

## The Parks HOA

Homeowners Association Website

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## HOA Fine Structure

### Aesthetics

#### I. Introduction

Article D section 2 of The Parks, CC&Rs clearly states "The owner of each lot shall maintain the lot in a neat and presentable condition at all times." All exterior areas must be consistently maintained within the community.

#### II. Aesthetic Categories

1. Yard Maintenance — Lawns must be watered and mowed, trees and shrubs pruned, dead limbs removed, and obnoxious weeds removed from beds. Leaf piles and other debris and trash removed. Moss must be removed from driveways and walkways.
2. Home Exterior Maintenance — Paint and/or stain on each structure (house, fence, deck, etc.) must be uniform in color and without significant fading, cracking, or peeling. Roofs must be kept free of extensive moss. All renovation must be approved by the Architectural Control Committee (ACC).
3. Holiday Decorations — Christmas lights and other holiday displays must be removed within thirty (30) days following the holiday occurrence.

#### III. Infractions

Once a violation has been reported by an individual homeowner, confirmation will be determined and the violating homeowner will be notified in writing. If the violation is not corrected within a timely manner then fines will be assessed according to section IV.

At the Board's discretion, legal action may be taken against the violating homeowner at any time once a violation has been confirmed. Additional fines will continue to be assessed while the legal action is in process if the homeowner continues to violate the declaration. All legal expenses associated with the enforcement of this declaration may be assigned to the violating homeowner.

The opportunity to appeal to the Board's decision is available under the guidelines of our regular meetings.

#### IV. Fines

##### A. Yard/Exterior Home Maintenance

- 1.) First Offense — \$10.00 per day
- 2.) Second Offense — \$25.00 per day
- 3.) Third and all subsequent offenses — \$50.00 per day

B. Holiday Decorations — A fine the amount of \$10.00 per day may be assessed to any homeowner who, after receiving written notification of the non-compliance, remains in violation of this declaration. V. Rule Enforceability

If any portion of this rule is determined to be legally unenforceable it shall not negate the enforceability of the remaining portions of the rule.

Date and Enacted October 5, 2003

## Architectural Control

### I. The Parks — Architectural Control

The Parks is a community bound by Covenants, Conditions & Restrictions (CC&Rs) to maintain its attractiveness and preserve the highest property values for all homeowners.

Regarding structures and improvements, Article B, Section 1, Letter (a) of the CC&Rs clearly states: "Prior to placing any such structure or making any such improvement on the Lot, the plans and specifications for the structure or improvement and a request for approval shall be submitted and approved by the Committee as proved in Article C."

Article C, Section 3 adds: "The Committee shall have the authority to determined and establish standards involving aesthetic considerations of harmony of construction and color which it determines to be in the best interest of providing for attractive development of the Subdivision, which authority shall include but not be limited to the height, configuration, design, and appearance of the dwelling and fences, walls, mass plantings, outbuildings, pools, and other structures and improvements appurtenant to the use of a dwelling. Such determinations may be amended and shall be binding on all persons."

### II. Architectural Control Categories

A. Paint — Exterior paint on homes must be harmonious with the other homes in the subdivision. All homeowners who wish to repaint existing exterior color or change existing exterior color must submit color schemes to the Architectural Control Committee for approval prior to commencing work. Additionally common requirements are for a natural colors for the main body, no more than 3 colors on a given house, Main, Trim and Accent. The paint on the garage should match the trim or main house color so as to blend into the house naturally. Front doors may be of a separate colors, after ACC review.

B. Fencing — Fencing material and plans must be submitted to the Architectural Control Committee for approval prior to commencing work.

C. Decks, Patios & Roofs — Construction plans and a description of the deck/patio/roofing materials must be submitted to the Architectural Control Committee for approval prior to commencing work..

D. Remodeling — On any outside remodeling project, including, but not limited to, sheds, play structures, large scale landscaping, patio or deck covers, hot tubs, gazebos, greenhouses, playhouses, and dog kennels, location on the lot, construction plans and a description of materials to be used must be submitted to the Architectural Control Committee for approval prior to commencing work.

### III. Infractions

Once a homeowner has committed a violation by not obtaining written approval from the Architectural Control Committee prior to the commencement of work and has been notified in writing of such, it may result in the homeowner being assessed fines according to Section IV below and required to:

1. Repaint their home with approved color schemes.
2. Removed fencing in its entirety from the property.
3. Removed and/or replace deck/patio/roof in its entirety.
4. Restore remodeling changes to the original condition.

At the Board's discretion, legal action may be taken against the violating homeowner at any point once a violation has been confirmed. Additional fines may continue to be assessed while the legal action is in process if the homeowner continues to violate the declaration. All legal expenses associated with the enforcement of this declaration may be assigned to the violating homeowner.

## IV. Fines

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A. Nonrecurring — A fine in the amount of \$100.00 may be incurred by any homeowner who fails to obtain written approval from the Architectural Control Committee prior to commencing work on categories listed under Section

11.

B. Daily Fine — Following notice of the infraction and the initial \$100.00 fine, the homeowner will have thirty (30) days to remedy the infraction as directed by the Architectural Control Committee.

Beginning on the thirty-first (31) day following the notice, fines may be incurred by the homeowner in the amount of \$25.00 per day. This daily fine may continue until 1) the Architectural Control Committee receives a signed document by the homeowner stating the homeowner's intent to correct the violation with proposed work schedule and 2) the ACC approves the correction and work schedule. Additional fines may be assessed if work is not completed within approved schedule.

## V. Rule of Enforceability

If any portion of this rule is determined to be legally unenforceable, it shall not negate the enforceability of the remaining portions of the rule.

## Political Signs

In response to the decisions of the legislature regarding political signs, residents of Parks will now be allowed to display political signs on their own property beginning thirty (30) days before any primary or general election. All such signs must be removed by end of the day following the election. Signs may not be larger than five (5) square feet and must be placed in such a way as to not block the view of traffic or present a safety hazard. The signs may not be placed in any of the common areas. As you consider which signs to display and where to place them, please keep in mind the overall aesthetics of the community. At the Board's discretion, a fine may be assessed in the amount of twenty-five dollars (\$25.00) per sign per day for infractions regarding the placement and manner of display of political yard signs. We trust we won't need to assess any fines as we all work together to keep The Parks a neighborhood we can be proud of.

3/31/2015

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