCA while the owner still holds land in Clearwood. Members of CCA, families, friends and guests, have the indefeasible right to the nonexclusive use and enjoyment of all facilities with Clearwood.

Use of facilities within Clearwood is a privilege which may be suspended by the Board of Directors or its representative, for delinquency in payment of assessments or failure to comply with the Articles of Incorporation, the Protective Covenants, the Bylaws of the Association or the reasonable Rules and Regulations established by the Board of Directors.

2. **Transfer of Membership** - Membership transfers automatically upon conveyance of land. The right to exercise the privileges of membership, such as voting, right to notice from the CCA and use of common facilities takes place when satisfactory evidence is presented to CCA office showing a transfer of the land to which membership is appurtenant.
3. **Voting** - Members of the CCA in good standing shall have one vote for each lot owned in Clearwood in conducting the business of the corporation. Shared ownership will have one vote for each lot. Members will not be allowed to vote until proper transfer of ownership has occurred.

B. CCA BOARD OF DIRECTORS & COMMITTEES

The CCA is managed and operated on a non-profit basis with the voluntary participation of its members. The Board of Directors, along with various standing and recognized committees, are the active participants.

1. **Board of Directors** - Seven members elected by the Membership. Three Year Terms. Two or three elected or re-elected each year. No more than two members on the Board can be affiliated with the ACC Committee. A new member affiliated with the ACC would have to resign.

Function: To manage and control the affairs of the CCA defined in detail in the Bylaws of CCA, Articles of Incorporation, the Protective Covenants and Rules and Regulations.

2. **Architectural Control Committee** - At least three members appointed by the Board of Directors. Term is indefinite. Members may be replaced at the discretion of the Board or upon request of the member.

Function: To provide control of the general appearance and environment of Clearwood by approving all building plans, site plans, landscape plans, color schemes, tree removal and/or other plans

pertinent to the land and buildings in Clearwood.

3. **Violation Committee** - Three members or more appointed by the Board of Directors.

Function: To provide continuity in the processing and enforcing of the Protective Covenants, Bylaws, Policies and Rules and Regulations. This committee functions according to the Bylaws and under a charter and policies approved by the Board of Directors which is published on the website.

4. **Finance Committee** - Three (3) to ten (10) members appointed by the Board of Directors. Term is indefinite. Members may be replaced at the discretion of the Board or upon request of the member.

Function: To provide advice and recommendations in the financial affairs of the CCA, including budgetary and investment decisions.

5. **Other Committees** - From time to time may be appointed by the Board, as required, for specific functions.

C. ENTRY PROCEDURES AND GUEST REGULATIONS

1. **General Regulations Pertaining to Members and Guests and Renters** - Members of CCA are responsible to adhere to the Rules and Regulations set forth in this book and are responsible for the action of their guests and renters. Members of CCA are responsible to assure that renters adhere to the Rules and Regulations set forth in this book. They are responsible for the action of renters and guests and liable for any fines levied in the event these regulations are violated. Care should be taken that renters and guests comply with these regulations, the Protective Covenants, Articles of Incorporation and Bylaws. Ignorance of the rules is not a valid excuse.
2. **Entry Gates** – The two main entry gates, located on Clear Lake Boulevard North (Division IV) and Blue Hills Drive (Division IX), should be used for all normal entry and exit from Clearwood. The service gate, located on Clear Lake Boulevard (Division V), may be used in the event of malfunction of the main gates or to allow access by service and contractor vehicles that exceed the weight limit (5 tons gross) on Clear Lake Boulevard North. No tailgating under any circumstances.
3. **Entry Key Cards** - Access through the main gates is controlled by entry key cards issued to members in good standing. The CCA has the right to withhold the current gate card to any Lot Owner, purchaser or occupant until assessments have been paid. Each lot owner is allowed to purchase a maximum of eight (8) cards. Any number in excess of that limit must be approved by the Board of Directors of the CCA.

Entry through the service gate is controlled by keyed padlock. Key/Lock arrangements for this gate are available at the Clearwood office on a temporary basis.

- 4. Guests, Delivery and Service Personnel** - Members of CCA are responsible for the arrangements for allowing entrance of guests, delivery or service personnel into Clearwood by meeting them at the gate or by providing a gate card for their use.

On both days of the Annual Community Garage Sale event, the front and back gates will be open for six (6) hours, to allow the general public to participate. By voting for this amendment the Association (the Members) agree to indemnify the Board of Directors against any liability to the Association, resulting from this action.

- 5. Contractors and Real Estate Agents** - Members of CCA are responsible for the arrangements for allowing entrance of contractors or Real Estate Agents into Clearwood by meeting them at the gate or by providing a gate card for their use.

- 6. Renting or Lending of Residential/Recreational Lots** - Members of CCA, who are renting, leasing or lending, or otherwise allowing continual access to their property with Clearwood on a long term basis, are required to notify the CCA in writing within three (3) days of the beginning of such use, providing names, address and phone numbers of same. Failure to comply in a timely fashion will result in a fine of \$100 per incident which doubles each month until the issue is resolved.

Members who rent their property pay a 100 per year fee to cover added costs of dealing with renters and keeping them advised of community activities.

Members are advised to employ full credit reports, which include criminal background checks as requirements before occupancy, and to voluntarily supply copies to CCA. Court record searches can be made on the web or through independent businesses probably for less than \$50. There have been instances in recent years wherein availability of this information would have saved both members and the CCA significant costs and liability risks.

Members are advised to obtain garbage service in their name when their dwelling is rented. Otherwise if renters do not have regular garbage service upon assuming occupancy of the dwelling the owner member is subject to a fine of \$50 per incident of non-service.

Members are responsible for all acts of vandalism of their renters and their renter's children, relatives or guests. The Board of Directors will assess costs and fines, in cases where these acts can be proven, either through criminal actions taken by local authorities or by actions as provided for in the Rules and Regulations (Red Book) of CCA.

Members are responsible for the upkeep of the exterior of their dwellings and their lot and adherence to Rules & Regulations. The Board of Directors will assess costs and fines against the owner-members in cases of failure to abide by these rules.

7. **Solicitors** - No soliciting shall be permitted within Clearwood. The preceding sentence shall be interpreted and applied as follows:
 - a. **To prohibit all commercial soliciting** (by members or non-members) seeking to promote sale of commercial products or services.
 - b. **To prohibit soliciting by non-members** within Clearwood for donations or sales of items on behalf of any non-profit charitable, religious, community welfare or similar organizations.
 - c. **To not prohibit** soliciting of donations or the sale of items by members on behalf of non-profit charitable, religious, or limited to Heart Fund, Cancer Fund and recognized fund raising activities by groups such as Boy Scouts, Girl Scouts, Lions, Kiwanis, or the local volunteer fire department.

D. CAMPING AND PICNICKING

1. **General** - All camping must be on individual lots. Camping on community property is prohibited.

Clearwood picnic and beach facilities are closed to use from 10:00 p.m. until 5:00 a.m. Exceptions to this rule will be:

- a. Opening night of fishing season,
 - b. Community Functions, such as, but not necessarily limited to, July 4th and Labor Day Midnight Dances, and
 - c. Community restrooms, and access thereto, except for normal seasonal closure of selected restrooms.
2. **Group use of Picnic Facilities** - Picnic facilities are for the use and enjoyment of all members. Care should be taken not to occupy entire picnic or common areas with large parties. Members are expected, in respect for the rights of all other members, to restrict the number of their guests to a number which can be handled on their lot.

Large, formally organized functions, such as company, club or church picnics, are discouraged.

If the number of guests exceeds twenty-five (25) people, members must inform the CCA office of their intent to use the picnic, playground, beaches or other common areas for group activities.

Any large group gathering resulting in an overcrowding of facilities, makes an impact on other members; the policy of first-come, first-served shall apply; the others must relocate to another facility. A fine or special assessment may be levied on the member or members to cover the costs of any cleanup or added expense.

3. Recreational Vehicles and Equipment

- a. **Permanent Residency** - The use of RVs, travel trailers, campers, tents, motor homes and RV equipment is prohibited as permanent residences, however, they are permitted on individual lots during a one (1) year time limit while a permanent residence is under construction, after which they must be removed. That all recreational equipment stored on private lots, such boats on trailers, be considered Recreational Vehicle (RV) subject to the rules of this section.
- b. **Summer Residency** - The use of RVs, travel trailers, campers, tents and other equipment may reside on individual lots from one weekend before the opening of fishing season through October 31st, constituting the summer season:

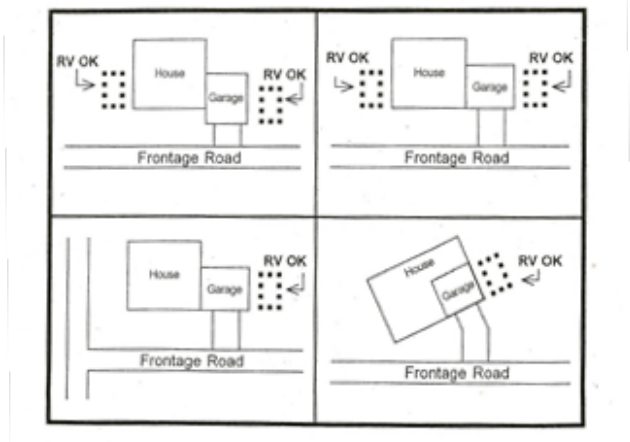
The Membership, at the August 1994 Annual Meeting, determined that the designation "fishing season" is vague, although the Board and the Membership have been interpreting it to mean "lowland lakes fishing season." However, the State of Washington, has already declared several lowland lakes open for fishing year round. The purpose of this covenant is to prohibit year round use of RVs, travel trailers, campers, tents and motor homes as permanent residences, therefore the interpretation of "fishing season" is as follows:

" The use of RVs, travel trailers, campers, tents and motor homes is prohibited as permanent residences; however, they may reside on Residential/Recreational lots from one weekend before the opening of lowland lakes fishing season through October 31; except that, in the absence of a lowland lakes fishing season for Clear Lake, the "Clearwood Fishing Season" will be deemed to open on April 1st of each year ... "

They are considered occupied during that period of time even if there is only occasional use. All RVs, travel trailers, campers, tents and other equipment shall be removed from the individual lots by November 1st, or the member is subject to fine.

- c. **Storage** - RVs, trailers, campers and RV equipment may be stored on individual lots of permanent residences in Clearwood, when screened from the road and approved by the ACC.
 - 1. Screening shall be defined to mean that the view from fronting road (address) of any RVs stored at residences shall be broken up by the utilization of the suggested materials or plantings set forth below.
 - 2. Screening shall be approved by the ACC and an agreement permit issued.
 - 3. Screening shall consist of one or more of the following:

- (a) Low, dense trees.
- (b) Fast-growing, dense shrubbery.
- (c) Use of movable planters.
- (d) Natural-appearing fencing in accordance with policy regarding fences.
- (e) Natural-appearing latticework and/or vines.
- (f) Such other screening as shall be approved from time to time by the ACC and/or the Board of Directors of CCA.
 - The Board of Directors defines “such other screening” to include, at this time, that the minimal RV/Trailer/Camping screening shall consist of storage at the side of the dwelling with no protrusion beyond the front of the building



- 4. Permits shall be issued on a case-by-case basis and shall be conditional to the owner maintaining screening in a manner consistent with the permit.
- 5. Permits shall expire with the sale or disposal of the real property.

E. ASSESSMENTS

- 1. **Basic Assessments & Water Service Rates** – Basic Assessments and Water Service Rates are levied for the continued management and maintenance of the CCA. They are due 30 days after billing and interest will be charged on past due accounts, until paid. Payment of Basic Assessments and Water Service Rates are the sole responsibility of the CCA member and are collectible by court action. The CCA shall have the right to withhold the current gate card and water service to any lot owner, purchaser or occupant until assessments have been paid.
- 2. **Special Assessments** - Special Assessments are generally one time

assessments which may be levied for a specific purpose and duration, by the vote of the membership at an annual meeting or special meeting called for that purpose. Unless otherwise specifically stated at the time of acceptance, collection shall be as specified for Assessments and Water Service Rates in paragraph E.I above.

3. **Fines** - Fines levied for a violation of Protective Covenants, Bylaws, Policies and/or Rules and Regulations, will become a personal obligation of the lot owner and will include interest (as applicable) if not paid within thirty (30) days.

4. **Water Service Cutoff** - The Board of Directors of CCA has the option to disconnect water service of members who are delinquent in their assessments. (See paragraph 1 for refinement of disconnect policy approved August 2000.)

The responsibility for the maintenance and protection of the water system extends from the initial water source through each meter to the connection for each member's water supply.

Individual members may only connect their water supply to the 'lot side' of the meter box, and that any tampering with the meter or any part of the community system will subject the member to a fine of \$500 for each reported (and verified) incident.

5. **Impact Fees** - Effective August 16, 2003 impact fees are established to help defray the cost of additional fire protection, and maintenance, replacement and upgrading of the roads and amenities because of the impact of accelerated development.

a. The amount of the construction impact fee for a house and septic system is a set fee voted by the membership. Of this total 69% shall be assigned to roads, 27% is to fire protection (installation of hydrants) and 4% shall be assigned to parks and playgrounds. These funds, and the interest on them, shall be expended within six years of collection, and only for the purposes to which assigned, along with general reserve funds maintained in the CCA 5 year plan and Long Range plan.

b. The amount of the construction impact fee for installation of a septic system only is a set fee voted by the membership (10% of full fee), allocated proportionately among the three usage areas.

c. The amount of the construction fee for a dwelling on a lot on which a currently approved septic system for a new home already exists is a set fee (90% of full fee), allocated proportionately among the three usage areas.

6. **Step Rates for Water Usage** – Effective with billing for 1/1/2020.

The community must establish a firm basis to encourage conservation

starting with the implementation of "steps" in usage rates:

Water Usage Calculated and Billed Quarterly			
TIER	FROM	PER # CUBIC FEET (CF)	PROPOSED COST
1	0-2500 CF	100	\$2.30
2	2501-3500 CF	100	\$3.45
3	3501 and up	100	\$4.55
Water Service Fee	Each Meter	Quarterly	\$35.00

F. SECURITY AND SAFETY

1. **Statement of Policy** - The purpose for which the CCA is formed is to acquire, construct, improve, maintain and operate community recreational and common facilities, and areas of every description in or for the common use of the members of Clearwood. The Covenants are intended to preserve and enhance the values and amenities of the Community.

The portion of the directive *"for the common use of the members of Clearwood"* is interpreted to mean that the facilities and services provided in Clearwood are reserved to Clearwood members, guests and invitees.

Further, this language may be interpreted to mean that **"preserve"** implies *"To reserve something for certain persons, to guard, to keep safe from destruction."* and that **"enhance"** denotes *"To make greater in value, desirability or attractiveness."*

In accordance with this interpretation of the Covenants, the members of the CCA and the Board of Directors hereby establish a Security Policy to be in force within Clearwood, with the express purpose of:

- a. **Guarding the entry gates,**
- b. **Patrolling the community** and
- c. **Monitoring the common facilities** in an effort to preserve and enhance the amenities.

The various security measures provided by the CCA may include, but are not limited to the following:

- a. **Guarding the Entry Gates** - Provide guards at gates as deemed necessary.

- b. **Patrolling the Community** - Facilitate patrol service within Clearwood relative to:

Thurston County Sheriff Office

1. Monitor radio calls
2. Notify of unlawful activity
3. Assist in emergencies or as needed

Thurston County Fire Department

1. Monitor radio calls
2. Notify of uncontrolled fire or burn bans
3. Assist in emergencies or as needed

Clearwood Community Association

1. Monitor common areas
2. Notify CCA of damage/vandalism
3. Assist in reporting violations of CCA Rules & Regulations

Clearwood Community Members/Guests

1. Monitor CB radio for emergencies
2. Notify members in emergencies
3. Assist by:
 - (a) Patrolling around Clearwood
 - (b) Helping find people, belongings, pets
 - (c) Giving directions

c. **Monitoring the Common Facilities** -

1. Monitor entry to Swim Pool as deemed necessary.
2. Restrict entry to authorized persons to maintain pool limits or as deemed necessary.
3. Monitor use of parks and recreational areas as needed.

These security measures are not intended to be used for protection of personal property or for checking cabins, RV's or property for damage. Security measures shall be provided as identified and stated in this policy, with funding support representing no more than 5% of the annual maintenance/operations budget.

In the event the cost of providing said security measures increases significantly and the approved funding support is no longer adequate, funding options shall be brought to the membership for review and adoption.

In accordance with the governing declarations of CCA, the powers of the CCA are vested in a Board of Directors. The Board is given the authority to form special committees reflected by the needs of the CCA.

The Board hereby authorizes the appointment of a committee to assist in overseeing the security measures of the CCA, which committee shall take an active role in the stated functions as well as an advisory role in the funding decisions.

Any unlawful or criminal conduct shall be reported to Thurston County authorities.

Any action by a member or non-member that is deemed to be in violation of the Protective Covenants, Bylaws or Rules and Regulations shall be reported to the CCA office or the Board of Directors.

The Clearwood Community Association, Inc. shall completely release, indemnify, defend, and hold the Board of Directors and its officers, Board appointed agents and employees harmless from every right, claim, demand, action, cause of action, and damage of any kind whatsoever, known or unknown, existing or arising in the future, in connection with, arising out of, resulting from, incident to, on account of, or in any way arising out of performance in representing the CCA, including but not limited to attorney's fees and costs. The provisions of this paragraph shall also apply to such claims arising from injury to or death sustained by any person in any way connected with performance in representing the CCA.

The above paragraph is subject to the following direct quote from RCW-22-A08.025:

"2) A corporation shall have power to indemnify any person made a party to any proceeding by reason of the fact that he is or was a director against judgments, penalties, fines, settlements and reasonable expenses actually incurred by him in connection with such proceeding, if:

a) he conducted himself in good faith, and:

(1) In the case of conduct in his own official capacity with the corporation he reasonably believed his conduct to be in the corporation's best interest, or

(2) In all other cases, he reasonably believed his conduct to be at least not opposed to the corporation's best interests, and

b) In the case of any criminal proceeding he had no reasonable cause to believe his conduct was unlawful."

- 2. Ambulance and Rescue, Fire Department and Law Enforcement - A**
Medic Unit is stationed at the Bald Hills Fire District #17 (BHFD), and all these services can be reached by calling 911.

G. MISCELLANEOUS REGULATIONS

1. Fires, Fire Pits and Putting Out Fires

The CCA has long held that, because of the community's heavy forest

and brush cover and close proximity of homes thereto, its regulations could be stricter than outside agencies (but not less strict than outside agencies).

The CCA follows the Washington Department of Ecology guidelines in regards to the burning of household trash, which produces a black, foul smelling smoke that irritates the eyes, nose and throat, and they also release toxic substances from plastics, inks, foils and other packaging materials into the air.

Fire Danger levels are established by the Board of Directors through consultation with DNR or BHFD # 17, if possible, and with input from Clearwood members and management.

Signs are posted at both entrance gates by a delegated volunteer or employee indicating the current day's level of fire danger.

All fires require a fire department permit, which can be obtained at the Clearwood office.

The following regulations will be adhered to within Clearwood:

- a. A person must be in attendance and a charged water hose must be present at the fire site whenever a fire is burning (day or night, any season, wet or dry). Only one fire is permitted at any one time on any lot. THIS IS THE FIRST LINE OF DEFENSE.
- b. When the fire danger arrow is in the "LOW" area of the signs, a fire of brush and forest refuse clearing up to 4' x 4' x 3' high shall be permitted in an area clear of debris and roots and 25' from the nearest structure.

A fire of brush and forest refuse larger than the preceding is not permitted. Failure to abide by this rule may result in a fine up to \$5,000 per incident, depending upon the season and the size of the fire's "footprint." The cost of suppression may be added to the fine amount.

- c. When the fire danger arrow is in the "MEDIUM" area of the signs all burning will be restricted to a fire of brush and refuse no larger than 3' x 3' x 3' high.
- d. When the fire danger is "HIGH" either small fires only will be permitted in properly constructed fire pits (designs are available at the office) or a TOTAL BURNING BAN will be established.
- e. Members are individually held responsible by state authorities for any fire that causes damage to private or public property. A "Report of Violation" should be filed at the CCA office by the member notifying the authorities of the violation. The CCA may also issue a citation and fine as defined in Schedule of fines, Exhibit No. 1.

2. Animal Control

a. Domestic Animals - Clearwood has been designated as an animal control zone by Thurston County. Keeping of animals within Clearwood must conform to their regulations. The Thurston County Animal Control Ordinance, Chapter 9.10 referring to Animal Control, and Section 9.10.710 referring to the Clearwood Control Zone will be followed within Clearwood.

Members also have the right to file a "Report of Violation" with the CCA on forms available in the CCA office.

Animals should be confined to the member's individual lot on a leash or penned, and not allowed to run. Confined animals must not be allowed to create a nuisance or disturb neighboring members.

When animals are on community property, they must be kept on a leash and members are responsible to clean up after them. Animals are not allowed on the beaches and adjacent lakes when swimmers are present, or on grass areas when sun bathers are present.

No Thurston County licensed kennels are allowed within Clearwood Community.

Stray animals may be picked up and held for Thurston County Animal Control.

A Report of Violation signed by one or more witnesses to the dog's loose and/or destructive behavior, who can identify the owner and/or residence of the dog, will be used as follows:

The Violation Committee will review each Report of Violation for appropriateness and, if deemed appropriate, will:

(1st Incident) write to the owner/member requesting that they keep their animal under control as per Rules & Regulations and Amended Protective Covenants; that, failing to do so can result in a fine of \$100, doubling with each future incident within a 12-month period."

(2nd and further Incidents) instruct the office to register the appropriate fine against the member's account and copy to the member.

In the event that the Violation Committee feels that the Report of Violation is not appropriate, the member involved will be notified with reasons for not pursuing it further.

In case a dog belonging to a renter is the subject of a violation report, the Committee will attempt to contact the renter ... but, in any case, all fines will be levied against the property account of the owner/member.

A Report of Violation signed by one witness to the dog's behavior, who cannot identify the owner and/or residence of the animal, will be held

until a subsequent report pinpoints the residence of the animal. Neighbors must be asked to help with this identification. No one must feed stray or unidentified animals

b. **Non-Domestic Animals-** Feeding of raccoons in Clearwood is prohibited. In addition, no Member or Guest may feed their domesticated animals outside if it results in the attraction and feeding of multiple raccoons on a regular basis. A \$100 fine will be issued for the first offense and every offense thereafter.

3. **Signs** - No signs of any kind shall be displayed in Clearwood, with the exception of the following:
- a. **One sign** for each residential/recreational lot of not more than two (2) square feet, identifying the occupants thereof. Occupants in the context of signs is defined as and limited to the member(s) name, address and/or division and lot.
 - b. **One sign** of not more than five (5) square feet, advertising a residential/recreational lot for sale or rent.
 - c. **Signs in common areas** designated for community use provided by the CCA.

4. **Refuse Collection/Disposition** - No trash, garbage, ashes, refuse, ruins or other remains of any kind (including disabled vehicles) shall be thrown, dumped, placed, disposed of, or permitted to remain on land in Clearwood, vacant or otherwise.

All trash, garbage, ashes and other refuse shall be kept in containers which shall be maintained in a clean and sanitary condition and shall be kept hidden from street view.

Dumpsters are not allowed in Clearwood without prior CCA approval. You must obtain a permit from the ACC. You can receive a permit from the Clearwood office.

The person or persons in control or possession of any residential/recreational lot shall, irrespective of fault, be responsible for the prompt removal therefrom of all trash, garbage, refuse, ruins and vehicles unable to run on their own power and other remains.

No vehicle shall be abandoned or dismantled, and no major vehicle work shall be performed on any part of the residential/recreational lot.

No vehicle in an extreme state of disrepair shall ever be parked or permitted to remain on any Residential/Recreational lot or common area for more than 48 hours.

Permanent residents and renters of each lot must obtain garbage pickup on the designated day by the refuse company servicing Clearwood. Debris and discarded material which will not fit into the individual's garbage can (such as household items, appliances, construction

materials or excessive brush) must be disposed of outside of Clearwood.

The dumpsters in the common areas are for the convenience of campers, picnickers and the maintenance crew (in order to keep the restroom, beaches and cabanas clean).

5. **Water Wells** - No individual water well shall be permitted in Clearwood.
6. **Firearms & Dangerous Devices** - A Thurston County Ordinance (a copy of which is on file in the office), designates Clearwood as a fire control area where firearms are prohibited. Use and discharging of firearms, and dangerous devices such as b-b guns, pellet guns, paint ball guns, rocks, anything with a metal pointed tip, to include arrows, knives that could be used to harm any living thing are prohibited within Clearwood
7. **Noise** - Excessive noise from 10:00 p.m. to 7:00 a.m. is strictly prohibited by Thurston County Ordinance which governs noise control within Clearwood (a copy of which is on file in the CCA office).

It is the policy of CCA to minimize the exposure of citizens to the physiological and psychological dangers of excessive noise and to protect and preserve the health, safety and welfare of the general public. It is the intent of the board of directors to control the level of noise in a manner which promotes the use, value and enjoyment of property; sleep and repose; and the quality of the environment. CCA recognizes the preferred position of the guarantees of freedom of speech in our society. If those guarantees are to be truly effective, it is necessary that each citizen tolerate unwelcome speech and ideas. Without that, the guarantees of free speech cannot serve their critical role of fostering the exchange of ideas. CCA also recognizes the vital role of the right to privacy, the right to be let alone, in an increasingly clamorous world. Nowhere is that more insistent than in the sanctuary of the home.

Sound is a principal medium of communication. By its nature, however, it is a potentially intrusive medium to those who do not wish to hear the specific noise or medium. The purpose of this policy is to protect to the greatest extent possible both the right to free speech and the right to privacy within the home. Its purpose is to guarantee ample channels of communication for all ideas, whether welcome or unwelcome by recipients, yet also secure the home as a refuge from noise which unreasonably disturbs the peace and repose of its inhabitants.

Conditional

The Thurston County Sheriff and Clearwood Board of Directors are apprised of numerous citizen complaints regarding noise, especially in summer months, such as the playing of amplified music, the reproduction of amplified speech, the running of motorcycles, and the

incessant barking of dogs, all at such volume and duration as to unreasonably disturb and interfere with the peace, comfort and repose of others. Such noises constitute a public disturbance. These noise occurrences adversely affect the public health and welfare, the value of property and the quality of the environment.

Exemptions

The following sounds are exempt for the provisions of this policy:

1. Sounds created by fire and security alarms.
2. Sounds created by emergency equipment and emergency work necessary in the interests of law enforcement or of the health, safety or welfare of the community, including Community-Sponsored events.
3. Sounds created by construction and maintenance equipment when operated between the hours of 7 A.M. and 8 P.M.
4. Sounds created by generators during power outages.

Policy

It is a violation of policy for any person to willfully cause, or any person in possession of property willfully to allow or originate from their property, or community property, any sound which:

- Is unreasonably loud and plainly audible within any dwelling unit which is not the source of the sound and which is located within Clearwood.
- Is of such loudness, frequency or duration as to unreasonably disturb the peace, comfort and repose of owners or possessors of such dwelling units, and which emanates from any device designated for sound reproduction such as, but not limited to radios, televisions, musical instruments, phonographs and loudspeakers.
- Unreasonably disturbs a person's peace, comfort or repose.

Definitions

1. **Unreasonably loud:** Noise that is substantially incompatible with the time and location where created to the extent that it creates an actual or imminent interference with peace or good order.
2. **Disturbing:** Noise that is perceived by a person or ordinary sensibilities as interrupting the normal peace and calm of the area.

In determining whether a noise is unreasonably loud and disturbing, the following factors incident to such noise are to be considered:

1. Time of day
2. Proximity to residential structures
3. Whether the noise is recurrent, intermittent, or constant

4. The volume and intensity
5. Whether the noise has been enhanced in volume or range by any type of electronic or mechanical means
6. The character and zoning (if applicable) of the area
7. Whether the noise is related to the normal operation of a business or other labor activity
8. Whether the noise is subject to being controlled without unreasonable effort or expense to the creator thereof.

Enforcement

In determining what constitutes noise that is unreasonably loud and disturbing and when a violation has taken place, the following steps are to be taken:

1. Violations of the policy must be witnessed by a minimum of two members in good standing, not living within the same dwelling unit. Witnesses will then write a violation and submit it to the Clearwood office. Violations must be signed and must include the date and time of the incident.
2. The person(s) creating the disturbance will be given a written warning for the first occurrence.
3. Two or more occurrences originating from the same property within a rolling three-month period will result in a violation and fine. Each occurrence after the first one may be subject to a fine.
4. Persons receiving a violation have the right to appeal their fine in accordance with the Red Book.
5. Should any section or provision of this ordinance be declared invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

Penalty for Violation

Any person who violates this policy shall be subject to a \$50.00 fine. It is the responsibility of the property owner to control the behavior of their guests. Fines will be levied against the property owner and it will be the responsibility of the property owner to settle the matter with their guests.

8. **Fireworks** - Fireworks are totally banned within Clearwood.
9. **Skateboard Safety Issues** - Skateboards may not be ridden through, over, under or around the security gates and adjacent areas of the front and back gates of Clearwood. Skateboard ramps are not allowed on the roads of Clearwood. Penalty for disregarding this safety issue is \$25 per reported incident, chargeable to the member responsible for the actions of the skate boarder.
10. **Alcohol use** - Consumption of alcoholic beverages at Community

sponsored events will not be permitted.

Announcements to this effect will be made in the Newsletter prior to each event.

Appropriate signs to this effect will be posted at all events.

11. **Equestrian Activity** – Equestrian activity is prohibited within Clearwood, such as, but not necessarily limited to, riding or leading horses, or other large animals on our private roads and trails and/or allowing same to be housed or placed on private lots or community property.
12. **Vandalism, Fines and Reward Process** – anyone found guilty of vandalism to Community Property is required to pay a \$1,000.00 fee, per incident, to the Clearwood Community Association, to reward the person(s) reporting the vandalism, and able to identify the person(s) involved in said vandalism. In addition a fine will be levied equal to 100% of the cost of repairing the damage, plus fine equal to 10% of said cost, or \$100, whichever is greater.

The reward fee will be paid to the reporter of the violation **ONLY** when the fee has been collected.

H. BUILDING AND LANDSCAPE RESTRICTIONS

1. **General Regulations** - The Architectural Control Committee (ACC) must be contacted before owners do any kind of work on their lot(s). This committee must approve all construction, clearing or tree/brush removal prior to starting such work.

A permit shall be obtained from the ACC and shall be posted until work is completed. This permit will be authorized for a limited time period.

Metal Sheds and Metal Clad Sheds will not be permitted in Clearwood. Metal Sheds and Metal Clad Sheds presently existing in Clearwood shall be permitted to remain provided they comply with all other covenants, operating policies and directives.

Member modifications and structures on Community Property shall be removed and the site restored to its original condition at the expense of the member(s) who installed the modification or structure. All undocumented Clearwood permissions and authorizations for such modification and structure are null and void. All such structures or modifications or their removal must be approved in writing by the Board of Directors.

2. **Thurston County Building Requirements** - All Thurston County Building Requirements must be adhered to when building within Clearwood.
3. **Clearwood Building Regulations** - The ACC will require the following in order to review an application for approval:
 - a. **Provide stakes**, clearly marking the property corners and string the

lot.

- b. **Provide a site plan**, along with the application, showing proposed placement of buildings, driveways, septic tank, and greenbelt landscaping.
- c. **Provide stakes** clearly marking the building dimensions on the site.
- d. **Provide adequate drawings** of buildings for review by the ACC, showing the foundation, dimensions, exterior elevations, fireplaces, stairs, overhangs and exterior materials, including roofing.
- e. **Provide information** regarding proposed paint colors being used for exterior walls and trim and include a color chip and roofing selection.
- f. **Provide an "as-built" site plan** for the CCA files upon completion of the project, showing the actual placement of building, septic system, electrical and water service.
- g. **Culverts** are to be installed prior to lot development, also the driveway stipulated on the submitted plot plan is then to be the primary ingress and egress on and off the lot. For those contractors not in compliance, a letter will be sent, which would read, "a Stop Work order on your project along with fines will be issued if a viable driveway culvert is not installed within ten days of receiving this letter."
- h. **Stop Work Order** - Any member who has started a project with or without an ACC permit, and a Stop Work order is posted, a \$500 fine will be placed on their account for continuing to work on their project or for the removal of the Stop Work order sign.
- i. **Sani-cans** on member lots, have to be 10 feet from the water meter box.

The ACC shall take into account those items listed in Paragraphs 1 through 7 of Article X of the Protective Covenants when reviewing applications.

The exterior of the dwelling being constructed must be in a finished status within one (1) year from the start of construction.

The one year construction period (which time includes the winter removal season) during which a member may dwell in an RV on their lot does not start until all County and Clearwood Permits have been accepted by the ACC and the committee agrees that construction has begun.

- 4. **Fences** - In accordance with the Protective Covenants, no fence, hedge or boundary wall shall have a height greater than six feet above finished grade. Height of fence to be measured from finished grade on the lot that the fence is built on, regardless of the grade of adjacent lot(s). It shall not be closer to the front property line than the twenty (20) foot minimum building set back. No chain-link fences shall be permitted on private lots.
 - a. **Fences must have approval** of the ACC and, require a permit.

Finished side out or alternate. All wood building material shall be of cedar or fir. All nails and required hardware items shall be galvanized. Paints, stains or oils shall be acceptable if approved by the ACC.

- b. **Six (6) foot fences** maximum height from grade are allowed in rear and side yards only and, shall not be closer to the front property line than the front corner of the house. Corner lots shall have a minimum ten (10) foot side setback. Materials may be wood, cedar or fir, close or open board, wire mesh wrapped in wood frame (no chicken wire), clear acrylic in wood frame.

Posts for six (6) foot fence may protrude 2-1/2" above the fence boards with a 1-1/2" cap on the post. Material: cedar, treated wood, vinyl, no steel.

- c. **Decorative gate arbors** will be allowed connected to the fence at gates four (4) feet in width or less and have a maximum height of seven (7) feet.
- d. **Three (3) foot fences** maximum from grade are allowed from the front corner of the house forward and may be solid or open board type. Material: cedar.

Picket fences may be a maximum of 42 inches high from grade.

Posts for three (3) foot fences may protrude 2 1/2" above the fence boards with a 1-1/2" cap or post. Material: cedar or treated wood.

- e. **Decorative fences** shall be permitted on private lots but shall not exceed a height of three (3) feet. They may be approved for use along the front of the lot, but must have ACC approval. Acceptable styles of decorative fences include:

"ABE LINCOLN" split rail fence. It shall be constructed of peeled, split cedar rails, weathered, of uniform size and length, no longer than ten (10) feet and laid horizontal to the grade without posts. It shall be built entirely on private lot.

LOW SINGLE RAIL fence. It shall be constructed of peeled cedar or fir posts with average diameter of 6 - 7 inches and may have split cedar rails not more than two (2) layers high.

- f. **All fences, hedges or boundary wall** must be kept in good repair. Failure to do so may result in a special assessment being levied and/or a directive by the ACC to dismantle said fence, hedge or boundary wall.

5. **Tree, Brush Removal & General Clearing -**

- a. **Individual Lots** - Tree and brush removal, general clearing and landscaping on individual lots require the approval of the ACC. Members are encouraged to maintain a screen along property lines with trees and shrubs, within the confines of safety. A replant with trees, evergreen (non-Douglas Fir) and deciduous with a minimum height

of 5 feet will be required when an excessive number of trees are removed from a member's lot. The replant must be done prior to permit expiration.

- b. **Community Property** - Tree and brush removal, general clearing and landscaping on community property is under the control of the CCA.

6. **Installation of Driveways & Walkways -**

- a. The "paved road surface" does not determine the width of a Clearwood road. The Road Edge is the property line adjacent to the roadway. The Pavement Edge is where the asphalt ends.
- b. Members may be granted ACC permits to install either asphalt, removable pavers or gravel driveways/walkways with proper culverts and shoulder slopes, from their front property line to a paved road surface edge.
- c. There is a five (5) foot utility easement at the front of each lot bordering the road shoulder, any driveway surface within the five (5) foot utility easement and up to the paved road surface edge granted by an ACC permit is subject to removal for access to utilities.
- d. Any surface within the five (5) foot utility easement and up to the paved road surface which is removed for utilities access will be replaced with gravel, acceptably sloped.
- e. Driveway surface between front property line and paved road surface must slope slightly below grade of road if practical, and if not, alternate means of providing adequate drainage must be sought with the ACC.

7. **Distribution of Certificates Of Water Availability (COWAs) -**

a. **Limitations:**

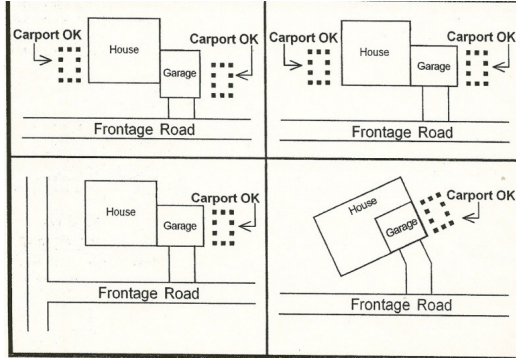
- 1. An ACC permit shall be submitted by all members (contractors), and be approved by the ACC prior to member's application for a County permit before receiving a COWA.
- 2. COWAs fees are not refundable but are transferable with the lot. COWAs may not be transferred to a different lot.
- 3. COWAs will be issued with an expiration date not to exceed one year. If the County permit is not obtained within that time limit the COWA will be voided and fees are non-refundable.

8. **Defining Temporary Structures -**

- a. Permits must be obtained from the ACC for the placement of these structures on private lots.
- b. Chain-link dog runs, housed on private lots, must remain portable at all times and their placement shall not be on the front of the

lot.

- c. Rigid-pipe housings for vehicles, including RV equipment, must remain portable at all times and the colors of their coverings must comply with color restrictions in effect for permanent structures.
- d. A car port or portable garage will only be used for the storage of motor vehicles, such as cars or trucks, and be set back 20 feet from the property line and behind the front of the house.



- e. All temporary structures, including fabric covered car ports and garages, will be removed at the end of RV season.
- f. All tarps and temporary coverings remaining more than thirty (30) days must comply with color restrictions, tending to ivory, grays, gray-greens, brown and black, and shall be kept in a reasonable state of repair, cleanliness and neatness.

9. Defining Retaining Walls -

- a. Permission to construct any retaining wall must be obtained from the ACC. Walls in excess of 3'11" requires a County permit.
- b. Retaining walls, of any height, shall not be permitted to encroach upon community property.
- c. Retaining walls, of any height, shall not be permitted to encroach upon neighboring property without a signed release from the affected owner.
- d. Retaining walls, of any height, shall not be permitted to encroach upon community right-of-ways or dedicated community roadways, except those necessary to support driveway exits.

10. Plumbed Accessory Utility Structure -

Subject to obtaining a County Minor Permit and approval by the ACC, one utility structure, such as a potting shed, greenhouse, or hobby den shall be permitted to be plumbed to a sink provided that:

- a. The structure is 200 square feet or less,
- b. Appropriate setbacks are observed,

- c. Drains empty into an approved septic system,
- d. A Backflow Prevention Device, approved by the ACC, is installed,
- e. All Clearwood and Thurston County requirements are met,
- f. The structure is not used as a storage shed,
- g. Habitation is strictly prohibited, and
- h. The sewage disposal system complies with Article VIII, Section 2 of the Amended Declaration of the Covenants, Conditions and Restrictions Applicable to all Divisions of Clearwood.

A "Utility Structure" is a structure designed and intended for occasional recreational or hobby use, as distinguished from a storage shed which is a structure used solely for storage.

I. PROPERTY MAINTENANCE REGULATIONS

The buildings and grounds of each lot within Clearwood shall be kept in a safe and reasonable state of repair, cleanliness and neatness.

No objects foreign to the Clearwood environment (particularly disabled vehicles and household furniture or appliances) are to be stored out of doors.

Trash and litter are to be disposed of in accordance with local (County) regulations and are not to accumulate on private lots.

CCA dumpsters and common areas are not to be used for disposal of personal refuse.

J. VEHICLE AND TRAFFIC REGULATIONS

1. General Regulations -

- a. **All motor vehicle statutes** of the State of Washington are hereby made a part of these regulations to be applicable to motorized licensed vehicles within Clearwood. Any vehicle requiring a state license to travel on Washington streets and highways must bear a state license when in Clearwood.
- b. **The Rules of the Road**, as set forth in the official State of Washington Driver's Manual, must be observed by the operator of any vehicle in Clearwood.
- c. **Pedestrians** shall have the right of way at all times on all roads in Clearwood but not obstruct traffic.
- d. No **motorized** vehicles may be driven anywhere other than on an established roadway or parking area at any time. A weight limit of five (5) tons (10,000 lbs.) is in effect on the meadow road; the keyed gate, south of the main gate, is available to allow by-pass of the meadow of heavy equipment. Contact the office for use of this gate.
- e. **Operation of non-licensed motor** vehicles including battery-powered vehicles, except wheelchairs, is prohibited within

Clearwood.

2. **Operator's Permits** - Every person operating a licensed vehicle within Clearwood must possess a valid operator's license. Persons with a permit can also operate a vehicle as long as they have a licensed driver with them.
3. **Roads** - The roads are heavily used by hikers, joggers, bicycle riders and children at play. Members must be observant when driving and allow people to have the right of way.

Engineered Speed Humps are installed at several points. They are designed to alert vehicle drivers of the need to control speed to our posted speed limit.

4. **Parking** - Members must provide parking space for at least two cars on their residential/ recreational lots. No vehicle shall be parked at any time on any green area or restricted area or parked on any street in Clearwood. Parking will be allowed on road shoulders for a temporary period, not to exceed 12 continuous hours nor more than 36 hours in a 30-day period. Any car parked in a No Parking Area will first be given a warning by placing a sticker on the offender's car that it will be fined and towed should they not move their car. No parking on paved portion of road. Violators may be subject to impound.
5. **Speed Limit** - The speed limit on all roads in Clearwood shall be 20 miles per hour unless otherwise posted. This limit is low due to the heavy use of our roads by pedestrians and children on bicycles and tricycles. All stop signs shall be obeyed.
6. **Passing a Moving Vehicle** - All Clearwood roads are designated "No Passing." Passing a moving vehicle is considered **Reckless Endangerment**.
7. **Passing Loading/Discharging School Bus** - A fine equal to the State of Washington fine for similar actions will be charged against the member responsible for a vehicle passing a loading/discharging school bus, subject to written report which must include verifiable license plate identification, time and place of reported incident.
8. **Impediments to Traffic and Safety** – All impediments to vehicular traffic must be immediately removed by the lot owner or may be removed by the Association at the lot owner's expense. Subject to an impound fee. Lot owners are responsible for violations committed by their guests and tenants.

K. TRAIL REGULATIONS

Trails are for foot traffic only, with the exception of wheelchairs. Vehicles and cycles of any type, with the exception of CCA maintenance vehicles, are not permitted on the trails. A violation may result in a fine of \$50 for bicycles and \$250 for motorized vehicles." Children should be informed

of these rules and the dangers to hikers when bikes are ridden on the trails.

L. SWIMMING BEACH & POOL REGULATIONS

1. **Beach Areas** - Swimming is "at your own risk," since there are no lifeguards on duty at the lake beaches. The swimming areas are marked with ropes and posted. Boats are not to enter or be stored in the roped-off swimming areas. Animals are not allowed in the roped areas when swimmers are present, or on the beach and grass areas when sun bathers are present.

No Fishing within designated swimming areas or from swim floats after safety ropes are installed each spring.

2. **Swimming Pool** - The pool will be open on Weekends on Memorial Day weekend (May 27, 28, and 29) until the end of the school year (usually about mid-June) then every day through Labor Day, I

The hours of operation, including adult swim hours, are posted at the pool.

Lifeguards will be on duty at all times when the pool is open. They have the responsibility to maintain a safe and orderly area. They have the authority to suspend pool privileges for those members and guests who do not obey pool rules. Lifeguards are not to be used as babysitters.

Pool and Jacuzzi Rules are posted at the Pool.

M. BOAT REGULATIONS

1. **Boat Policy** - All boats shall be removed from the shoreline by November 1st. These areas shall be clear of all boats until April 1st. Boats remaining during this period will be impounded and a fee of \$50.00 will be charged for pickup and storage.

Any and all sunken boats will be removed when found and assessed a \$100 handling fee.

Watercraft left along the shorelines of the lakes outside the designated boat basins and launching areas create unsightly paths across community property and trails. These unofficial paths result in severely eroded banks and other damage to community property. Boats found along the shorelines of the lakes outside the proper boat basins at any time of the year will be removed and impounded. Impounded boats may be recovered by the owner upon proper identification and payment of a \$50 impoundment fee.

2. **Impounded boats** will be held for 5 months, November 1st through April 1st, after which time they will be auctioned off by sealed bid.
3. **Identification** - Member's boats placed in boat basins for temporary storage shall carry identification substantiating Clearwood membership, such as division and lot number, or an appropriate stern decal.

4. **Speed Limit** - The speed limit on Clear Lake is regulated at five (5) miles per hour by Thurston County.
5. **Monthly Rental Charge** of \$10.00 will be assessed against impounded boats. Effective date for boats picked up at boat basins is November 1st. Effective date for boats removed from lakeside areas other than boat basins is the 1st day of the month of impoundment.

N. FISHING REGULATIONS

The regulations of the State of Washington pertaining to fishing in Horseshoe Lake, Blue Lake and Clear Lake are incorporated by reference into these regulations. Horseshoe Lake, which is totally within Clearwood, is open to fishing year-round. However, fishing on or in Horseshoe Lake is prohibited one week prior to the Annual Fishing Derby. A \$25 fine may be assessed for violating this rule. Grass Carp caught must be released and returned promptly to the water.

O. TENNIS COURT REGULATIONS

Occupancy of any tennis court must be relinquished on the hour when other players are waiting for a tennis court. This rule applies no matter how short a period the players have been on a court. Additional or modified rules may be posted at the tennis courts.

P. ENFORCEMENT OF RULES & REGULATIONS

Reporting of violations is the responsibility of each member of Clearwood.

Enforcement of the Rules and Regulations of Clearwood is the responsibility of the Board of Directors or designated personnel.

Report of Violation forms are available at the Clearwood office, from Clearwood employees, Clearwood members, for use in reporting an alleged violation. When filing a report, the member reporting should provide as much information as possible, time, date, location, names of witnesses, pictures, if applicable, and a general explanation of the events.

The CCA has established a Violation Committee and made the provision for a Violation Review Panel as an independent hearing board, to investigate, hear and determine the course of action regarding complaints and alleged violations.

The CCA has the right, through the Committee and/or the Board, to issue citations and levy fines or impose other sanctions, after written notice and a hearing, for any violations of Covenants, Bylaws, Policies, and/or reasonable Rules and Regulations. The member so charged shall have the right of appeal to the Board of Directors of CCA and/or to the membership.

Members have the right to respond to written notice prior to the

enacting of any fine or penalty, to face those who have caused the citation to be issued, to answer the citation at a hearing held for that purpose, to appeal the decision of the Violation Review Panel to the Board of Directors, and having exhausted those avenues, to challenge the ruling in civil action.

The CCA has the right to enter a private lot, upon written notice, where an alleged violation has occurred and abate such nuisance at the expense of the owner or any other person in control or possession.

The CCA has the right to prosecute a civil action against any person or persons in violation or attempted violation to recover damages therefore, including reasonable attorney fees and court costs.

The CCA has the right to file a lien upon the violator's land in accordance with the laws of the State of Washington for collection of unpaid assessments.

The purpose of the enforcement procedure is not to interfere with or oppress any member's activity, but to preserve order and maintain conditions which are pleasant and enjoyable for all members.

The Washington State Patrol, Thurston County Sheriff's Department, Department of Wildlife and Fisheries and other governmental authorities have power to enter Clearwood and to make arrests for criminal trespass, disorderly conduct, and infractions which constitute legal misdemeanors or felonies. Members, guests and renters are not immune from law enforcement authorities, and any member witnessing an infraction may report or file complaints with such authorities under appropriate circumstances.

Finally, in the spirit of friendly cooperation, and without vindictiveness, members are urged to politely bring to the attention of any other member, guest or renter when a violation is being committed. If the violation persists, it should be reported to the CCA per the above procedures.

Q. SERVICES, WHERE TO GET THEM

1. **Building permits** - obtained from Thurston County Building Dept., Olympia.
2. **Septic System permits** - obtained from Thurston County.
3. **Electrical service** - furnished by Puget Sound Energy.
4. **Telephone service** - furnished by Consolidated Communications.
5. **Garbage service** - furnished by LeMay's Rural Waste, Lacey.
6. **Clearwood store** - located outside of Clearwood front gate.

R. DISCLOSURE OF ASSOCIATION AND MEMBER INFORMATION

1. **All books and records** of account and minutes of the proceedings of the CCA shall be kept at the CCA office or authorized storage area as authorized by the Board of Directors. It shall be the responsibility of the

employees and the Board of Directors to take whatever steps may be necessary to secure the books and records against disclosure except as provided herein.

2. **Certain records** shall be open at any reasonable time during business hours to inspection by any member of more than three months standing or a representative of more than five (5) percent of the membership. Any such member must have a purpose for inspection, reasonably related to membership interests. These records include:
 - a. **Current Articles of Incorporation and Bylaws.** These records are available at the office at no charge. No appointment necessary.
 - b. **A record of members,** including names, addresses and classes of membership, if any. These records are available at the office, by appointment only, at a cost for copying.

USE OR SALE OF MEMBERS' LISTS BY ANY MEMBER, IF OBTAINED BY INSPECTION, IS PROHIBITED.

- c. **Correct and adequate records** of accounts and finances. The current financial statement is available at the office at no charge or appointment necessary. Other detailed financial records are available at the office by appointment only, with express written consent of the Board.
 - d. **A record of officers' and directors' names and addresses.** This record is available at the office at no charge. No appointment necessary.
 - e. **Minutes of the proceedings** of members, if any, minutes of the regular Board Meeting, and minutes which may be maintained by committees of the Board. These records are posted on the member bulletin board after each meeting. Other minutes are available at consent of the Board.
 - f. **Information requested** by a member or his representative, that affects only the member making the request. These records are available at the office, by appointment only, at a cost for copying.
3. **Certain records** will not be made available for review without the express written consent of the Board of Directors and, possibly, the individuals involved, to be consistent with an individual's right to privacy. These records include:
 - a. Minutes of the Board Executive Sessions.
 - b. Minutes of Administrative Hearings pertaining to the imposition of punitive measures.
 - c. Disclosure where such would violate a constitutional or statutory provision or applicable public policy.
 - d. Disclosure which could result in a discernible harm to the CCA or

any of its members.

- e. Personnel records and employment agreements.
- f. Litigation files.
- g. Information or investigations, or preliminary data which has not been formally approved, such as bid proposals.
- h. Disclosure which may result in an invasion of personal privacy, breach of confidence or privileged information.
- i. Disclosure which would unreasonably interfere with or disrupt the operation of the CCA.
- j. Disclosure where access results in private harm or damage that outweighs the right to access.
- k. Additional information, other than that which is required by law.

Any information contained in the books and records of the CCA (including membership/ mailing lists and/or computer data) will not be disclosed to anyone who may use that information to the detriment or disadvantage of the CCA or its members, or who may use it for the purpose of commercial advertising. It must further a useful and legitimate objective of the requester and be related to the requester's interest as a member.

4. **Members requesting disclosure** of information, which requires an appointment or Board consent, must state in writing, preferably on forms provided for that purpose:
- a. The information requested,
 - b. The records, in particular, to be inspected, and
 - c. The purpose for the request and confirmation that the information shall not be disclosed for any other purpose.

The requester shall not disrupt the ordinary business activities of the CCA office or its employees during the course of the inspection, hence the need for an appointment and authorization from the Board.

Request forms are provided by the CCA and must be presented to the Board of Directors for approval at least twenty-four (24) hours in advance of the appointment.

5. **Any information of any kind**, relating in any way to members and/or operations, shall not be disclosed to any person other than a member, including a firm or agency of authority, except as required by law; or authorized by the Board of Directors; or with the written consent of the member or members involved in the information.
6. **No original records may be removed** from the CCA office and only books and records, as identified in paragraph 2, above, may be copied for removal from the CCA office. The member requesting disclosure of

information shall pay whatever reasonable costs are required to provide the information requested.

7. **At the discretion of the Board of Directors**, or its representative, certain records may only be inspected in the presence of a Board Member or an employee of the CCA.

SCHEDULE OF FINES: EXHIBIT NO.1

Care of Your Lot:

No Garbage Service	\$50
Excessive/ Illegal signs	50
Improperly stored garbage & garbage containers	50
Unsightly lot/debris including furniture & Appliances	100
Refuse or sewage improperly disposed of	100

Community Property:

Basketball stands left hanging over right of Way	50
Impediments to vehicular traffic first complaint	Warning
Impediments to vehicular traffic succeeding complaints each	50
Impound Fee for Basketball hoops and other impediments to traffic	50

Driving on community trails (except wheelchairs and community caretaker vehicles):

Motor Vehicles	250
Bicycle	50

Parking:

Road Surface	100
Road Shoulder beyond limited period	50
Community Areas beyond limited period, subject to tow-away and fine of	50
Personal signs	50
Satellite Dishes set on community property	50

Construction:

Done without ACC Permit	150
Non-compliance with/ without ACC Permit, subject to value needed to restore property to condition prior to act of non-compliance	
Sani-cans improperly placed	50
Stop Work order ignored	500

Dogs, loose, nuisance (County Ordinance):
--

First incident	Warning
Second incident (Doubling with each incident within a 12-month period.)	100

Firearms and Dangerous Devices:
--

Firearms, discharging	Up to 1,000
Dangerous devices, discharging	Up to 1,000

Fires:

Campfire left unattended	50
Campfire during burn ban	100
Debris Fire in violation of Fire Policy	100 up to 5,000
Fireworks , discharged within Clearwood	250
Fishing , prohibited on Horseshoe Lake one week prior to the Annual Fishing Derby	25
Gate Cards , illegal use	100
Noise , excessive, defined per policy	50

Owners Who Rent Their Homes:

Renters not registered at office in timely fashion	100
Annual fee for extra office staff work due to Rental	100
Rowboats in moorage after Nov. 1st and along lake bank outside moorage at any time	50 to retrieve

Tree Removal without ACC permit:

4" to 6" stump diameter	100
Each additional inch of stump diameter	50

Vandalism:

Reward fee, per incident to reward the person(s) reporting vandalism, and able to identify the person(s) involved	1,000
Vandalism fine	100% of cost
to correct plus fine equal to 10% of cost to correct with minimum of 100 per incident upon collection.	

Vehicles:**Reckless endangerment:**

Passing moving vehicle, speeding	100
Passing loading/ discharging school bus	304
Ignoring posted directions (such as "Stop" signs)	50

Doppler Radar Gun (Clearwood Roads - 20 mph speed limit):

- 25 - 30 mph reading is fined \$25 per incident.
- Over 30 - 40 mph reading is fined \$50 per incident.
- Over 40 mph reading is fined \$100 per incident.

Pool area (10 mph speed limit):

- 15 - 20 mph reading is fined \$25 per incident.
- Over 20 - 25 mph reading is fined \$50 per incident.
- Over 25 mph reading is fined \$100 per incident.

In disrepair, abandoned	150
Overhauling in yard	150

Operating unlicensed vehicle	50
Operating vehicles without driver's license	50
Tailgating into Clearwood	50
Forced entry (no damage)	50
Over 5 tons traversing meadow road	500
Water system, tampering	500
Winter Removal/Storage of RV Equipment	
(including Boats on Trailers):	
<i>Failure to remove RV equipment from recreational lot after Nov. 1st each year through April 1st:</i>	
1st month	150
2nd month	300
3rd month	600
4th month	1,200
5th month	2,400
<i>RV equipment not properly screened on residential lot after Nov. 1st each year through April 1st:</i>	
1st month	150
2nd month	300
3rd month	600
4th month	1,200
5th month	2,400

Warning notices and Notices of Fine Letters will include a copy of this Schedule of Fines.

- Warning Notices allow 15 days from the date of mailing notice for the member to correct the problem.
- Notice of fine will allow for member to appeal in writing to the office within 15 days of mailing notice, giving full details of his reason for appeal. If appeal is received in a timely fashion the fine will be suspended pending a hearing with a Violation Review Panel.
- Failure to appeal in a timely fashion results in fine being charged against member's property account. The fine must be paid in 30 days.

The cost of any damage done to CCA Property and/or private property, or any cost of the removal, will be added to the fine.

Repeated violations will be assessed the stated fine multiplied by the number of times the violation has been committed, or by the number of months the violation continues, with the following multiples of the fine:

- 1st & 2nd repeat or 1st & 2nd month that the violation continues - basic fine rate
- 3rd assessment of violation - twice basic rate
- 4th & subsequent assessments - double the preceding rate

End

Clearwood Community Association Rules and Regulations