



L A K E M O O R

## HOMEOWNER HANDBOOK

Rev. September 2023

# FOREWORD

This Handbook is included as one of several governing documents for the Lakemoor Homeowners Association (HOA). It has been created to summarize some of the rules and regulation of the HOA, and to help clarify these rules and assist in the enforcement of the rules and regulations.

Should there be a conflict between this Handbook and the Lakemoor HOA; CC&R's, Master Declarations or any of the other legal governing documents, these legal documents shall prevail.

The following documents are some of the governing documents of the Lakemoor HOA. Access to the below listed documents, as well as the other governing documents of the Lakemoor HOA can be viewed at [www.lakemoorhomeowners.com](http://www.lakemoorhomeowners.com).

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*Master Declaration of Covenants, Conditions and Restrictions*

*First Amendment to the Master Declaration*

*Second Amendment to the Master Declaration*

*Third Amendment to the Master Declaration*

*Fourth Amendment to the Master Declaration*

~ The purpose of this Master Declaration is to set forth basic restrictions, covenants, limitations, easements, conditions, and equitable servitudes (collectively "Restrictions") that will apply to the entire development and use of all portions of the Properties. The Restrictions are designed to preserve the Properties' value, desirability, and attractiveness, to insure a well-integrated, high-quality development, and to guarantee adequate maintenance of the Common Area and the improvements located thereon in a cost effective and administratively efficient manner. ~

*First through Tenth Supplements/Supplement Amendments to the Master Declaration*

*Bylaws*

*Plat Maps Phases 1-10*

*Architectural Guidelines and Construction Requirements*

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The HOA Board of Directors (Board) and Architectural Committee (ACC) are committed in their efforts to create a harmonious community with the resources they have been granted. ACC and Board policies enacted as of November 1, 2015, are included herein. Whenever possible, the Board will refer enforcement of certain covenant and policy violations to local or state authorities. Municipal code enforcement of abandoned cars on public roads and animal control are two examples. This enables the HOA to save costs on enforcement and litigation action for non-compliance items already governed by civic codes and statutes.

It should be recognized that the Board and ACC are comprised of volunteers and that there are limitations as to what the HOA is able to address on behalf of residents. Neighbor-to-neighbor issues should be resolved between the conflicting parties. Examples of neighbor-to-neighbor issues include but are not limited to animal control complaints such as pets being off leash, significant and regular barking creating a nuisance, or owners not cleaning up feces; noise ordinance violations; encroachment concerns with landscape and/or drainage from neighboring homeowner properties. Residents are encouraged to review HOA governing documents and policies regularly and to do their part in meeting these obligations.

**\*\*DISCLAIMER: IF THERE IS ANY DEVIATION FROM THE CC&Rs, THE CC&Rs WILL GOVERN.**

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# ARCHITECTURAL REVIEW POLICIES

## **BASKETBALL STANDS [2014]**

Personal basketball stands and hoops will not be permitted as community sports courts are under development.

## **COMMON AREA USE [2012]**

The ACC determined that no structures or objects are to be placed in the common areas adjacent to the waterways and lakes other than boulders, the size number and placement of which must first be approved by the ACC.

## **DEPOSITS FOR NEW CONSTRUCTION [2012/REV 2013]**

To promote compliance with builders during new construction, the ACC determined a \$1000 deposit would be instituted. The deposit may be refundable upon satisfactory final inspection after construction completion, providing builder adhered to all ACC requirements, as well as jobsite guidelines, during construction.

## **EXTERIOR LIGHTING [2023]**

Property owners must maintain the exterior lighting required by the CC&R's in proper working order, including front entryway lights, garage door lights, and photosensitive pole lights.

Exterior lighting that is visible from streets, neighboring lots or common areas must have a concealed light source (e.g., covered, shielded, hooded) and shall not directly illuminate or project onto neighboring properties. Exterior light fixtures should point downward; however, ACC may approve fixtures that cast light upward if they are located under a roof and the beam of light does not extend beyond such roof.

All exterior lighting shall be harmonious with the building design. Individual lights are limited to 1500 Lumens or the equivalent of a 100-watt incandescent bulb and should emit white light with a color temperature between 2700K and 6000K. No colored bulbs are permitted in lighting fixtures. All exterior lighting must be identified on submittal applications and is subject to approval by the ACC.

Light strands or strings are not permitted on a home except as may be allowed per the holiday decoration policy. Lights that change colors, run, blink, or create patterns are not permitted.

Exterior security lighting will be permitted provided the following standards are met:

1. Security lighting shall be limited to lighting that is triggered by motion on such Lot and may not be triggered by motion on neighboring properties or common areas. The sensitivity to movement must be properly adjusted so as not to create an annoyance.
2. Such lighting shall not be directed at any neighboring properties and shall be mounted no higher than ten feet (10') above the ground.
3. The motion detector shall be programmed to shut off the light(s) no longer than five (5) minutes after motion is detected and the light has been illuminated.

At any time, the HOA may restrict the use of lighting that violates these policies or creates a nuisance to other homeowners.

## **FLAGPOLES [2014/REV 2020]**

**FLAGPOLES:** Flagpoles are permitted in the Lakemoor subdivision, subject to the following restrictions and rules. Installation of a permanent flagpole requires the approval of the Architectural Control Committee prior to installation. The impact on neighbors should be considered when selecting the location for the flagpole.

- Only the United States of America, State of Idaho or Branches of the USA Military flags may be flown.
- Flags may be displayed either on a removable pole, secured to the residence by a bracket or on a permanent flagpole.
- Only one resident mounted or permanent flagpole per residence is permitted.
- Flagpole – telescoping, removable, or a fixed height pole.
- Material – wood or aluminum when mounted on the residence; must be aluminum for permanent flagpoles.
- Color – aluminum, white, black, or bronze.
- Height – does not exceed the ridge line (highest point of the roof) of the residence.
- Base size – maximum 2 ½ inches.
- Halyard – external halyard (nylon ropes) not permitted.

- Hardware must be of materials that prevent noise in the wind.
- MAXIMUM FLAG SIZE– 3 FOOT BY 5 FOOT.
- Quantity – one per household.

#### **FLYING THE US FLAG**

The US Flag must be clean and in good condition and comply with generally accepted flag etiquette. A flag should be flown from sunrise to sunset. However, a flag may be displayed 24 hours a day if properly illuminated during the hours of darkness. Flags should not be displayed on inclement weather days, except when an all-weather flag is displayed (all weather – nylon or non-absorbent material).

#### **GARDEN AREAS & RAISED PLANTER BOXES [2013/REV 2014/REV 2021]**

Consumable and raised gardens must be submitted for ACC approval prior to any installation.

Backyard raised garden planters are approved for the residents of Lakemoor. Approval of these additions must be submitted to the Architectural Control Committee (ACC) via a drawing showing exact location within the back yard. The quantity, square footage, location, and construction materials must follow these guidelines:

- A maximum quantity of two beds will be allowed
- Each raised garden bed can be no larger than 40 square feet and 36" from ground level
- Placement of the raised gardens should minimize visible obstruction from all neighbors
- Bed materials must blend in with back yard surroundings and house colors. The exterior of the garden planter(s) shall not be constructed with any reflective materials.
- The planter beds may not damage adjoining property through the flow of water onto said property
- The planter beds may not encroach on the community-maintained common area
- During the non-growing season, these planter beds need to be cleared out to prevent weeds or unsightly dead foliage to be visible from any surrounding neighbors.

#### **GROUND COVER & USE OF ROCKS IN LANDSCAPE [2014/REV 2019]**

Refer to the CC&R's, Supplements to Amendments 1 – 5, for detailed landscaping requirements.

All initial and subsequent modifications to existing landscaping require ACC approval, in advance of the work being performed.

Landscape changes not requiring ACC approval:

1. Replacing diseased or dead; trees, shrubs and lawn with the same tree, shrub or grass in the same location.
2. Planting or replacing flowers or vegetables in approved existing; plant beds, flowerbeds or vegetable gardens.
3. Trimming of trees and plants.
4. Removal of dying or dead plants not required by the CC&R's

Natural grass and natural mulch are the only approved ground covers. Use of any other ground cover requires the approval of the ACC, in advance of the work being performed. Natural grass must be the predominate ground cover used. Mulch cannot be used to cover significant areas of the lot. Significant is at the discretion of the ACC.

The ACC may approve, at its discretion, the use of rocks in lieu of grass or mulch as a ground cover. The rocks used must be no more than approximately 2 inches in size, and dark to moderate in color. Use of white or light-colored rock is not permitted. Where rocks are used in lieu of mulch, appropriate plants must be planted every four feet.

Use of artificial grass, perma-bark, glass, plastic, rubber or any other material, other than natural grass; natural mulch or natural rock requires the specific approval of the ACC.

Large rocks used as a landscape feature must be approved in advance of the work being done, by the ACC.

Use of river rock or any other type rock, for any purpose, must be approved in advance by the ACC.

#### **INVISIBLE PET FENCES [2012]**

Invisible fences for pets require ACC approval prior to any installation and must be setback a minimum of 10 feet: 1) when installed adjacent to any public rights-of-way, including sidewalks, pathways and streets; or 2) when installed on a Lot near a neighboring property line where no other fence is installed outside of the invisible fence.

### **LIMITED COMMON AREA PHASE 5 [2016]**

The conditions and restrictions that will apply to any enhancement of the "Limited Common Area" (the portions of Lot 165, Block 7, Lakemoor Subdivision No. 5 which are located between the rear lot lines of Lots 160-164 and 166-177, Block 7 of said Subdivision and the pond located thereon) by the property owner is as follows:

1. Grading and/or limited grading to the existing landscaped "Limited Common Area" is allowed. \*\*Drainage requirements as outlined in the CC&Rs apply.;
  2. Adding natural stone boulders and Landscape Rocks, including Steppingstones to create interest;
  3. Enhanced landscape plantings, (i.e., flower bed with annual color and perennials, including low grow plants) that may be interwoven with the existing landscape and added stone as described above;
- \* No Permanent hardscape surfaces will be allowed within the "Limited Common Area", such as concrete;
  - \* All existing pressurized irrigation and appurtenances thereto; and irrigation sprinkler and valves wiring must be retained and protected;
  - \* No fencing is allowed within the Limited Common Area;
  - \* No view obscuring plantings will be allowed;
  - \* Any additional landscape as described within must be approved in writing and reviewed by the Lakemoor Architectural Control Committee;
  - \* An indemnification Agreement must be signed by the property owner.

### **OUTBUILDINGS/SHEDS [2014]**

Free standing sheds and other outbuildings are prohibited. Conditional approvals may be granted for storage facilities attached and made part of the house, upon ACC review.

### **SIGNS [2015/REV 2018]**

The Lakemoor ACC has full authority to set rules and regulations relating to signage. Review of sign applications is upon sole discretion of the ACC. To limit the proliferation of signage, the HOA is instituting the following guidelines for sign placement. ***HOA will remove all signs, flags, balloons, and misc. that do not comply with HOA guidelines.*** The members will take all non-complying materials to the Lakemoor management companies office location. The builder/agent will have to come and pick up the materials within 15 days of their removal otherwise they will be disposed of.

#### **Open House Sign Policy**

- NO signs can be placed on any round-a-bout or island within the subdivision.
- NO signs may impede vehicular or pedestrian traffic.
- NO flags or balloons are permitted on real estate signage.
- NO signs should be placed along Colchester Blvd.
- Open house signs may be placed only on days and during the time in which an open house is occurring. They must be removed immediately after the close of the scheduled open house.
- ONE sign may be placed at the main entry to the area of open house (E.g., if the home is in Phase 1-3 or 5, one sign may be placed at either the entry off Lakebrook and Colchester or the entry off Brookwater and Colchester. If the home is in Phase 4, one sign may be placed at its entry at Brookwater and Colchester.)
- ONE open house sign total may be placed at any main entryway (gate area). If another realtor has an open house occurring simultaneously and already has a sign posted at the main entry, no additional signs are necessary as there is already a sign in place indicating an open house is occurring in that gated section.
- ONE sign may be placed at the entry to the road on which the open house is occurring. As mentioned above, if there is another open house occurring simultaneously on the same street, only one sign is allowed total at that intersection.
- ONE sign may be placed in the driveway or yard at the property with an open house.

**\*\***In addition to the open house sign guidelines above, please review the following supplementary sign guidelines that need to be followed.

We thank you in advance for your assistance in following this policy and monitoring activity related to such.

#### **Election Sign Policy**

Election signs are permitted within the Lakemoor Development and must adhere to the following rules:

1. Sign must be placed on the Homeowners property. Signs of any type are not permitted on HOA common grounds.

2. Only one sign per property is permitted.
3. The sign can only be displayed 14 days in advance of the election and must be removed the day following the election.
4. Sign cannot be bigger than 20 inches by 30 inches.
5. Sign must only state vote for a given individual, (Vote for John Doe), or yes or no on a given issue, (Vote Yes on School Bond).
6. Sign must not be offensive or in poor taste.

### **General Sign Policy**

- \* The developer Lot sign must be in view on vacant and building Lots. This sign may contain builder and realtor contact information (as shown on the following page).
- \* The Architectural Committee is willing to review individual submittals for Lot owners regarding adding an additional builder sign that is of good quality (not standard metal frame styles).
- \* Driveway barricades of good quality are allowed during the time they would normally be utilized.
- \* No other subcontractor, amenity or other sign types are allowed. (e.g., NW Energy Star, separate Model Home, \_\_\_\_\_ Painting, etc.) Private Residence signs may be considered on a case-by-case basis for occupied residences which may be adversely affected by neighboring model homes or open houses.
- \* Real estate signs may designate a Lot as being sold however the sold sign should be removed no later than 30 days after the sale is completed, or upon occupancy of the home, whichever occurs first.

### **Private Residence Sign Policy**

The Architectural Committee previously approved small sized alarm company signs to promote safety in the neighborhood. These signs may not be larger than 12"x12" and must be placed back from the front of the property and sidewalk area so that it is only conspicuous upon approach to the entryway.

The ACC will evaluate, upon their sole discretion, submissions for signs in front of residences using the following criteria:

- \* Content on signage should be limited to names of the residents. Other information, other than names, is discouraged.
- \* The colors of the sign, including background & text, should be compatible with the residence itself. More neutral colors such as browns, beige, grey is encouraged for background as well as muted colors for the lettering. No integral lighting or fluorescent colors are to be included in the sign. Colors should be identified to ACC in approval form.
- \* Identify materials to be used in sign when submitting the approval form. Acceptable materials include wood & stone as natural materials. Other materials proposed to be compatible with the specific residence.
- \* Overall size of sign to be no larger than 500 square inches. Width of sign to be larger than height for a horizontal format for the sign.

If you would like to submit for approval for a builder sign of good quality, please return an architectural request form along with the design specifications to our office. Forms are available at [www.lakemoorhomeowners.com](http://www.lakemoorhomeowners.com). Requests for Private Residence signs may be sent to [Shurie@dev-services.com](mailto:Shurie@dev-services.com) for ACC consideration. Please include an explanation of the need for the sign.

## **RESIDENTIAL POWER GENERATION SYSTEMS GUIDELINES [2015/REV 2016/REV 2023]**

### **Introduction**

The installation of passive or active residential power generation systems and related components either coexisting with, or independent of, the local electrical utility grid is allowed. All installations must comply with current Idaho law, building and inspection codes, commercial technical and installation standards and other governing statutes and regulations.

### **Policy**

Idaho law pertaining to the authority of Home Owner Associations (HOA) provides that your Lakemoor HOA Architectural Control Committee (ACC-2) additionally, and importantly, has review and approval authority regarding: 1) The physical locations of any new systems and related components which are, or may become, visible from neighboring property and, (2) The aesthetic integration of the system and components so as to be consistent with the overall architectural design features and appearance of the residence. Aesthetic considerations of the system or components may also include features such as noise levels, other distinct emanations and overall dimensions which may also be subject to ACC-2 provisions and approval.



The approved physical appearance of visible system components must also be maintained over time to the same general standards as the overall residence. Any unapproved deviations from ACC-2 installation provisions or failure to maintain system appearance and proper operation may be cause for HOA punitive action if corrections are not completed in the timeframe or manner prescribed in a Notice of Violation.

### **Approval of Installations**

Formal and timely written approval of physical component locations and aesthetics integration of the proposed power generation system must be secured by the homeowner via the ACC-2 submissions process before any work begins. The ACC-2 submission and approval process, along with requested supporting documentation is described below. ACC-2 approval may also include mandatory provisions which must be satisfied before the installation is completely accepted. In the case of conflicts between system installation technical requirements and ACC-2 provisions, the homeowner must advise the ACC-2 in writing for adjudication.

### **Submittal to the ACC shall include the following.**

- a. Detailed plans for the installation and placement of any solar panel/energy device, exterior components (batteries, inverters, switches, etc.), and all exterior piping along with electrical wiring/wireways/conduits.
- b. An illustrated drawing of the proposed system, which depicts the materials to be used, location and number of collectors, the attachments to the building structure, screening details, and the location of exterior system components.
- c. Device brochures and/or images including color and size of all exterior components (batteries, inverters, switches, etc.) that are roof, wall or ground mounted.

### **Types**

- a. Only commercially or professionally made devices will be considered. "Homemade" devices will not be permitted due to the safety and aesthetics aspects of such devices.
- b. Ground -mounted solar panels are preferred.
- c. Roof-mounted or wall mounted solar panels.

### **Roof-Mounted Solar Panels**

- a. Only commercially or professionally made devices will be considered. "Homemade" devices will not be permitted due to the safety and aesthetics aspects of such devices.
- b. Visibility of devices and their components must be minimized from public view and will be required to be screened from neighboring property and street.
- c. All roof mounted equipment shall be non-reflective and match or blend with the color of the roof material. Exposed surfaces such as any frame for panels but excluding the exposed collector panel face itself, must be factory painted (or color anodized) to match or blend with, the surface on which it is mounted.
- d. All exterior plumbing lines and electrical wiring/conduits/wireways color shall match or blend with the color of adjacent roof material and walls.
- e. Aluminum trim, if used and visible, should be color anodized or otherwise factory color treated to blend into the surroundings.

### **TRAMPOLINES [2014/REV 2015]**

In-ground trampolines will be reviewed on a case-by-case basis. No above ground trampolines will be permitted unless the location of such does not overly inhibit neighboring property views as determined at the sole discretion of the ACC, and provided a sufficient screening plan is approved by the ACC to heavily screen the trampoline from public and neighboring property view.



# BOARD OF DIRECTORS POLICIES

## ANIMAL CONTROL [2015]

Animal control concerns are largely considered “neighbor-to-neighbor” issues. HOA Boards are often granted discretion in determining whether they should take legal action in enforcing such use restrictions. A nuisance which is minor (e.g., only impacts a few homeowners) may not ultimately justify the expense the HOA will incur in taking action to remedy the problem. However, a more significant nuisance which impacts many homeowners is a situation where the HOA may choose to step in.

The local animal control office has the authority to deal with noise, leash and other animal related issues. The police might be called if the animal in question is aggressive or dangerous. Due to the limitations involved with a volunteer Board, complainants are referred to local animal control or police for nuisance types of issues which may require consistent monitoring/notifications, and/or legal action, or those which may involve potentially dangerous animals/situations. Please be advised that you may be required to have definitive evidence and records to show that a particular dog is a significant nuisance for any potential judicial or HOA interference.

Please see the HOAs flyer on animal control for contact information and tips at [www.lakemoorhomeowners.com](http://www.lakemoorhomeowners.com).

## BEAVER MANAGEMENT [2015/REV 2017]

Lakemoor Homeowners Association recognizes that beaver mean different things to different homeowners. Some homeowners see the beaver as a nuisance, cutting trees, flooding roads and clogging drainage culverts. However, other Lakemoor homeowners understand the habits and benefits of beaver and view them as an indispensable and integral part of living in a natural environment.

With this in mind, and in accordance with Lakemoor Bylaws and Guidelines ensuring the common use, enjoyment and safety of the common areas, the Lakemoor Beaver Management Guidelines seek to educate homeowners about the habits and benefits of beavers and establishes strategies for diminishing, or even eliminating, beaver problems. These guidelines will be used by the HOA to protect trees, culverts and drains on or affecting Lakemoor common areas.

### **Habits & Benefits of Beaver**

- **Beaver are great pruners.** Tree cutting stimulates more growth in many trees, such as willows and crape myrtles. For example, for each willow stem that is cut, three or four will appear in the spring.
- **Beaver clear channels and keep waterways open** by deepening their underwater channels.
- **Beaver ponds improve the water quality** of our streams and lakes by slowing the drainage of the land and allowing sediment to settle out of turbid waters. Even when beavers finally move on, their drained ponds continue to provide important benefits. The exposed mud flats provide fertile soils for lush vegetation to promote diverse wildlife habitats.
- **Beaver dams filter out toxins and solid materials.**
- **Beaver prevent flooding.** The beaver has been called the original flood control engineer. By building series of dams across small water courses he has helped to control water levels and reduce floods on those streams.
- **Beaver dams slow erosion.** By building dams, beaver aid materially in reducing soil erosion in certain areas. The running water that enters a beaver pond slows down and automatically drops its load of silt. Otherwise, fine silt suspended in running water would be carried far into the waterways.
- **Beaver in streams improve habitats for plants and animals.** The water in beaver ponds encourages plants, insects (particularly mosquito eating dragonflies), birds, and provides fish of many kinds with spawning places and/or over-wintering sites.
- **Watching beaver is a great family activity and a good way to interest children in the outdoors.**

### **Managing Beaver Habits**

1. Homeowners who live on lakes and creeks are strongly encouraged to protect their trees with inexpensive wire cylinder tree wraps or cages. These cylinder cages should be made of ¼-inch-mesh hardware cloth. The cylinders should be 3 feet in height and well anchored to the ground to prevent beavers from crawling under. The space between the tree and wire should be no less than 6 inches and preferably 12 inches and overlapping the cylinder to allow for adjustment with tree growth allows for extended use. Zip ties are a good way of securing the cylinders for easy adjustments. Trees especially vulnerable to beaver damage are: Aspen, Alder, Birch, Walnut, Cottonwood, Maple, Poplar, Ash, Willow and Apple.

2. Lakemoor HOA may wrap trees along creeks and waterways in common area, as described above. This is typically on a volunteer basis to assist in keeping costs down.
3. Where wrapping of individual trees is impractical, homeowners are encouraged to fence yards or vegetation areas as per the architectural guidelines. Request forms are available on the HOA website at [www.lakemoorhomeowners.com](http://www.lakemoorhomeowners.com).
4. In most cases, beaver lodges and dams should NOT BE DISTURBED, as this only encourages increased beaver activity. Lodges and dams should be disturbed only if a) they are causing a safety hazard, b) are causing flooding or otherwise threaten private or common property. As a reminder, Lakemoor homeowner lot building pads were built up out of the flood plain and the natural overflow of water should filter out into lower areas before they could conceivably create flooding concerns of any Lakemoor homes. Approved improvements installed by homeowners below the building pad elevation may not meet the same standard.
5. Beaver dams will be removed if: a) dams are flooding or otherwise threaten private or common property **and** b) such threats cannot be mitigated by a beaver deceiver (bypass device), **or** c) it is too shallow, or water flow is too great for the use of beaver deceivers.
6. To minimize the damage to trees, shrubs and water flows caused by over-population of beaver, it may become necessary, from time-to-time, to trap beaver.
7. The Beaver Committee is responsible for initiating actions in accordance with these guidelines. The HOA management should be consulted if a situation is identified that is not clearly handled by the above guidelines.

**What to do if you notice beaver damage in common areas? Contact:**

Shurie Urquidi  
 Development Services Inc.  
 9601 W. State St., Ste. 203  
 Boise, Idaho 83714  
 (208) 939-6000 x 202  
 Email: [Shurie@dev-services.com](mailto:Shurie@dev-services.com)

**\*\***The Board reserves the right to alter this policy as may be determined as necessary on a case-by-case basis to protect HOA property and mitigate any potential damages.

**CC&R COMPLIANCE POLICY FOR INFRACTIONS [2015]**

The Association shall have the right to enforce, by any proceedings at law or in equity, all Covenants, Conditions and Restrictions imposed by the provisions of the Lakemoor CC&Rs. Article X, Section 3 of the Master Declaration grants the Association authority to enter upon a Lot to perform Corrective Maintenance in the event an Owner shall fail or refuse to perform its maintenance or repair obligations within seven (7) days of written request for such. Article XII, Section 9 further outlines additional maintenance obligations during construction. Both Articles grant the Association the authority to take such remedial action as it deems appropriate, including but not limited to the cleanup of the Lot and surrounding areas.

To ensure builders/owners are held accountable for their onsite contractors and lot maintenance, the Lakemoor HOA may take necessary remedial action for infractions that are not resolved within fifteen (15) days of initial request for compliance.

The cost incurred by the Association in performing such maintenance or repairs, together with interest thereon from the date of expenditure at the rate of 2% per month, shall be added to and become part of the assessment to which such Owner's Lot is subject. Corrective Maintenance fees will be deducted from the builders/owners architectural compliance deposit if one is on file with the HOA. If the deposit has been exhausted or released, the fees will be assessed directly to the builder/owner, in direct proportion to the fees paid by the HOA for corrective measures taken.

The Board reserves their right to utilize Monetary Penalties, as opposed to Corrective Maintenance, for compliance enforcement efforts as outlined under Article XVIII, Section 1. In addition to the right to enforce the CC&Rs by any proceedings at law or in equity, the Association shall be entitled to impose a Monetary Penalty, not to exceed the sum of \$100.00 per day, against an owner who has caused or permitted a violation of the CC&Rs provided that the owner is given fifteen (15) days written notice of the proposed penalty and a timely opportunity to be heard on the matter. To be compliant with Idaho Statute 1310 effective July 1, 2014, the Association will give thirty (30) days written certified mail notification of a hearing to review penalty compliance actions. Any Monetary Penalty imposed as provided herein shall become a part of the assessment to which such Owner's Lot is subject.

*If you contest a proposed corrective maintenance or a monetary penalty action, you must notify the HOAs management company in writing within five (5) days of notice of the impending action. Notification should include specific reasoning for contesting the HOAs action.*

**\*\*Please be advised that the resolution period may be revised for repeat offences by the same builders/owners, regardless of which property owned by the offender the infraction(s) occurs on. The intent being that builders/owners are responsible for notifying their representatives of the regulations and monitoring onsite activity so that the HOA is not continually addressing the same concerns with specific builders/owners. To report infractions please provide a photo showing the property and infraction, as well as the address and a description of the infraction to the Associations management company at [Shurie@dev-services.com](mailto:Shurie@dev-services.com), or at the address below.**

### **COMMON AREA TREE MAINTENANCE & “ACT OF GOD” EVENTS [2015/REV 2017/REV 2022]**

Lakemoor is a heavily wooded and landscaped neighborhood. Although it is the desire of the Lakemoor Board of Directors to maintain the heavily wooded nature of the community, the HOA is not able to monitor the growth of roots from the Common Area into the private yards of homeowners. Such monitoring and maintenance would be cost prohibitive and require significant increases in landscape and management costs.

Homeowners are in the best position to monitor root growth and mitigate damage before it happens. Allowing a root to damage homeowner property may be considered an act of negligence on the homeowner's part. Therefore, the Board of Directors advises homeowners to be proactive in ensuring that these issues are watched for and addressed by cutting the roots or otherwise ensuring they do not further intrude, if they are likely to cause damage to property (fences, patios, foundations, landscape, etc.) or infringe upon the use of a homeowner's property.

Homeowners are prohibited from pruning branches or cutting trees within common areas. If such occurs, the homeowner is liable to the Association for any loss sustained.

Where there are dead branches or diseased trees that may fall or threaten a property, homeowners should make the Board aware of such concerns. The Board will address such matters as it deems necessary and in its sole discretion, with appropriate pruning, removal, or treatment.

The Lakemoor HOA will NOT be responsible for damages, caused directly or indirectly, to any property adjacent to HOA property, caused from “Acts of God”. An “Act of God” is an event that directly and exclusively results from the occurrence of natural causes that could not have been prevented by the exercise of foresight or caution; an inevitable accident. Some examples of “Acts of God” are; tornadoes, earthquakes, violent winds, floods, heavy rain, snow or ice storms, or wildlife activities. The Lakemoor HOA Insurance policies exclude “Acts of God” coverage. Homeowners should contact their insurance agent for potential coverage under their personal policies.

### **FISHING POLICY [6/2022]**

Fishing on the ponds within Lakemoor by residents is allowed under the guidelines cited herein. The guidelines are also posted at each pond. Residents do not need a formal Idaho fishing license to fish our private ponds. However, you should note the nearby ponds within the Pamela Baker Park are public property and therefore subject to Idaho regulations. Additionally, the pond west of the mailbox kiosk adjacent to the Intuit building and the ponds fronting the commercial property are not Lakemoor HOA ponds and are private property.

To discourage unauthorized fishing on our private ponds and to promote sustainable fishing practices, we are implementing a free Lakemoor Fishing Permit program for resident families. The program will be administered as follows.

#### **Fishing Lanyards.**

All HOA members who fish on the Lakemoor ponds are required to obtain a lanyard from Development Services, Inc. and sign a common area and facility use waiver. You must always wear the lanyard while carrying fishing gear around or fishing on Lakemoor ponds. One lanyard per household at no cost. Lost Lanyards will be replaced through DSI, and the HOA member will pay \$30 for the replacement cost.

#### **Catch and Release.**

All fishing on Lakemoor HOA ponds must be Catch & Release using barbless hooks. Proper methods must be used to ensure the fish are not harmed or killed. Idaho Department of Fish and Game may provide instruction on Catch & Release methods.

### **Fishing Rules.**

1. Only HOA members/residents and their accompanied guests can fish on the Lakemoor ponds.
2. Fishing Lanyards must be always worn by members/residents while fishing or carrying fishing gear around Lakemoor ponds.
3. All fishing must be done using barbless hooks. Catch & Release techniques must be properly followed to ensure fish are not injured or killed.
4. All ponds in Lakemoor HOA are open to fishing except for the pond area directly behind residences 2640-2910 S Creek Pointe Ln (limited common area as per CC&Rs).
5. Fishing is permitted in the absence of ice and snow.
6. Fishing is permitted from Sunrise to Sunset.
7. Ponds and other waterways carry a no-contact policy. No swimming, boating, flotation devices, or wading is permitted.
8. No pets are permitted within the community waterways.
9. Wildlife/habitats may not be disrupted while recreating within HOA common areas.
10. Violation of the Fishing Rules will result in suspension of fishing privileges for 30 days for a first violation and for the whole fishing season for a second violation. Monetary penalty enforcement may also apply per the HOA Compliance Policy.
11. Any unauthorized person fishing on Lakemoor ponds is trespassing and may be subject to citation by the Eagle Police.

### **GARAGE SALES [2013]**

Community organized garage sale events may be possible in the future, but due to the neighborhood being a gated community, no personal garage sales will be allowed. This is mainly to promote safety with limited outside access once the gates are closed during the day (after construction is completed).

### **HOLIDAY AND SEASONAL DECORATIONS [2017/REV 2018]**

Property owners may place holiday and seasonal decorations on their property provided they adhere to the following rules:

1. They conform to traditionally acceptable standards for the holiday or season being observed.
2. Are not offensive or in poor taste by generally accepted societal standards.
3. Do not create a nuisance or undue burden on the Lakemoor Development or property owners.
4. Can only be displayed during what is considered the traditionally acceptable timeframe.
5. They must be completely REMOVED at the end of the traditionally accepted timeframe. (Example: decoration lighting must be removed not just turned off.)
6. Must not create a hazard to people or pets or hinder in any way pedestrian or vehicle movement.
7. Christmas or winter holiday lights may be installed and displayed from November 1 through January 31. Weather permitting, the decorations should be removed no later than February 15.
8. The Architectural Control Committee must approve, in advance, any outdoor permanent infrastructure to accommodate holiday or seasonal displays.

The Board of Directors of the Lakemoor Development is the final authority regarding interpreting the Lakemoor holiday and seasonal decoration rules and what holidays, time frames to display, amount and type of displays allowed or any other issue regarding holiday and seasonal displays. The Board of Directors decisions are final.

### **OPEN MEETINGS [2015/REV 2022]**

The Lakemoor Open Meeting Policy is designed to ensure transparency of the administrative processes within the HOA. Open meetings offer members the chance to observe the way their elected officials operate and to influence their representatives in positive and important ways. Therefore, the Lakemoor HOA Board of Directors hereby adopts the following regulations into its policy.

1. Notice of Board meetings will be posted to the Lakemoor HOA website as they are set. No individual notification of Board meeting schedules will occur unless the member has requested in writing to be added to the agenda in advance of the date being set. Please check the website regularly if you are interested in the meeting schedules. Typically, the Board meets quarterly, but the schedule varies upon needs.
2. Any member of the HOA may attend Board meetings to observe administrative procedures. Seating will be provided away from the Board table.
3. Attendees will not be given a speaking time, nor will they be allowed to comment, unless they have been requested to discuss a specific topic with the Board and are allocated a time to do so on the agenda. Requests to be placed on the agenda must include specific information relating to your topic for the Board to prepare to hear the member. Time allotted to the member to voice their topic will be dependent upon the length of the agenda but will not be more than 5 minutes total. This is to ensure adequate time is given the Board to

discuss all agenda items. Response from the Board, if necessary, will be made in writing within 30 days from the date of the meeting.

4. The Board may choose to enter into Executive Session for issues relating to a specific property or member, or for other items as they may feel should be conducted in confidence. This is to preserve privacy for other members and to allow the Board adequate discussion for sensitive topics.
5. Minutes of the meetings, less any Executive Session discussion details, will be posted to the Lakemoor HOA website once they have been approved by the Board members as to their accuracy.

#### **POND USE POLICY [2012/REV 2018]**

The Lakemoor Homeowner's Association, which includes all homeowners in the Lakemoor Subdivision, may be liable for injuries arising from usage of the pond areas owned by the Lakemoor HOA. Lawsuits can drain the financial resources of associations and can even require special assessments to pay for legal expenses. In this way, homeowners can be held responsible for the actions of their neighbors. In light of the responsibility of all Lakemoor HOA members to use the pond areas appropriately, the Board issues the following rules:

1. No pond water entry or use of pond water is permitted. No swimming, no boating, no floating, no kayaking, or any other use of pond water shall be permitted.
2. No dogs are to swim in the pond.
3. No one other than Lakemoor HOA members and those residing in HOA member homes shall be permitted to enter the Common Areas surrounding the ponds, to limit liability of the HOA.
4. Only "catch and release" sport fishing is permitted, and that only by Lakemoor HOA members or those residing in HOA member homes. Absolutely NO fishing for consumption. Fishing hours dawn to dusk.

#### **Justification for the Enactment of the Pond Policy:**

**Article II, Section 1, Enjoyment of Common Area**, states, in pertinent part, "Each owner shall have a right and easement of enjoyment in and to the Common Area...subject, however, to the following provisions:

G. The right of the Directors of an Association to promulgate reasonable rules and regulations governing such right of use, from time to time, in the interest of securing maximum safe usage of such Common Area by the members of that Association without unduly infringing upon the privacy or enjoyment of the Owner or occupant of any part of said property..."

The following statement is contained in a legal opinion directed to a similar Homeowner's Association:

The HOA clearly has a duty to maintain the waterways and ponds in a safe and reasonable condition and has potential liability for its failure to do so if anyone was to get injured or die related to the waterways or ponds. The liability is not absolute ... but ... there is the potential for some liability by the HOA. Accordingly, it makes absolute sense for the HOA to enact rules, regulations and policies relating to the use of the waterways and ponds and the HOA is empowered to enforce such rules, regulations and policies.

The incidence of lawsuits brought against HOAs has greatly increased in the past couple of decades, as has the court's willingness to render judgments against HOAs, especially where it is found that an HOA could have acted to prevent the injury. Thus, having reasonable policies such as the Pond Policy in place will be of benefit in limiting liability.

#### **Enforcement of the Pond Policy:**

**Article XVIII: General Provisions, Section 1, Enforcement**, states, in pertinent part, "...an Association shall be entitled to impose a monetary penalty, not to exceed the sum of \$100.00 per day, against an Owner who has caused or permitted a violation of any of the restrictions, conditions or covenants contained herein provided that the Owner is given fifteen (15) days advance written notice of the proposed monetary penalty and a timely opportunity to be heard on the matter....Any monetary penalty imposed as provided herein shall become a part of the assessment to which such Owner's Lot is subject. In the event an Association...is required to initiate any action to enforce the provisions of this Declaration or in the event an Association retains legal counsel in connection with any of its methods of enforcement as set forth herein, the Association ... shall be entitled to recover from the Owner against whom enforcement is sought, all attorney fees and costs incurred as a consequence thereof, whether or not any lawsuit is actually filed, and any such attorney fees and costs so incurred by an Association shall be added to and become a part of the assessments to which such Owner's Lot is subject."

#### **POOL [2010/REV 2019/REV 2020/REV 2023]**

For the safety and enjoyment of the residents of the Lakemoor Subdivision and their guests, the following pool policies and rules were adopted at the regularly scheduled Board of Directors meeting held May 3, 2010. Any subsequent revisions are posted in newsletters or email communications distributed to homeowners by the HOA.

**POLICIES: \*\*Release of liability and assumption of risk waiver completion required. See below.**



The pool is fenced and gated for the safety and exclusivity of Lakemoor residents who are not delinquent and their guests. The gates must always be kept closed other than when entering or leaving the pool facilities. Propping open the gates or allowing unauthorized individuals to enter the pool area could result in the loss of pool privileges.

The pool is equipped with a key-card access system. This system will help safeguard the pool, its furniture and pool house from misuse and vandalism. Each homeowner/property will be allowed one keycard for the pool, which also grants access to the tennis courts outside of Phase 4 gate on Fishing Creek Ln. The keycards will go to the owner of record. If the house is rented it will be the responsibility of the owner to provide the keycard to the renters. Replacement cards, if lost, stolen, or damaged, will be \$30.00.

**WAIVER FORMS: \*\*REVIEW BOTH SIDES\*\***

The HOA common facilities are designated **USE AT YOUR OWN RISK**. Facilities are periodically inspected and monitored by community volunteers and maintenance providers, however there is **NO lifeguard on duty**. To further educate and insure all users are aware of the risks associated with utilizing the HOA common facilities, the HOA has instituted the following policy regarding completion of "Release of Liability and Assumption of Risk" waiver forms. It is important that everyone assist the HOA in meeting the following waiver requirements. Necessary waivers must be received to retain access to the community pools, sports court (tennis) facilities and other common area equipment. Thank you for your understanding and cooperation.

1. **Photo ID:** For forms not completed at management offices wherein photo ID is verified, a copy of legal photo ID(s) of all releasing parties should accompany the returned waiver form(s).
2. **Homeowners:** All homeowners (**owners on title**) must complete a waiver form to use HOA facilities.
  - a. If there is more than one person/entity listed on title, please have all persons/entities complete the waiver.
  - b. For titles listing married persons, one spouse may sign on behalf of both. If there are multiple owners listed that are not spouses, they all need to complete a waiver.
  - c. For business entities and trusts, the HOA will require documentation stating who is an owner of, or who is authorized on behalf of, the entity/trust to release all liability on its behalf.
3. **Tenants:** All adult tenants must complete a waiver form to use HOA facilities. The owners on title must also complete a waiver form.
4. **Preferred (Wet) Signature Method:** The preferred method for signing waivers is via wet signature (physically signed). The signing must represent your actual signature and should not be completed on an electronic device surface such as a cell phone, tablet, or touchscreen computer.
5. **Electronic Signatures – Optional Method:**
  - a. A copy of all electronic signers legal photo ID must accompany the electronically signed forms.
  - b. If a waiver is not able to be physically wet signed, an electronic signature request may be sent to the releasing parties to complete. A management fee of \$50.00 will apply for each electronic signature request form preparation and tracking and will be invoiced to the owner(s) on title by the HOA.
  - c. Should an outside electronic signing platform be utilized by the signer(s), the accompanying tracking documentation should be provided with the electronically signed waiver(s). It may be downloaded with the final signed document.

**POOL RULES:**

1. **NO LIFEGUARD IS ON DUTY AT THE POOL.** ACCORDINGLY, ALL PERSONS USING THE POOL FACILITIES DO SO AT THEIR OWN RISK OF INJURY, ILLNESS AND/OR DEATH.
2. All guests must be accompanied by an adult resident while at the pool. No more than four (4) guests at one time are permitted due to occupancy and size restrictions.
3. Any child or person not potty-trained must:
  - a. Wear a swim diaper, covered by a plastic protective cover, always when in the pool water.
  - b. Have their diapers changed in the bathroom facilities—not at poolside or on a poolside table.
4. Youth under age 14 must be accompanied by a responsible adult 18 years of age or older.
5. No pets, alcohol, smoking or gum allowed in the pool premises.
6. No glass containers of any kind are allowed in the pool facilities and all food and beverages must be kept out of the pool and away from the edge of the pool.
7. No object tossing, running, diving, pushing or horseplay in the pool or surrounding area.
8. Unreasonably large flotation devices are not permitted. Flotation devices should be removed from the pool, and kept out of walkways, when not in actual use.
9. All trash must either be disposed of in containers provided or packed out if the trash containers are full.
10. Appropriate dress and behavior is to be always maintained, by all residents and guests, in all areas of the pool and restroom facilities. Use of foul or abusive language or aggressive behavior will not be tolerated.
11. Pool users must utilize the outdoor shower prior to pool use and must towel off before entering bathrooms.

12. No loud music will be allowed near or within the pool area. Be respectful of residents who live near the pool.
13. Pool Hours are from 9:00 a.m. until 9:00 p.m.

Anyone who does not adhere to the pool policies and rules will risk losing their pool privileges. Pool rules can be revised at any time by the Association's Board of Directors. The Board and its designated representative(s) have the authority to enforce pool rules. Anyone who refuses to comply risks losing their pool privileges and having their keycard cancelled. Prior to re-activation of the keycard and pool privileges, the homeowner must attend a board meeting. After the meeting, the Board may re-activate the keycard at its discretion.

#### **RECREATIONAL VEHICLES [2012/REV 2014/REV 2022]**

**\*\*Not all Lakemoor residences will meet minimum requirements for RV parking allowances.\*\***

Homeowner vehicles, such as; boats, trailers, campers, and motor homes, may be temporarily parked in the Homeowners driveway or on the private street in front of the Homeowners property for a period not to exceed 48 hours in a seven-day period for the following purposes: loading or unloading, cleaning, and minor repairs. Major repairs such as engine or transmission repairs are not permitted.

If the vehicle is parked in the Homeowners driveway, it cannot obstruct the sidewalk or extend into a roadway. If the vehicle cannot safely fit in the Homeowner's driveway it may be parked on the private street within the Homeowners property boundaries where applicable, and cannot block a sidewalk, fire hydrant, be in a no parking zone/fire lane, parked in a roundabout/cul-de-sac, or in any way create a hazard, and must be coned front and rear. When parked on the private street a vehicle may not intrude on a neighbor's property boundaries except with permission of the neighbor.

Vehicles parked for more than 48 hours in a seven-day period, or in violation of any of the rules regarding vehicle parking, may be subject to penalties and/or having the vehicle towed at the owner's expense. Parking of visitor's recreational vehicles is not permitted in the Lakemoor Development.

This policy, established by the authority of the Board of Directors, is issued to provide clarification to Section XII, Part F of the CC&R's. The Board of Directors reserves the right to revise or revoke this policy at any time.

#### **SIDEWALK MAINTENANCE [2015]**

Sidewalk maintenance is the responsibility of the adjacent property. This includes repairs and general maintenance of the sidewalk, and snow removal. Homeowners who are not present during winter months should make prior arrangements for snow removal services in their absence.

#### **SPORTS COURT AND PLAYGROUND FACILITY USE [2019/REV 2023]**

Use of the sports courts and community playground sets is exclusively for Lakemoor residents in good standing and their guests. The tennis court is fenced and gated. The gate must always be kept closed, other than when entering or leaving the tennis court. Propping the gate open or allowing unauthorized individuals to use the sports courts is not allowed and could result in the loss of sport court privileges.

The tennis court is equipped with a key card access system. The same key card is used for both the pools and the tennis court. For details on the key cards, see other sections of the Owner Handbook. All guests must be accompanied by a resident while using the sports courts. No more than four (4) guests per household at one time are permitted.

##### ***Sport Court Rules:***

1. Sport court hours are from 7:00am until sunset.
2. ALL PERSONS USING THE SPORTS COURTS DO SO AT THEIR OWN RISK OF INJURY, ILLNESS, and/or DEATH.
3. Youth under age 14 must be accompanied by a responsible resident adult, 18 years of age or older.
4. The sports courts are intended to be used by adults, children, and families, so appropriate dress and behavior should always be maintained. Abusive or offensive language (including profanity), or inappropriate behavior are not allowed.
5. The sports courts are for use in playing tennis, pickleball and basketball. Other uses of the sports courts are prohibited. Bicycles, rollerblades, roller skates, scooters, skateboards, or vehicles of any kind are not permitted on the courts.
6. Only non-marking, smooth bottom, rubber-soled sport shoes should be worn on the sports courts.
7. No loud music is allowed on the sports courts. Please be respectful of residents living near the sports courts.
8. No food, alcohol, glass containers, pets, or smoking are allowed on the sports courts.



9. All trash must be disposed of in the trash containers provided at the tennis court or packed out if you do not have access to the tennis court.
10. First-Come, First-Serve: Availability of the courts is on a first-come, first-serve basis for groups of 2 or more. A court may not be “held” by a single person, or by leaving equipment on the court. When using the courts, please be respectful of other people who are waiting to use the courts and limit your play so that wait times are no longer than 1 hour.
11. Tennis players have priority over pickleball players for use of the tennis court.
  - Pickleball players on the tennis court must immediately vacate the tennis court after tennis players arrive, IF another pickleball court is available. If no other pickleball court is available, then the group can continue playing on the tennis court until the very next pickleball court becomes available, or until the next group has been waiting for 1 hour, whichever comes first.
  - If a pickleball group is using more than 1 court including one or more on the tennis court, then they should vacate the tennis court at the end of the current game if tennis players arrive.
12. No commercial use of the courts shall be allowed.

Anyone who does not adhere to the sport court policies and rules will risk losing their sport court privileges and may have their access keycard deactivated. Reactivation is at the discretion of the Board of Directors. Facility rules may be revised at any time by the Board, and they or their designated representative have the authority to enforce the facility rules.

***Play Structure Rules:***

1. Playground hours are from 7:00am until sunset.
2. Use at your own risk.
3. Adult supervision required
4. Ages 5 to 12 recommended
5. No running or rough play
6. No glass of any kind
7. Shoes required
8. No loose clothing

**STREET & FACILITY PARKING [2012/REV 2022/REV 2023]**

Owner and Resident vehicles must be parked in the garage or driveway, may not obstruct the sidewalk, and may not extend into any Lakemoor private or public roadway.

Visitor vehicles (cars and trucks) may be parked in the street if there is not adequate room in the driveway, but for temporary purposes only (12 hours maximum). Overnight parking is not allowed in the street. Please be mindful that oil damages asphalt and should be considered when guests utilize street parking. If you have a visitor for an extended period of time (more than 12 hours, or overnight), you will need to request an extension for Board review. Please notify the management company in such instance.

Parking is limited to only one side of the street in several areas by No Parking and Fire Lane signs. At no time may any vehicle be parked within a marked No Parking and/or Fire Lane zone, which may be marked tow away zones at the vehicle owner’s cost. Boulevards named E Fishing Creek Ln (extension by City of Eagle Pamela Baker Park), Colchester Dr and Eagles Gate Dr are no parking zones at all times other than limited maintenance and emergency personnel use. In addition to those boulevards, public roadways Stone Way and Three Bridges Way are within Lakemoor platted boundaries and subject to all parking and CCR regulations.

**CUL-DE-SAC PARKING:** Street parking is prohibited within cul-de-sac turnarounds to enable emergency vehicle access.

**FACILITY PARKING:** HOA Pool and Sport Court parking spaces (Facility Parking) are authorized to be used by homeowners, residents, and their guests while they are utilizing the pool and sport court facilities. These parking spaces are also authorized for pool and sport court maintenance vehicles while work is being performed. The board and/or management company may also authorize use of the Facility Parking on an as-needed, temporary basis. No overnight parking is permitted within HOA Facility Parking spaces. Recreational vehicles, commercial vehicles and trailers are not permitted to park within Facility Parking lots/spaces. Facility Parking lots are tow away zones and have signs indicating that status.

**PUMP HOUSE PARKING:** The marked parking spaces next to the Lakemoor Water Assn irrigation pump station on E Lakebrook Ln and S Creek Pointe Ln (Pump House Parking) are intended for Lakemoor maintenance vehicle access and use only. Residents may not utilize these spaces for their personal or overflow parking use and must park their

vehicles within their garage or driveway only. The board and/or management company may authorize use of the Pump House Parking on an as-needed, temporary basis.

#### **TRASH RECEPTACLES & OUTSIDE STORAGE [2012/REV 2017/REV 2019/REV 2020/REV 2023]**

All trashcans are required to be stored out of sight in the garage of the homeowner. If a homeowner desires to keep trashcans outside, they must be out of sight of ALL neighbors, by use of an aesthetically pleasing fence or wall that meets all CC&R requirements, and is APPROVED before construction begins, by the Architectural Control Committee (ACC).

Neighbors include any and all homeowners, who can from their property see the trashcans.

The fence or wall, along with use of an appropriate wall of the home, must completely surround and conceal the trashcans regardless of the material used.

The fence or wall cannot exceed 6 feet in height.

The wall or fence may be constructed of plant, wood, metal or solid vinyl material.

A wood, metal or vinyl wall or fence must be of the highest quality and compliment and blend with the homes architecture. The color of the wall or fence must be either the base or trim color of the home.

Homes on lots, where the distance between homes is 6 feet or less, may install a wall or fence that conceals the trashcans from the front and rear of the property provided this ensures the trashcans are not visible to any neighbors and is approved by the ACC.

Upon ACC approval, all work on the wall/fence must be completed within 4 weeks of the ACC approval date.

The garbage, trash and waste storage area is to be kept neat, clean and sanitary at all times.

Trash cans should be placed curbside after 4PM the evening preceding trash pickup and removed from curbside by midnight collection day.

If trash cans will be stored outside the home/garage, homeowners must adhere to Article XI (C) of the Lakemoor CCR's:

*"No part of said property shall be used or maintained as a dumping ground for rubbish, trash, or other waste. No garbage, trash, or other waste shall be kept or maintained on any said property except in a sanitary container. Equipment for the storage or disposal of such material must not violate setback restrictions, must be enclosed with an aesthetic screen or fence, as may be approved by the ACC and shall be kept in a clean and sanitary condition."*

#### **Outside Storage**

To ensure that the community consistently remains visually attractive to other homeowners and to people utilizing the common areas, homeowners are required to keep the exterior of their properties neat and clean.

The outside areas of the property shall not be used as a staging or storage area for items used on a temporary or occasional basis including, but not limited to, toys, bicycles, recreational equipment, vehicles of any type, refuse, debris, gardening supplies, tools, construction materials, or equipment. These types of items should be stored inside, behind a screened area, or at an alternate location outside the development when not in use. All screening must be submitted to and approved by the ACC prior to storage.

Barbecue (BBQ) or grill unit storage may be permitted if they meet the following guidelines:

4. All BBQs and grills must be covered by an appropriately fitted cover when not in use and when in view of streets, common areas or neighboring properties.
5. The BBQ or grill must be screened from a street view. This may be done with plants or a built screen wall. The option is to allow flexibility for homeowners, particularly those in Phases with narrow side yards where a hard wall would not be appropriate. All screening must be submitted to and approved by the ACC prior to storage.
6. BBQs or grills are to be located within rear third of house, typically on, adjacent to, or near rear patios. They should not be visible from the front of the house.

See separate sections of this Handbook for regulations regarding sheds, outbuildings, and recreational vehicles.

## **USE OF LAKEMOOR PRIVATE ROADS AND SIDEWALKS [2017/REV 2022]**

### **Licensed Vehicles**

All motorized vehicles, of any type, licensed by any government agency can be used on the Lakemoor private road system and must adhere to all Lakemoor and government laws, rules, and regulations.

### **Unlicensed Vehicles**

Unlicensed vehicles such as: bicycles, ATV's, and golf carts are permitted to be used on the Lakemoor private road system but must adhere to all Lakemoor and government laws, rules, and regulations, and must always yield to any licensed motorized vehicle.

The use of a motorized unlicensed vehicle, within the Lakemoor Development, such as a golf cart or ATV requires the operator to hold a valid driver's license and be a minimum of sixteen years old.

Wheelchairs, including motorized wheelchairs and similar handicapped devices are permitted to be used on the Lakemoor sidewalk system and should never be used on the Lakemoor private road system.

### **Kids Fishing Creek Trail (Adjacent to Phases 4,7, 8, 9, 10)**

No motor vehicles (including construction vehicles) unless prior approval from HOA. Golf carts and other motorized vehicles not allowed unless prior approval from HOA. Bicycles and Class 1 E-Bikes (pedal assist only) are permitted with maximum speed limit of 10mph. \*Note: HOA Landscape Vendor authorized for usage as needed.

# ADDITIONAL INFORMATION

## **IRRIGATION WATER**

Irrigation water is supplied by the Lakemoor Water Users Association (WUA). Residents are assessed by the WUA for irrigation water annually, based on the square footage of their Lot. Irrigation season generally runs between April 15 - October 15 and is not guaranteed. Residents are reminded they should winterize their irrigation systems to avoid freeze damage in the off season.

## **MAILBOXES**

Mailboxes are in the kiosks located near the main entry gate at Lakebrook and Colchester. They are directly off Colchester and are open access. If you need to get a key, lock change, or determine which kiosk/box you have been assigned, please contact the Eagle Post Office at 208-939-7982. If you lose your keys, you will have to pay a locksmith to rekey your box.

## **SECURITY GATE INSTRUCTIONS**

Homeowner gate remotes are only active for their gated section in the community. For access to recreational facilities and common areas in the adjacent gated section you will need your 4-digit personal access code. The pools and tennis courts utilize the same keycard for access.

### **Access Code**

Each new homeowner will also be assigned a personal, 4-digit code from LAKEMOOR's management company when they finalize purchase of their new home. Only one 4-digit code will be assigned to each homeowner. The gate will open when this 4-digit code preceded by the # symbol (#0000) is entered into the kiosks at the gates. LAKEMOOR's management company will maintain a record of the homeowner's code.

***The 4-digit codes from prior homeowners are not to be used by new homeowners and they will be eliminated at the time of closing, therefore no longer operating gates.***

***Property Managers and Tenants should have separate access codes and directory credentials than homeowners.***

***\*\*It is imperative that LAKEMOOR management is notified prior to any property manager or tenant changes to set up their access in advance and remove any old manager or tenant contacts from the records.***

LAKEMOOR homeowners are personally responsible for anyone they open gates for. Please screen entry requests carefully. Please **DO NOT** share your personal access code with anyone outside of your residence unless necessary. It is preferable if service providers utilize the directory system to request access from the homeowner.

**\*\*We strongly encourage you not to give out your Access Code. The proliferation of Lakemoor Access Codes could undermine the security provided by the gates being closed 24/7.**

**ACCESS CODES MAY NEVER BE POSTED PUBLICLY AT ANY GATED ENTRY OR IN ANY OTHER PUBLIC MANNER.**

## **Guest Communication**

Your name and telephone number will be programmed into the telephone entry system under a specific DIRECTORY CODE. This directory code is a 3-digit number assigned specifically to you. Your DIRECTORY CODE will be shown to the right of your name. Your guest will enter this code on the system keypad, and this will cause the system to place a call to your home. (If your guest already knows your directory code, they can simply enter the code without having to look up your name.) When your name is displayed in the directory, the guest can also press the CALL button to establish communication with your home.

## **Granting or Denying Access**

Once you have answered the phone call and have identified your guest, you have the choice to either grant or deny access.

- To grant access to your guest, simply press "9" on your touch tone phone. The entry system will respond with a confirmation tone indicating that the gate is opening and will automatically disconnect itself.
- To deny access simply press the #key or hang up the phone.

The gate phone numbers are below for caller ID reference.

208 938 0000 Lakebrook & Colchester (main entry, adjacent to mailbox building)

208 939 2804	Fishing Creek & Stone Way (nearest sports facilities)
208 938 1804	Cliff Brook & Colchester (Elevations, section with pool 2)
208 939 9260	Brookwater & Colchester (north entry, section with pool 1)
208 939 6979	Brookwater & Colchester (south entry, section with sports facilities)
N/A	Chinden Exit Gate (Right-turn exit only at this gate)

### **Call Waiting**

If you are on the telephone when a guest tries to contact you from the gate, they will hear a busy signal and will have to wait for you to end your call before they can contact you. To eliminate this problem, you can order call waiting from your telephone provider.

### **Open Houses & Large Events**

#### **Real Estate Agent Access & Open Houses:**

If you are listing your home for sale and would like to have a real estate agent code set for your and other agents community access outside of scheduled open house events, please notify management offices for a code assignment. Real estate agent access codes are only for licensed agents and should be shared verbally to avoid potential public dissemination of the same. These codes are assigned by property upon owner written request to [Shurie@dev-services.com](mailto:Shurie@dev-services.com).

If you would like to have the gates open for an open house, an owner on title can request a specific time you would like to have the gate open by e-mailing Development Services [Shurie@dev-services.com](mailto:Shurie@dev-services.com). Make sure to identify yourself as a Lakemoor property owner. Plan ahead at least 4 business days for the request to be honored.

#### **Large Events:**

If you would like the temporary code assigned for guest access for an event where **10+ vehicles** will be arriving, you can request the code by e-mailing Development Services [Shurie@dev-services.com](mailto:Shurie@dev-services.com). Make sure to identify yourself as a Lakemoor property owner and include the date of the event and expected number of vehicles arriving for the event.

If you have less than 10 vehicles arriving for your event, the board requests residents utilize the gate directory system to have visitors call them individually for access at the gate. This will limit the distribution of the temporary gate code amongst non-residents and provide for better security at the gates.

### **Gate Remotes**

The first owner of every property is given one gate remote at no charge. Future owner remotes and additional and/or replacement remotes are \$35.00/each. Remotes may be easily damaged by jostling, dropping or sun exposure. Please keep them stored out of the sun in a safe place. The HOA is not responsible for lost, stolen or damaged remotes. If your remote does not work within 5 days of initial distribution you may bring it back for a replacement. Otherwise, the HOA does not take back remotes distributed as they do not carry any warranty.

### **Public Services and Vendors**

The LAKEMOOR management company will work with common delivery and newspaper vendors, and public services, to authorize access for them. Emergency personnel including paramedics, the police department and fire department have additional built-in access measures including fire keys, and emergency vehicle light and siren recognition systems. EMS, police and fire also have their own personal gate access codes.

Homeowner vendors such as lawn care providers will not be assigned codes and will need to gain access using the specific homeowner's access codes or directory to call the resident for access. Remember, homeowners are responsible for anyone they allow in the gates. If you feel your code has been compromised, contact the LAKEMOOR management company to arrange a new code for your household.

**ALL UTILITY COMPANIES, EMERGENCY SERVICES, AND GENERAL DELIVERY SERVICES (FEDEX, UPS, AMAZON, ONTRAC, ID STATESMAN, FRESH BINS) HAVE BEEN GIVEN A CODE. CALL THE MANAGEMENT OFFICE FOR NEWSPAPER DELIVERY CODES TO SHARE WITH YOUR PROVIDER WHEN SIGNING UP.**

### **LAKEMOOR HOME IMPROVEMENT SUBMITTAL GUIDELINES**

All improvements to the exterior of your home or property requires ACC-2 (Local Architectural Control Committee) written approval before starting work to ensure compliance with Covenants, Conditions, and Restrictions (CC&Rs). Verbal or any other type of approval will not be considered valid or legal.

A guideline document is available on the HOA website and will provide a CC&R summary and references for additional information. This document is not intended as a replacement to the CC&Rs or other policies in place by the Lakemoor HOA.

**REFERENCE DOCUMENTS ON LAKEMOOR WEBSITE:**

Lakemoor's CCRs, Existing Home ACC Application Form, and the submittal guideline document can be located at <https://www.lakemoorhomeowners.com/info.php?pnum=8>. Alternately, you may access the website at <https://www.lakemoorhomeowners.com> then select "Forms & Documents" in the left drop-down box.