

Lake Marcel Community Club Covenant Enforcement Policies

The LakeMarcel Community Club (LMCC) Covenants, Bylaws and Bylaw Amendments authorize the LMCC Board of Directors to:

- Approve construction and remodeling plans and enforce restrictions as covered herein, including cutting of trees.
- Maintain community club property and hold title to same.
- Enforce covenants on all lots and community club property within the community including relating to delinquent or non-payment of dues; noxious, nuisance, offensive, annoying, unsanitary or illegal conditions or activities; and maintenance of properties in a pleasing, park-like condition.
- Act as a clearing house for other matters of general community interest.
- Collect dues from LMCC members to carry out the responsibilities of the Community Club.

To further the ability of LMCC to carry out its responsibilities, the LMCC Board of Directors has adopted the following Covenant Enforcement Policies and Fine and Fee Structure. This document can be modified by majority vote of the LMCC Board of Directors.

COVENANT ENFORCEMENT POLICIES

The LMCC Board of Directors will enforce these policies and may issue fines for violations.

- 1) All lots must be kept in a pleasing, park-like condition free of any conditions that are eyesores, health hazards, unsanitary, or illegal. This includes but is not limited to: piles of construction debris or building materials; piles of trash and garbage; excessive piles of grass clippings, tree trimmings or other yard waste, or other piles of debris; overgrown shrubbery or blackberries or unkempt lawns.
- 2) Illegal, dangerous, unsanitary or hazardous conditions or activities on a property must cease immediately following notification by regulatory authorities or the LMCC Board of Directors.
- 3) Houses, garages, outbuildings and yards should be in good repair, e.g., no peeling paint, no overgrown yards, no broken windows, no excessive roof moss. Utilities to houses must be kept operable.
- 4) All cars, trucks, trailers, trailered vehicles, RVs and other vehicles must be parked in driveways, or paved or graveled areas. Vehicles cannot be parked on lawn areas. All vehicles must be running and all vehicles and trailers must be able to be legally driven on the street. A total of 5 cars, trucks, vans, or other passenger vehicles are allowed per residence.
- 5) No illegal, noxious or offensive trade, business or activity can be carried out upon any lot.
- 6) Activities which are or may become an annoyance or nuisance to the neighborhood are not allowed.

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- 7) No large livestock including but not limited to horses, cattle, pigs, sheep and goats. No roosters. No boarding, raising or selling animals as a regular commercial activity.
- 8) Dogs or other pets are not allowed to roam through the neighborhood. Dogs must be on leash or under voice or physical control at all times.
- 9) Residents, rental tenants and guests must comply with all applicable local and state regulations, including zoning, animal control, parking and public health codes and ordinances.
- 10) Residents and guests must comply with LakeMarcel Community Club park regulations, pet regulations and fishing regulations. Violations may result in revocation of park privileges and/or fines.
- 11) Property owners are responsible for the behavior of house residents (including rental tenants) and guests.
- 12) Property owners may be held liable for the cost of repairs, replacement or other restitution for vandalism to or theft of LMCC property by house residents, rental tenants or guests.
- 13) No burning during burn bans. Limit outdoor burning at other times. Smoke can be dangerous to those with upper respiratory problems, like asthma, and to infants, small children and others who are sensitive to smoke. A burn permit may be required for outdoor burning. Call the King County Fire District at (425)788-1625 to check burn conditions and permit requirements. Call 911 to report burn complaints.

Violations of any of the following are prohibited under state law and can carry stiff penalties:

- Don't burn during periods of burn bans.
 - Burn only yard waste (from your own property).
 - Don't burn garbage or trash.
 - Don't burn cardboard or paper (except what is necessary to start the fire).
 - Don't burn construction materials, including scrap lumber, painted wood, or roofing materials (these can release toxic compounds).
 - Don't burn rubber products, including tires.
 - Don't burn dead animals.
 - It is illegal to "smoke out" your neighbors.
 - Burn piles must be tended at all times.
- 14) Any construction or remodel project, including construction of garages, sheds, outbuildings or docks, which require a permit from King County, must be approved by the LMCC Board of Directors.
 - 15) King County-mandated buffer areas for the lake and streams must be protected per current King County code regulations.

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- 16) Property owners must request approval from the LMCC Board of Directors prior to cutting or significantly altering any living trees larger than 24 inches in circumference. Circumference is measured around the tree trunk, or if multi-trunked around the two largest trunks combined, at a point five (5) feet above the ground. Property owners may be required to replant trees. Pre-approval for cutting or altering trees is not required for Emergency Tree Removal or Alteration. "Emergency Tree Removal or Alteration" means removal or alteration of a tree(s) which is dead, or which is made necessary by an imminent threat of serious personal injury or significant property damage. The removal or alteration of a tree(s) under emergency conditions shall be reported in writing to the Board of Directors within three business days following the emergency work. If the Board of Directors determines on the facts known to it that the work performed was not made necessary by an imminent threat of serious injury or significant property damage, then the Board of Directors may consider the work performed a violation.
- 17) Community Club dues are payable in full by January 1 of each year and are delinquent and subject to late charges and interest penalties as of January 31. Liens will be filed against properties and lien fees will be added to accounts with unpaid dues as of March 31. Delinquent accounts may be sent to collections and/or subject to foreclosure. Property owners are responsible for all collection fees or legal fees incurred from collecting on delinquent accounts. Hardship cases will be handled on an individual basis by the Board of Directors.
- 18) Any fines levied for covenant and bylaw violations are subject to late charges and interest penalties if not paid within 60 days of the invoice date. Liens will be filed against properties and lien fees will be added to accounts with unpaid fines after 90 days of the invoice date. Delinquent accounts may be sent to collections and/or subject to foreclosure. Property owners are responsible for all collection fees or legal fees incurred from collecting on delinquent accounts. Hardship cases will be handled on an individual basis by the Board of Directors.
- 19) Before fines are imposed for any violation of these Covenant Enforcement Policies (other than delinquent accounts), the property owner shall be given (i) a written Notice of Violation (NOV) and (ii) an opportunity to appear before the Board for a hearing on the matter.
- A. Notice of Violation. A written Notice of Violation issued by the Board shall specify the acts and/or omissions believed to constitute a violation; the amount of any possible fine; and the date, time and place of a hearing on the matter. The NOV shall be sent to the property owner at their registered address by return receipt mail and posted in a conspicuous place on the property. It is the responsibility of property owners to update LMCC of any address changes.
- B. Hearing. Hearings shall be at a Board meeting and shall not be less than² eight nor more than thirty-five days after service of the NOV in the manner provided above. At the hearing the property owner may testify, present evidence, call witnesses and/or present arguments. The Board may question anyone who testifies and may call witnesses of its own.

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C. Decision. Within fifty days after the above Hearing, the Board shall issue a written decision stating its findings of fact, the basis for its decision, and the amount, if any, of any fine. Fines, if imposed, shall begin accruing on the third day after the date of the decision. Copies of the Board's decision shall be sent to each person found to have violated these Covenant Enforcement Policies.

Adopted September 2005 by the Lake Marcel Community Club Board of Directors

Amendment history: