

PINE 43

HOMEOWNER HANDBOOK PINE 43 HOMEOWNERS ASSOCIATION

December 2023



FOREWORD

This Handbook is included as one of several governing documents for the Pine 43 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 Pine 43 HOA; CC&R's, Master Declaration, Supplements, or any of the other legal governing documents, these legal documents shall prevail.

Access to the Pine 43 HOA governing documents may be viewed at www.dev-services.com.

~ The purpose of the 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 Community's 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. ~

The HOA Board of Directors (Board) and Architectural Control 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 February 1, 2021 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: THE BOARD OF DIRECTORS HAS AUTHORITY TO REVISE THESE REGULATIONS AT ANY TIME. IF THERE IS ANY DEVIATION FROM THE CC&Rs, THE CC&Rs WILL GOVERN.**

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ARCHITECTURAL REVIEW POLICIES

BASKETBALL STANDS

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

COMMON AREA USE

No structures or objects are to be placed in the common areas unless otherwise approved by the ACC/Board.

DEPOSITS FOR NEW CONSTRUCTION

In order to promote compliance with builders during new construction, the ACC determined a \$400 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

FLAGPOLES: Flagpoles are permitted in the Pine 43 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, MIA/POW, 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 ridgeline (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

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

Backyard raised garden planters are approved for the residents of Pine 43. 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 & LANDSCAPE

Refer to the CC&R's, Supplements and Amendments 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, flower beds or vegetable gardens.
3. Trimming of trees and plants.

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 or artificial turf, 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. Additional plants may be required to soften the aesthetic with these materials.

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 of rock, for any purpose, must be approved in advance by the ACC.

INVISIBLE PET FENCES

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 right-of-ways, 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.

OUTBUILDINGS/SHEDS

Free standing sheds and other outbuildings may be permitted upon prior written ACC approval. Accessory and outbuildings to be located on a Lot shall be architecturally and visually compatible and harmonious with the principal building on the Lot as to style and exterior colors.

SIGNS

The Pine 43 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 Pine 43 management companies office location. The builder/agent/owner will have to come and pick-up the materials within fifteen (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 States Avenue or Webb Way, other than at a main entry point to direct traffic into the community for the open house.
- 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.
- ONE sign may be placed at the entry to the road on which the open house is occurring, if different from entry road.
- ONE sign may be placed in the driveway or yard at the property with an open house.

Election Sign Policy

Election signs are permitted within Pine 43 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 fourteen (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 request application.
- * Identify materials to be used in sign when submitting the approval request application. 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 application along with the design specifications to the management companies office. Forms are available at www.dev-services.com. Requests for Private Residence signs may be sent to Shurie@dev-services.com for ACC consideration. Please include an explanation of the need for the sign.

RESIDENTIAL POWER GENERATION SYSTEMS GUIDELINES [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

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, in order to heavily screen the trampoline from public and neighboring property view.

BOARD OF DIRECTORS POLICIES

ANIMAL CONTROL

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.

CC&R COMPLIANCE POLICY

See Exhibit A

GARAGE SALES

No personal garage sales will be allowed.

HOLIDAY AND SEASONAL DECORATIONS

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 Pine 43 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 Pine 43 Development is the final authority regarding interpreting the Pine 43 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.

IRRIGATION WATER

Irrigation water is supplied by the Pine 43 Water Association (WA). Residents are assessed by the WA 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 hopefully avoid freeze damage in the off season.

MAILBOXES

Mailboxes are in the kiosks located near the main entry in the pool parking area for phases 1 & 2. Phase 3 mailbox kiosk is located adjacent to 1351 N Meadowglen Ave. Lost keys require the Owner to have a locksmith rekey their box. The Meridian Post Office governs box number assignments and mail delivery. Box assignment numbers are for post office use only and **do not** need included with your mailing address.

POOL

See Exhibit B – Pool Rules

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

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 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.
 1. If there is more than one person/entity listed on title, please have all persons/entities complete the waiver.
 2. 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.
 3. 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:**
 1. A copy of all electronic signers legal photo ID must accompany the electronically signed forms.
 2. 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.
 3. 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.

RECREATIONAL VEHICLES

Homeowner vehicles, such as boats, trailers, campers and motor homes, may be temporarily parked in the Homeowners driveway 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. If the vehicle cannot safely fit in the Homeowner's driveway, upon prior written Board approval, it may be parked on the street within the Homeowners property boundaries and cannot block a sidewalk, fire hydrant, be in a no parking zone, parked in a roundabout or in any way create a hazard and must be coned front and rear. When parked on the 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 Pine 43 Development.

This policy, established by the authority of the Board of Directors, is issued to provide clarification to Article IX, Section 6 of the Master Declaration. The Board of Directors reserves the right to revise or revoke this policy at any time.

RENTAL PROPERTIES

Pursuant to the Master Declaration, all lease agreements must be in writing and inclusive of the provisions of the Master Declaration. **In order to confirm that leasing agreements meet these requirements, the Association requests that all such lease agreements be provided to the Association in written, executed form, no later than 5 business days prior to the beginning of each lease term.** All Association-owned common areas which are accessible by keycard (including, for example, the pool and tennis courts) are restricted to homeowners and their guests. The keycards are electronically updated to allow for the entry of Owners and their renters as a part of a system which tracks the comings and goings in those common areas. This system safeguards the common areas from misuse and vandalism and protects the Association from excessive liability risk. All Owners in the Association who rent out their home for any period of time carry the responsibility to ensure that their renters complete a release of liability and assumption of risk waiver form before the common area keycards may be used. These forms must be included with the executed lease agreements provided in advance of the lease term to the Association. Of course, all users of the common areas must adhere to the then-current use policies of the Association and any violation of such policies are

cause for restricted access for both the Owner and its renter(s). (The forms, Master Declaration, rules and regulations all are available at <https://www.dev-services.com/project-details/?id=193>.)

Leasing arrangements undertaken by Association members require that the Association review the above documents, and that the Association's property manager manage keycards and occasionally follow up with the property Owners when renters become a nuisance in the common area or to the neighborhood. That work is an administrative burden to the Association. **Therefore, in connection with any leasing arrangement review, the Association has instituted the following procedures.**

1. The Owner must provide a copy of the written lease within 5 business days prior to beginning of term.
2. The Owner must provide to the Association the name and contact information of its professional property manager, who must be available for emergency contact on a 24/7 basis.
3. The Owner will be charged a flat fee of \$100.00 on each such leasing arrangement review, which fee is due and payable no later than fifteen (15) days after the lease agreement and forms are delivered to the Association and used to cover the cost billed to the Association by its property manager in connection with processing such paperwork and keycards.
4. Failure to timely provide the lease, release form, and/or pay the associated fee will result in restricted access for both the Owner and its renters.

SIDEWALK MAINTENANCE

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.

SPORT COURT FACILITY USE

See Exhibit C – Sport Court Rules

*Completion of liability waiver is required. See Pool Facility information.

PARKING PROVISIONS

Owner/Resident standard vehicles **should be parked in the garage or driveway** and may not obstruct the sidewalk. City of Meridian requires sufficient parking spaces for residential properties. Please ensure that garage space is not utilized as storage inhibiting maximum parking access.

GUESTS

As a courtesy, please ask guests to park in driveways when possible to limit on street guest parking. Should any resident have a guest staying overnight for more than three nights notify management. Visitors staying overnight regularly, as a matter of practice, and/or for extended timeframes, may be deemed residents for parking purposes and required to utilize garage/driveway parking space.

FIRE LANES

Certain areas are marked fire lanes where all parking is prohibited. Violators may be ticketed/towed at the vehicle owner's cost. Should you or a guest have a vehicle removed from a fire lane, please contact the Meridian Police Department for assistance.

FACILITY LOTS

HOA facility parking lots are for mailbox access and for parking during immediate use of the HOA facilities (pool and sports courts lots). No overnight parking is permitted. Facility lots are not intended for guest or resident overflow parking use. Vehicles in violation of this policy may be subject to vehicle towing at the vehicle owner's expense. Should you or a guest have a vehicle removed from a facility parking area, you may contact the towing company on the posted signs.

TOWNHOME PARKING AREAS

Phase 2 Townhomes: Units face E State Ave and have an alley load access. Residents are requested to park within their garage and driveway primarily. Striped parking spaces located on E State Ave are intended for **adjacent townhome use only**.

Additional striped parking spaces on E Summerbrook Ave. are intended for phase 2 townhome overflow, phase 2 townhome visitor, and townhome maintenance parking use only.

Phase 3 Townhomes: Striped parking spaces on E Jewel St. are intended for phase 3 townhome overflow.

Violators parking in the spaces on Summerbrook Ave. or on Jewell St. may be subject to tow removal at the vehicle owner's cost.

TRASH RECEPTACLES & OUTSIDE STORAGE

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, or solid tan vinyl material.

A screening wall must be of the highest quality and compliment and blend with the home's 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 IX, Section 3, of the Master Declaration.

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.

ADDITIONAL INFORMATION

EXHIBIT A - ENFORCEMENT POLICY

The Pine 43 Homeowners Association (“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 Pine 43 CC&Rs (Declaration).

CORRECTIVE MAINTENANCE

Article III, Section 4(D); and Article VII, Section 3 of the Master Declaration grants the Association authority to enter upon a Lot to perform Corrective Maintenance, within seven (7) days of written request for such, in the event an Owner shall fail or refuse to perform its maintenance or repair obligations, or to correct any violation of the Declaration.

MONETARY PENALTIES

The Association reserves the right to utilize Monetary Penalties, as opposed to Corrective Maintenance, for compliance enforcement efforts as outlined under Article III, Section 4(D), and Section 5(D); and Article XV, 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 thirty (30) days written notice of the proposed penalty and a timely opportunity to be heard on the matter before the Board. 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 the Owner begins resolving the violation prior to the meeting, no monetary penalty shall be imposed so long as the Owner continues to address the violation in good faith until fully resolved.

LIMITED ASSESSMENT

The cost incurred by the Association in performing such maintenance or repairs, or for other costs associated with action to bring forth compliance with the Declaration, together with any monetary penalties, and interest thereon from the date of expenditure at the rate of 2% per month, shall be levied as a Limited Assessment. Any such Limited Assessment shall be due within fifteen (15) days of the date written notice thereof is delivered to the Owner via first class or certified mail to the last known address of such Owner as per Association records.

If you contest a proposed corrective maintenance or a monetary penalty action, you must notify the HOAs management company in writing within three (3) business days of the impending corrective action (I.e., date for planned corrective maintenance action, or initiation date for monetary penalties post-hearing**). Notification should include specific reasoning for contesting the HOAs action and delivered as follows.

EMAIL TO: Shurie@dev-services.com

MAIL/HAND DELIVER TO:
PINE 43 HOA
9601 W STATE ST STE 203
BOISE, IDAHO 83714

**Please be advised that the resolution period may be revised for repeat offences by the same Owner. The intent being that Owners are responsible for notifying their guests/representatives of the regulations and monitoring activity so that the HOA is not continually addressing the same concerns with the same Owners.

EXHIBIT B – POOL FACILITY RULES

For the safety and enjoyment of the residents of the Pine 43 Subdivision and their guests, the following pool policies and rules were adopted by the Board of Directors June 24, 2020. Any subsequent revisions are posted in newsletters or email communications distributed to homeowners by the HOA.

POLICIES:

The pool is fenced and gated for the safety and exclusivity of Pine 43 residents who are not delinquent and their guests. The gates must be kept closed at all times 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 keycard 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.

The keycards will go to the owner on title. If the house is rented it will be the responsibility of the owner to provide the keycard to the renters and ensure they complete a separate lessee release of liability and assumption of risk waiver form. Lessee agreements should be inclusive of all CC&Rs and HOA rules and regulations. Replacement cards, if lost, stolen, or damaged, will be \$30.00.

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, at all times 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 an adult resident, 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 maintained at all times, 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.

EXHIBIT C – SPORTS FACILITY RULES

Use of the sports courts is exclusively for Pine 43 residents in good standing and their guests. The tennis court is fenced and gated. The gate must be kept closed at all times other than when entering or leaving the tennis court. Propping open the gate or allowing unauthorized individuals to use the sports courts 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 the community pool and the tennis court. For details on the key cards, see other sections of the Owner Handbook.

All guests must be accompanied by an adult resident while using the sports courts. No more than four (4) guests at one time are permitted.

Sport Court Rules:

1. **ALL PERSONS USING THE SPORTS COURTS DO SO AT THEIR OWN RISK OF INJURY, ILLNESS, and/or DEATH.**
2. Youth under age 14 must be accompanied by a responsible adult resident, 18 years of age or older.
3. No pets, alcohol or smoking is allowed on the sports courts.
4. No glass containers of any kind are allowed on the sports courts.
5. The sports courts are for use in playing tennis, pickleball and basketball. Other uses of the sports courts is prohibited. No skateboards, rollerblades, skates, bikes, e-bikes, scooters or other similar items on the courts.
6. All trash must be disposed of in the containers provided at the tennis court or packed out if you do not have access to the tennis court.
7. The sports courts are for the use of adults, children and families. Accordingly, appropriate dress and behavior is to be maintained at all times, by residents and their guests. Abusive or offensive language (including profanity) or behavior is not allowed.
8. No loud music will be allowed on the sports courts. Be respectful of residents living near the sports courts.
9. Sport court hours are from 7:00am until sunset.
10. Availability of the courts is on a first-come, first-serve basis. When using the courts be respectful of those waiting to use the courts; limiting your play so that wait times are no more than one hour.

Anyone who does not adhere to the sport court policies and rules will risk losing their sport court privileges. Sport court rules may be revised at any time by the Board of Directors. The Board and designated representatives have the authority to enforce the sport court rules. Anyone who refuses to comply risks losing their privileges and having their keycard cancelled. Prior to re-activation of the keycard and sport court privileges, the homeowner must attend a board meeting at which the Board may re-activate the keycard at its discretion.