

## **Architectural Control Committee Rules and Regulations**

### **A. Purpose**

1. The Architectural Control Committee (ACC) is a committee established by the Kachess Community CC&R's and its members appointed by the Kachess Board of Directors
2. The purpose of the ACC is to assure that the community property values are maximized, and the "theme and look" of the community is maintained. These rules and regulations are developed from the CC&R's with guidance from the Kachess community and the Board of Directors. It shall concern itself only with the general aesthetics, general planning. The "theme and look" is an environment consistent with a vacation mountain community in which the beauty of the natural forest is maintained and the homes blend into natural surroundings.
3. The ACC shall consider and act upon all matters properly submitted to it. In the furtherance of this function, the architectural control committee may, by unanimous vote, from time to time adopt, amend and repeal rules and regulations to be known as the Architectural Control Committee Rules and Regulations. In addition, the ACC has established fine schedules which have been approved by the Board of Directors.
4. The ACC is a three member committee appointed, by the Board of Directors, that meets during the first week of each month and approve or disapprove plans which have been submitted prior to the last day of the preceding month. These decisions require a majority vote at an ACC meeting held prior to the fifteenth of the month. If such plans and specifications are disapproved (or, if conditionally approved, unless the conditions thereof be complied with) the project construction shall not be undertaken, or if undertaken, a violation hereof may be abated by legal proceedings by any party having an interest in the enforcement hereof irrespective of the time of completion thereof, in addition to fines being assessed by the ACC. The ACC in no way shall confirm or guarantee any assumed geological conditions, safety or structural standards or construction methods. The ACC shall, in good faith, exercise discretionary approval or disapproval on the basis of minimizing interference with enjoyment of adjacent properties, protecting property values and enforcing improvement use and occupancy in a pleasing but neither sterile nor uniform combination.
5. Decisions by the ACC can be appealed to the Kachess Community Board of Directors at the next scheduled Board meeting following the receipt of an unfavorable decision by the ACC.

## **B. Areas of Responsibility**

1. The ACC has rules and regulations governing the following:
  - a. Building, remodel, painting/restaining, or any change to the exterior of any structure in the community
  - b. Additions of new structures to a lot
  - c. Removal of trees and/or pruning
  - d. Clearing of lots
  - e. Installation of septic systems
  - f. Installation of driveways, culverts and driveway gates
  - g. Installation and screening of propane tanks
  - h. Painting/staining of decks and structures
  - i. Landscaping of lots
  - j. Parking of items on the lot or community property during construction or approved work phase
2. Any property owner wishing to undertake any project involving any of the above items needs to contact the ACC in writing to understand the procedures for approval, prior to starting the project.

## **C. ACC Rules and Regulations**

1. Construction. Any construction, remodel, septic system installation, requests for lot clearing will not be granted to any property owner(s) whose lot is in financial arrears to the community with regard to annual dues, fines or any special assessment that is levied on a lot. Construction shall not begin until a Kittitas County approved building permit (if required by the county) and structural plan set is obtained, together with written approval from the ACC as provided below. This includes exterior decks or any unattached structures
1. Date of Completion of Construction. The work of construction of all buildings and structures shall be prosecuted diligently and continuously from commencement of construction until the structures are fully completed and painted/stained. All structures shall be completed in external appearance, including finishing painting or staining within one year from the date of issuance of a building permit from Kittitas County Building Department.
2. Residential Use of Temporary Structure Is Prohibited. No mobile homes, tents, trailers, boats, campers, or other building or any structure of a temporary character shall be installed or stored on any property or lot except solely as is permitted by the ACC and necessary during active construction, subject to a special permit issued by the ACC. Said permit shall be issued at the sole discretion of the ACC and may be revoked by the ACC at any time.

3. Exterior Finishes. No reflective finishes (other than glass) shall be used on exterior surfaces (other than the surface of hardware fixtures) including but without limitation to the exterior surfaces of any of the following: roofs, projections above roofs, retaining walls, doors, trims, fences, pipes, and equipment. The colors of all exterior surfaces shall be in harmony with the natural setting and surroundings; and the use of stains instead of paint is encouraged. Except for nails, bolts, and other approved connecting devices and hardware fixtures, all fences, gates, screens, and similar exterior structures shall be constructed/encased solely of wood within residential areas; provided that, subject to the limitations on reflective surfaces stated above, retaining walls may be constructed of other materials. All repainting and/or staining of exterior structures require the approval of the ACC. Color samples need to be submitted to the ACC, along with the request to perform the work.
4. Parking. Each lot shall contain sufficient parking for at least one automobile for each lot by one of the following means:
  - a. A garage either attached to or detached from the main structure
  - b. A carport enclosed on not less than three sides, either attached directly to the main structure or connected by roof or wall.
  - c. Driveway large enough to accommodate a least one car for “off street” parking.
5. Lighting. Except in the association common areas, there shall be no exterior lighting of any sort either installed or maintained, the light source of which is visible from neighboring properties, which is turned on at dusk and stays on till dawn. Bare light bulbs and floodlights anywhere within the property are specifically prohibited within residential areas except when installed on motion detectors for safety purposes. The ACC may permit specific reflective, decorative or safety lighting within the parking areas as well as on paths.
6. Enclosures. Enclosures can be constructed that are no greater than 6 feet wide by 20 feet long, with one of the longest sides being attached to the house making it a visual part of the house, constructed of cedar fencing material no greater than 5 feet in height, and stained/painted the same color as the siding of the residence.. If the owner wishes to put a eyebrow roof over the structure, the roofing material and color must be the same as the existing residence roof and protrude out from the residence no more than 7 feet.
7. Fences. Fences are to be used to shield storage items, propane tanks and firewood. They must be limited to 5 feet high. Fences, when allowed, are to be made solely of wood and painted/stained to blend into the surroundings. If the fence is connected to the residence, it shall be the same color as the residence. An outdoor wall, which might be referred to as a fence, is allowed to connect a garage or guest house to the main residence. In this case, the height is restricted to a 6 foot minimum. All fences must be made solely of wood and shall be in harmony with the surrounding environment.

8. Driveway Gates. Driveway gates are allowed, providing they are of a very specific approved design, encased in totally in wood and painted/stained to blend into the surroundings. Any metal portion of the gate may only be only visible on the hinges and actual locking mechanism. Any pole holding the locking mechanism must also be encased in wood. The gate must be of the “Single Pole” design. A pole added at an angle to the bottom of the single pole for reinforcement is allowed. Under no circumstances can there be any screens, bars, signs, chains or ornamentation of any kind on the gate. The ACC committee has an example available of the specific type of gate that is allowed under this rule. A drawing of the proposed gate complete with paint/stain colors must accompany the request for installation. A refundable construction deposit of \$1,000 will be required if installation is not part of a new or remodel project already in progress.
9. Propane Tanks. It is preferred to have propane tanks buried however, if the tank will be above ground, the tank must be enclosed by a 5’ high cedar fence no greater in perimeter than is necessary to screen the propane tank from view. The tank must be fenced on all four sides with a gate for access and stained to blend in with its surroundings. An acceptable alternative to a wood fence is to use suitable natural vegetation that will shield the tank on all four sides during all four seasons. This natural screen must be maintained in such a manner that dead vegetation is removed and like kind and size vegetation is used to replace the old/dead vegetation if necessary. Replanting of new “small” plants that do not provide an immediate screen is not authorized. This applies to existing tanks as well as tanks that may need to be moved to another location on the lot.
10. Tree Removal and/or Pruning. No tree shall be removed if the tree is eight (8) inches or greater in diameter, at chest high above the ground or approximately 5 feet, without prior written approval by the ACC. Pruning of limbs up to twelve feet is allowed for fire protection but under no circumstances can a tree be topped nor trimmed for view purposes.
11. Clearing of lots. No lot shall be cleared for building or any other purpose until a site plan has been submitted and written approval received, showing the reason for clearing, outlining property lines, proposed house location, and/or septic tank location, lot access and proposed tree removal. Downed trees and limb debris must be removed from the lot in a timely manner and may not be left on the construction site or on the lot for a period to exceed six months. Failure to remove said trees after the deadline and after a formal request from the ACC or Board may result in a fine as outlined on the fine schedule published as a part of this document. Debris left on site 15 days after an official ACC request to remove said debris or trees will then be removed at owner’s expense with the construction deposit to be used to pay for removal. If the construction deposit is less than the amount charged to remove said debris, the remaining balance will be added to a bill that is the liability of the property owner and all collection methods available to the community will be used to collect on the debt.

12. Water Service. No work can start until a proper water service connection and water meter, as specified by the KCA water system water committee is installed on the property. Additionally all fees must be current, as established in section 18a of the Kachess Community Association Small Water System Management Plan. A Kachess Community designated inspector and/or approved contractor must inspect the water/meter connection before construction can begin. . If a water line is damaged, the owner must notify a Kachess Community Board member or an ACC member immediately. Under no circumstances shall a lot owner or any of its contractors attempt to fix a broken community water line. All repairs and/or damage to the association owned water system up to and including the water meter, that may occur by applicant and or his/her agents, must be performed by an KCA approved contractor, the cost of which shall be assessed to and paid by the applicant upon completion of work. All water connections, are subject to the Kachess Community Association Water System Administrative and Operating Rules, as established in the Kachess SWSMP , and currently approved the Board of Directors.
  
13. Installation of Septic Systems. No septic systems shall be installed or lots cleared for septic system installation until a Kittitas County approved site plan has been submitted and written ACC approval received. The owners need to submit detailed plans showing the location of the septic tank, trees needing to be removed, outline of property lines, proposed house location, and lot access. A copy of the septic permit must be provided to the ACC. The final, county signed, approval document must be forwarded to the ACC committee along with the request for a refund of the construction deposit for a septic system.
  
14. Installation of Driveway. No driveway on Via Kachess road shall be installed until a site plan is submitted showing the location of the driveway, a permit from Kittitas County is secured for the installation of a culvert under the driveway, and written approval for the installation of the driveway is received from the ACC. All other lots must have ACC approval for culvert installation and when necessary, installed to county standards.
  
15. Landscaping of a Lot. No major landscaping shall be performed on a lot until a plan is submitted to the ACC showing the nature of the landscaping and the impact on water drainage. This includes installation of rockery, retaining walls, and walkways. Written approval is needed from the ACC before moving forward on a landscaping project.
  
16. Tarps. Tarps covering woodpiles are allowed, as long as they are dark brown or black in color. No other colors are allowed.
  
17. Spark arrestors. All Chimneys must have spark arrestors installed on them.

18. No building, enclosures, walls, or other structure shall be commenced, erected or maintained upon the property nor shall any exterior addition to or change (including repainting/restaining, changing color) or alteration therein be made, nor shall a lot be cleared, tree cutting or excavated for use; nor shall any tree of eight (8) inches or more in diameter, as measured at chest high above the ground (or approximately 5 feet) be cut, nor any driveway or septic system installed, until after the details and written plans and specifications showing the nature, kind, shape, height, materials and location of the same shall have been submitted in writing to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the ACC. The Kachess Community Building Contract must be signed and submitted to the ACC.

**ANY VIOLATION OF THE TERMS AND CONDITIONS OF THE ARCHITECTURAL CONTROL COMMITTEE RULES AND REGULATIONS, UN-AUTHORIZED DEVIATION FROM SUBMITTED AND APPROVED PLANS, VIOLATION OF THE KACHESS COMMUNITY RULES AND/OR DECLARATION OF COVENANTS/BYLAWS, WILL RESULT IN A STOP WORK ORDER BEING PLACED ON YOUR PROPERTY AND/OR FINES LEVIED FOR VIOLATIONS. THE LOT OWNER WILL BE RESPONSIBLE FOR ALL LEGAL FEES, BONDING FEES, AND ANY OTHER FEES ASSOCIATED WITH A STOP WORK ORDER.**

## Kachess Community Building & Exterior Modification Contract

- A. This agreement has been prepared by the Architectural Control Committee (ACC) to outline the obligations of the ACC, the property owner (owner) and the contractors involved in building in the Kachess Community. Completed packages as well as all requests for change and/or modifications, should be sent to the **ACC Chairman at [acc@kachess.com](mailto:acc@kachess.com)**. **NO WORK CAN BE STARTED ON THE LOT UNTIL FINAL WRITTEN APPROVAL HAS BEEN RECEIVED BY THE OWNER FROM THE ACC, THIS INCLUDES LOT CLEARING.**
- B. It is required that you read your Declaration of Covenants, which were provided to you at closing, and specifically Article IV and Article IX and review the attached fine schedule. If you cannot find this information, you can contact Kittitas County Assessors Offices in Ellensburg Washington, by calling 509-962-7501, and request another copy or go to [www.kachess.com](http://www.kachess.com) to view the documents. The information in this attachment focuses on the policies and procedures for building.
- C. All required submittal information will have to be complete and delivered to the ACC before any approvals can be granted. Partial approvals will not be given. If you want to install a septic tank or do lot clearing prior to building, a request can be made for this work separately from the home construction.
- D. Construction, remodel, septic system installation, requests for lot clearing will not be granted to any property owner who is in financial arrears to the community with regard to annual dues, fines or any special assessment that is levied on a lot.
- E. Lot clearing, water service, septic tank, propane tank, or driveway:
1. A deposit of \$500.00 is required when submitting a request for installation of a septic system, clearing of a lot for septic system installation or building site preparation, installation of a propane tank, or driveway installation, along with a signed copy of this contract. This deposit is refundable after you have completed the work and make a request for the ACC to inspect your property. Completion means that all work is complete (septic tank and drain field are installed and/or driveway and culvert installed), and the site is clear of debris.
  2. **Water Service: NO WORK CAN START** until a proper **water service connection** is installed on the property. A non-refundable fee of \$200 is required at the time a new water service is installed. This fee covers assistance with location of hook up, inspection of initial installation and a post inspection at the time the permanent water line is installed. You must contact or e-mail the ACC Chairman at [acc@kachess.com](mailto:acc@kachess.com) to request a water service. You will be provided with the inspector's contact information. **The designated inspector MUST approve the water service connection installation.** Until inspected, the water connection must remain accessible.

- a. Water hookup must be accomplished by a licensed plumber or by such person as designated by the ACC. Proper bedding is required when installing your water hookup. White PVC pipe is not an acceptable hookup for underground installation. A hose long enough to reach all areas of work must be hooked to the water source and available at all times during the working process. The water source and hose must be clearly marked for easy access by all workers at the site. Fire prevention is a foremost concern to the community and work will be stopped if these rules are not complied with.
  - b. A water shut-off valve must be installed on the owner's side of the connection to the community water system. This shut off valve must be clearly marked and show on the building plans. It is required that the owner install a water pressure regulator valve, as the pressure in the line can fluctuate up to 150 pounds per square inch.
  
3. If a water line is damaged, the owner must notify a Kachess Community Board member or an ACC member immediately. The lot owner will be charged for all repairs and any cost associated with the break in the water line. **UNDER NO CIRCUMSTANCES SHALL A LOT OWNER OR ANY OF ITS CONTRACTORS ATTEMPT TO FIX A BROKEN COMMUNITY WATER LINE.** All repairs and/or damage to the association owned water system up to and including the water meter, that may occur by applicant and or his/her agents, must be performed by an KCA approved contractor, the cost of which shall be assessed to and paid by the applicant upon completion of work. All water connections, are subject to the Kachess Community Association Water System Administrative and Operating Rules, as established in the Kachess SWSMP , and currently approved the Board of Directors.
  
3. The Community property and road right-of-ways are not to be used for storage of any construction material.
  
4. You must submit a site plan showing the location of the septic tank and drain field, or propane tank, property lines, detail dimensions to property lines, proposed house location, driveway location and lot access.
  
5. If a culvert is needed to be installed for access to your property to perform work on the property, contact Kittitas County Department of Public Works (509-962-7523) for a permit and/or information on culvert installation.
  
6. If clearing of trees is needed, **permission must be obtained to remove any trees greater than eight (8) inches in diameter** (as measured chest high above the ground or approximately 5 feet). Plans must be submitted showing trees requested to be removed and trees marked, as part of the approval package. Only trees needing to be removed to install a driveway, septic tank and drain field, or structure will be approved for removal. Clear cutting is prohibited. Trees are not allowed to be removed or trimmed to improve your view.

7. Copies of the Kittitas County Health Department perk permit needs to be submitted before any clearing or septic system install can begin.
8. **NO BURNING OF ANY KIND IS ALLOWED IN THE KACHESS COMMUNITY AT ANY TIME. THIS INCLUDES CAMPFIRES. ALL CLEARED DEBRIS MUST BE HAULED OUT OF THE COMMUNITY.**
9. All work must be completed within 60 days of the start of the project. This includes cleanup.

F. Building, Exterior Remodel or Surface Water Alteration Submittal Procedure

1. A non-refundable deposit of \$50.00 is required at the time you submit building plans for review (this will not apply to a request for repainting/restaining exterior of existing structures). **Before you can start building or exterior remodeling, all plans must be submitted and approved, this contract form must be signed by the owner and the contractor, and a refundable deposit of \$2000.00 must be submitted.** This deposit will be refunded when all work is completed to specifications, and all clean up is complete. **When you are ready for a final inspection by the ACC, you need to submit an inspection request, in writing to the ACC.**
2. One set of plans, Kittitas County approved, need to be submitted to and retained by the ACC Committee showing the following in detail:
  - a. Legal description of property, Kachess lot and division number along with Kittitas County assigned address.
  - b. Plan needs to show planned locations for house, septic tank, drain field, garage, drainage, driveway, parking areas, natural drainage areas and water course locations.
  - c. All requirements for installation of septic tank above must be followed.
  - d. Outdoor lighting (if any).
  - e. Any type of exterior structure (residence, garage, deck, shed, fence, etc.) must have a wood exterior. Allowable exceptions include fastening hardware, foundation work, roofing, landscaping stones, windows and window frames. Doors can be metal providing they look like wood. Siding can be the concrete-plank type providing it looks like wood.
  - f. Landscaping plan showing areas to be replanted after construction.

- g. Location of propane tank and or plans for burying the tank, or screening if propane tank is to be installed above ground. Keep in mind that the side roads are not plowed in the winter months, thus you will need enough propane storage to last through this time period.
  - h. Plans for required off-street parking of vehicles.
  - i. Building plans must show all floor plans including decks and walkways with sufficient elevations and building sections to show method of construction for all elevations of the structure.
  - j. Specify the exact colors and materials (include samples, color chips and/or exact website address) to be used on the exterior of your building to include:
    - I. Roof plan and roofing color (dark colors only, no white, or other reflective colors allowed).
    - II. Exterior siding (plywood siding or T1-11 is not allowed anywhere on the exterior of the structure) material and colors (colors should blend into the natural forest surroundings).
    - III. Windows (white or off-white is not allowed).
    - IV. Doors and trim colors (colors should blend into the natural forest surroundings).
    - V. Exterior fireplace material and colors.
    - VI. Railing and decking materials and color.
3. If a variance is needed from Kittitas County for construction, no building or clearing can begin until the permit and variance form is obtained and a copy submitted to the ACC.
  4. **NO WORK CAN START** until a proper **water hookup** is installed on the property (refer to Paragraphs C 12, E 2, E3 above).
  5. **NO BURNING OF ANY KIND IS ALLOWED IN THE KACHESS COMMUNITY AT ANY TIME. ALL CLEARING DEBRIS AND BUILDING MATERIALS MUST BE HAULED OUT OF THE COMMUNITY.**
  6. **NO BUILDING MATERIALS CAN BE PUT IN THE COMMUNITY DUMPSTER. IF BUILDING MATERIALS ARE PUT IN THE COMMUNITY DUMPSTER BY THE CONTRACTOR, SUB CONTRACTORS OR LOT OWNER, A \$500.00 FINE WILL BE LEVIED AGAINST THE LOT OWNER, PER INCIDENT.**
  7. All structures shall be of new construction (except used brick, siding, or similar decorative materials may be used). The use of stains instead of paints is highly advised by the ACC, due to the harsh weather conditions.

8. Per Kittitas County regulations, culverts must be installed in the ditches under all driveways. You need to contact Kittitas County Department of Public Works for specification and permits. Set back requirements from the front, back and side of the property lines may be more than what the ACC requires, due to Kittitas County rules. You should check with the Building Department at Kittitas County for minimum set back requirements.

#### G. Repainting, New deck construction and landscaping submittal procedure

1. For repainting/restaining (different color than original, for same color repainting/restaining see Paragraph H1), new deck construction or landscaping submissions, a deposit of \$250.00 is required. **However, before you can begin these projects, all plans must be submitted and approved by the ACC and this contract form must be signed by the owner and the contractor.**
2. When you are ready for a final inspection by the ACC, you need to submit this request in writing to the ACC. After final inspection is approved, your \$250.00 deposit will be refunded.
3. A complete set of plans needs to be submitted to the ACC showing the following in detail:
  - a. Kachess lot and division number along with Kittitas County assigned address.
  - b. Color samples and paint chips for all selected colors/stains.
  - c. Wood or wood composite to be used on deck construction.
  - d. Landscaping plan showing areas to be replanted after construction (all trees being replanted must be of same variety as surrounding area).
  - e. **NO BURNING OF ANY KIND IS ALLOWED IN THE KACHESS COMMUNITY AT ANY TIME. ALL CLEARING DEBRIS AND BUILDING MATERIALS MUST BE HAULED OUT OF THE COMMUNITY.**
  - f. **NO BUILDING MATERIALS CAN BE PUT IN THE COMMUNITY DUMPSTER. IF BUILDING MATERIALS ARE PUT IN THE COMMUNITY DUMPSTER BY THE CONTRACTOR, SUB CONTRACTORS OR LOT OWNER, A \$500.00 FINE WILL BE LEVIED AGAINST THE LOT OWNER, PER INCIDENT.**

#### H . Maintenance

1. ACC approval is required for repainting/restaining outside structures even if the color remains the same (no fee). A letter informing the ACC of the paint/stain brand and color chip number is required before approval is granted.
2. Repair of damaged or rotted deck, exterior stairs or railings do not need ACC approval unless color or dimensions are changed from original.

## General Information

1. You need to submit your Kittitas County approved plans to the ACC, along with this contract signed by the owner and contractor agreeing to the terms and conditions for construction in the Kachess Community. **No construction or clearing can start until this contract is signed and returned to the ACC along with all deposits and fees, and a formal letter of approval from the ACC is received by the property owner.** The return of this signed contract is a critical part of the approval process. The purpose of the contract is to make certain all interested parties understand the full intent of the ACC and the community rules and agree to follow them. If a general contractor is involved in your building or remodeling process, then they must sign this contract. The property owner is responsible for all actions of the general contractor and any of its sub contractors. The owner will be held liable for all violation by the general or sub-contractors. If you change general contractors in the building process, new forms need to be signed by the new general contractor.
2. Spark arrestors must be installed on all open chimneys or fireplaces
3. The club house and common areas are not to be used by the general or sub contractors. Portable toilets must be provided for your building crews during the building period (per Kittitas County Building rules). These cannot be placed on the public right-of-way.
4. If building contactors block the road with vehicles or construction material, the blocking item will immediately be removed and the owner will be billed for the expense of removal and storage. All community roads need to stay clear for emergency vehicle access.
5. The exterior construction of all structures must be completed within one year from the date the building permit is issued by Kittitas County. Completion of construction means all roofing, windows, siding, exterior walk-ways, rails, decks and any other exterior construction. If the owner does not conform to this requirement, it is agreed that the owner will pay a fee of \$100.00 per week for every week construction is not complete. Completion of construction is determined by a review by the ACC and the meeting of all terms and conditions of this agreement, as determined by the ACC.
6. Water, electric, and phone lines are installed in the ditches in front of most lots. All precautions must be taken not to damage any of these.

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**FOR ALL LEGAL FEES, BONDING FEES, AND ANY OTHER FEES ASSOCIATED WITH A STOP WORK ORDER.**

**ALL REQUEST FOR CHANGE AND OR MODIFICATION MUST BE SUBMITTED IN WRITING TO THE ACC. NO APPROVALS FOR CHANGE AND/OR MODIFICATION CAN BE GIVEN VERBALLY. ONLY CHANGE OR MODIFICATION REQUEST GRANTED BY THE ACC IN WRITING WILL BE HONORED. AGREEMENT**

- 1. I agree to follow all the rules and regulations as outlined in this 15 page document, the Kachess Community Declaration of Covenants, and the ACC rules and regulations document. I agree not to change or alter anything that was submitted to the Architectural Control Committee (ACC) without their explicit written permission. All changes and or alterations need to be submitted in writing and have written approval from the ACC prior to instituting the change.**
- 2. I also understand that, as the property owner, I responsible for assuring the builder, general contractor and all of the sub-contractors follow the rules and regulations outlined in this document and the Kachess Community Declaration of Covenants. I have received and read a copy of the “Kachess Community Association Fine Schedule” (attached). The property owner will be billed for the enforcement, legal cost, court cost and any other cost or fines associated with the enforcement of the rules and guidelines outlined in this document and the rules and conditions outlined in the Kachess Community Declaration of Covenants.**

**Owner** \_\_\_\_\_ **Date** \_\_\_\_\_

**Mailing Address** \_\_\_\_\_

**Daytime Telephone** \_\_\_\_\_

**Owner** \_\_\_\_\_ **Date** \_\_\_\_\_

**Mailing Address** \_\_\_\_\_

**Daytime Telephone** \_\_\_\_\_

**General Contractor** \_\_\_\_\_ **Date** \_\_\_\_\_

**Mailing Address** \_\_\_\_\_

**Daytime Telephone** \_\_\_\_\_

**KACHESS COMMUNITY ASSOCIATION  
FINE SCHEDULE**

\$ 1500.00	Failure to receive written approval from the Architectural Control Committee (ACC) before commencement any work covered in the ACC Rules and Regulations Guide.
\$ 1000.00 Per Tree	Removal of trees, 8 inches or greater in diameter measured at chest high (or approximately 5 feet) from the base of the tree without prior ACC written approval.
Triple tree value or \$1000.00 per tree, whichever is greater	Removal of trees from common area (Kachess Community property) without prior ACC written approval. In addition to the fines, the owner may be required to replant an evergreen tree (or other tree type specified by the ACC) at least 10' in height.
\$ 50.00 Per Day	Any violation of parking regulations in reference to restricted items parked on owner's lot (per day after notification of violation).
\$ 2000.00 Per Occurrence	Any clearing of lot without prior ACC written approval. This fine would be in addition to fines for trees removed that were not necessary for building of a structure, installation of a septic system and/or installation of a driveway.
\$ 1000.00	Septic tank or drain field installation or modification without prior ACC written approval. This fine would be in addition to fines for trees removed that were not necessary for installation of septic tank and/or drain field.
\$ 1000.00	Installation of a driveway without prior ACC written approval. This fine would be in addition to fines for trees removed that were not necessary for installation of driveway.
\$ 250.00 Per Occurrence	Installation or modification of landscaping without prior ACC written approval. Including delimiting, propane tank screening, eco-block or boulder additions.
\$ 50.00 Per Day	Use of community property for storage of materials.
\$ 1000.00 Per Day	Beginning any work on a lot without an ACC specified water hookup.
\$ 1000.00 Per Occurrence	Outdoor burning of any kind or type (including campfires), in addition to any fines levied by County, State, and/or Federal agencies.
\$ 50.00 Per Day	Failure to haul construction debris or downed trees from lot, after requested to do so by the ACC plus actual cost of removal of said debris or trees.
\$ 500.00 Per Occurrence	Any materials placed in community dumpster, other than household waste.
\$ 50.00 Per Day	Failure to install or removal of spark arrestor on open chimney or fireplace.

Failure to complete construction within one year, without prior ACC approval: \$100.00 per week until completion as determined by a review by the ACC and the meeting of all terms and conditions of the building/modification contract with Kachess Community Association.

The Board has the ability to assess fines, combined with interest, for otherwise unspecified violation of the Kachess Community Declaration of Covenants, Conditions, and Restrictions: The fine schedule shall be as follows: \$100.00 (One Hundred Dollars) if the violation is not resolved within the 14<sup>th</sup> (fourteenth) day after written notification to the property owner, \$200.00 (Two Hundred Dollars) if the violation is not resolved within the 30<sup>th</sup> (thirtieth) day of written notification, the fine amount shall increase by \$500.00 (Five Hundred Dollars) for every 30 day period after the first 30 days until the violation is resolved.

All fines imposed shall accrue interest at 12% per annum from the date said fine is communicated to the Lot Owner.

Refundable deposits, when building plans submitted, will be utilized to pay any fines incurred.

All above fines are in addition to and do not supplant in any way all other legal remedies which the Association or other lot owners may have against the offending lot owner.

Any fine or community paid cost necessitated by a property owner not in compliance with these ACC rules may be attached as a lien to the Kachess Community Association property owned by any property owner with an outstanding balance. Said lien may be foreclosed in the same manner as a lien for dues and assessments and all provisions of the Amended and Revised Declaration of Covenants, Conditions and Restrictions and Notice of Subjection of Assessment of Liens shall apply thereto, provided, however, said fines and collection costs shall not be considered part of the annual assessment as defined in Article V, thereof.

Lot Owner shall be responsible for all fines, even if violation was committed by any agent of Lot Owner, including any contractors or subcontractors.

If any collection action of any fine is necessary, Lot Owner shall pay, in addition to said fines and interest accrued, all reasonable collection costs (including title reports) and attorney fees incurred in such suit or action, including any attorney fees and costs incurred on appeal.