

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

(360) 894-2941

**Rules
and
Regulations
(RED BOOK)**

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.

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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.
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.

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 rent or lease their property within Clearwood Community Association must submit to the CCA a completed CCA Rental Form (copies of which are available online or in the Administration Office) and Rental Administration Fee (RAF) at least three (3) days prior to the commencement of such rental period. The RAF is to cover CCA's added administrative costs associated with new renters, e.g. responding to tenant questions, initial access issues, etc. In addition to the Rental Administration Fee, members of CCA who rent or lease their property must submit to the CCA and annual renter fee to cover the ongoing administrative costs associated with renters, e.g., keeping renters advised of CCA activities and rules.
 - a. **For purposes of this section , the** term "rent or lease" refers to any of the following situations: (1) where a member offers a third party the right to reside on the Member's property for more than thirty (30) days in calendar

year, and includes, without limitation, licenses (i.e. guests, family members); and (2) any short-term rental arrangements such as Airbnb, VRBO, etc., where a member offers a third party the right to use the member's property in exchange for consideration.

- b. In addition to providing the CCA Rental Form and/or RAF to CCA, Members are also required to screen any potential tenants of a property within Clearwood using a tenant screening service or obtain background information, including criminal history, on any prospective tenant, at the Member's sole cost and expense. Tenant screening shall be conducted prior to entering into any lease agreement with the prospective tenant. Proof that the tenant screening requirement has been filled or that the background information on a prospective tenant has been obtained by the Member intending to lease the owner's lot must be submitted to the CCA together with the CCA Rental Form, RAF, and/or proof of tenant screening to CCA.
- c. **Failure to** timely submit the CCA Rental Form, RAF, and proof of tenant screening to CCA will result in a fine. The fine will double each thirty (30) day period in which the Member fails to submit the CCA Rental Form and RAF to CCA.

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

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 as 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

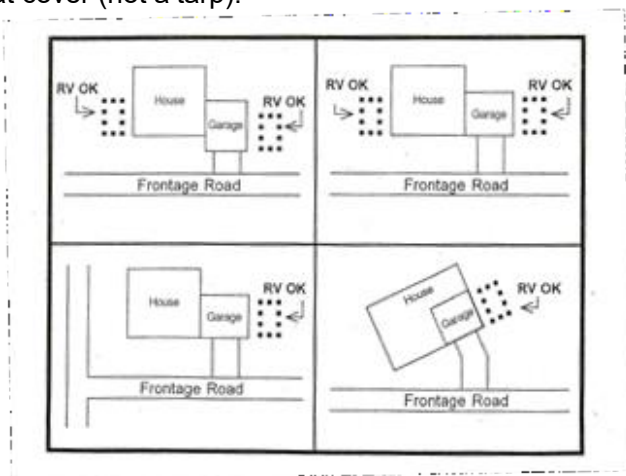
interpretation of "fishing season" is as follows:

" 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.

Storage – The Covenants specify that between November 1 and the opening of fishing season, RVs, boats, trailers, campers and RV equipment (collectively referred to in this subsection as "Accessory Vehicles") may be stored on individual lots of permanent residences in Clearwood, when screened from the road by an ACC approved screen which meets the requirements of this section.

1. An Accessory Vehicle Screen shall not detract from the overall appearance of the residence as viewed from the fronting road (address) by any Accessory Vehicles. In addition, the exterior of the Accessory Vehicle must be kept clean and in good repair.
2. All lots that satisfy the current setbacks stipulated by the ACC diagram for Accessory Vehicle Screening do not require an approved ACC permit.
3. All other Accessory Vehicle screens shall require an approved ACC Permit. An example of acceptable screening may be an approved RV/boat cover (not a tarp):



All coverings must be in colors approved by the ACC and must be kept

in a good state of repair.

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 realproperty.

E. ASSESSMENTS

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.

1. **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.1 above.
2. **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.
3. **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.

4. **Step Rates for Water Usage** – The community must establish a firm basis to encourage conservation. Starting with the implementation of “steps” in using rates: Water Usage Calculated and Billed Quarterly.

F. SECURITY AND SAFETY

The Board has the authority to appropriate funds for security for the

common good of the community.

Security measures are not intended to be used for protection of personal property or for checking cabins, RV's or property for damage.

1. **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.

Clearwood Community Association Fire Danger levels are established by the General Manager through consultation with appropriate governmental authorities.

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 - 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 kennels are allowed within Clearwood Community.

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

Members with knowledge of a violation of this section have the right to file a Report of Violation with CCA on forms available in the CCA office.

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, doubling with each future.

(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.
 - d. Political Yard Signs are not prohibited in the Clearwood Community Association before a primary, special, or general election provided that such signs meet the following reasonable rules and regulations:
 - i. No more than two yard signs are allowed on a lot.
 - ii. Signs may not be more than 18 by 24 inches and must be placed exclusively on a member's property.
 - iii. A fine may be assessed if signs do not comply with this section.
4. **Refuse Collection/Disposition and Dumping on Clearwood Community Association Property**- No items, including but not limited to, 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 Community Association, vacant or otherwise. No dumping on Clearwood Community Association property at any time. No debris and/or personal items may remain on Clearwood Community Association property at any time. Personal items left on Clearwood Community Association property will be deemed abandoned and may be disposed of.

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 designates Clearwood Community Association as a firearms control area. The unlawful use and/or discharge 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 Community Association.
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

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.

1. **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 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 subject to a fine per reported incident, chargeable to the member responsible for the actions of the skateboarder.

10. **Alcohol use** - Consumption of alcoholic beverages at Clearwood Community Association sponsored events will not be permitted, except when expressly authorized by the Board.
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 a fine. 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 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.

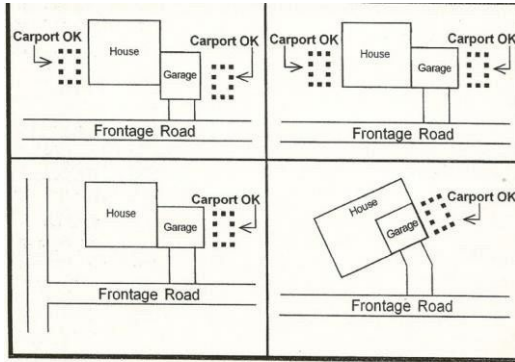
5. **Tree, Brush Removal & General Clearing -**

- 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.

- 11. Permanent Vehicle Stalls are a framed (wood or metal) structure with only a metal or shingle roof. A Permanent Vehicle stall shall not have walls but may have protective panels on the sides provided that they do not extend to the ground and that they cover no more than fifty percent (50%) of the vertical height of any side of the stall. Permanent Vehicle Stalls must only be used for storing motor/recreational vehicles and are not to be used for any other purpose, including but not limited to, storage of trash or for dwelling purposes. Permits must be obtained for the placement of these structures on private lots. Must be set back 20 feet from the front corner of the lot. Must comply with color restrictions and be kept in a reasonable state of repair, cleanliness and neatness.

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 Community Association. 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 Community Association. .
- c. **Pedestrians** shall have the right of way at all times on all roads in Clearwood Community Association 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.

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 grass area or restricted area on Clearwood property. Any vehicle parked in a grass area, a restricted area, or a No Parking Area will first be given a warning by placing a sticker on the vehicle. Parking is not permitted on the paved portion of the road or road shoulder and vehicles will be subject to towing. that it will be fined and towed should they not move their car
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 open dates and hours shall be determined by the Clearwood Community Association Board of Directors each year., 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 will be charged for pickup and storage.

Any and all sunken boats will be removed when found and the owner assessed a 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 an 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.

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 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 or on Clearwood's website, 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 the right, through the Committee and/or Board, to issue citations and levy fines or impose other sanctions for failure to adhere to the governing documents. Refer to Bylaws VIII sec.4.

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. **Safekeeping of Records.** All financial records 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 financial records against disclosure except as provided herein.
2. **Records Which May be Inspected.** The following records shall be open for inspection by any member or authorized agent on reasonable advance notice during normal working hours, provided that such member has a purpose for inspection which is reasonably related to membership interests.
 - a. **Current Articles of Incorporation and Bylaws.** These records are available at the office at no charge and are also available online. No appointment necessary.
 - b. **A list of members and other occupants of lots,** including names and addresses. These records are available at the office, by appointment only.

USE OR SALE OF MEMBERS' LISTS BY ANY MEMBER, IF OBTAINED BY INSPECTION, IS PROHIBITED.
 - c. **Financial Records.** The current financial statement is available at the office at no charge. No appointment necessary. Other detailed financial records required to be provided by RCW 64.38.045 are available at the office by appointment only.
 - d. **Minutes of member meetings and Board meetings,** and minutes which may be maintained by committees of the Board. These records are posted on the website after each meeting. Other minutes are available at consent of

the Board.

- e. **Records requested** by a member or his authorized representative which affect only the member making the request. These records are available at the office, by appointment only, at a cost for copying.
3. **Other Types of Association Records.** Records other than those set forth above in section 2 are not required by RCW 64.38.045 to be disclosed. However, certain records may be made available for inspection on a case by case basis for good cause shown with the express written consent of the Board of Directors. Examples of records that shall not be made available for inspection under any circumstances include:
 - a. Records for which disclosure would violate applicable law.
 - b. Records for which disclosure could result in a discernible harm to the CCA or any of its members.
 - c. Personnel records and employment agreements.
 - d. Attorney client privileged materials, records that are protected by the attorney work product doctrine or any other legally recognized privilege.
 - e. Disclosure which would unreasonably interfere with or disrupt the operation of the CCA.
 - f. Disclosure where access results in private harm or damage that outweighs the right to access.

Any information contained in the books and records of the CCA (including membership/ mailing lists and/or computer data) shall 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 membership in the Association

4. **Members requesting**, records that requires an appointment or Board consent, must complete an Association records request form and include the following information:
 - a. The information requested,
 - b. The records, in particular, which the member desires to inspect,
 - c. The purpose for the inspection request,

d. Confirmation that information in the records that are inspected 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. **No original records may be removed** from the CCA office.
6. **Fee for Inspection.** The member requesting to inspect records shall pay whatever reasonable costs are required to provide the requested records.
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.

End

Clearwood Community Association Rules and Regulations