

MVMA – Meridian Valley Maintenance Association **Landscape, Yard Maintenance, and Appearance Control**

SUBJECT: Landscape, Yard Maintenance, and Appearance Control. The following is a summary of the provisions listed in the Declaration of Restrictions and the Policies adopted by the Board of Trustees concerning landscape maintenance violations.

DECLARATION OF RESTRICTIONS:

Article VI Section 5 - Care and Appearance of Premises. The member shall maintain the improvements of the premises and the grounds of said premises in a neat and attractive manner, and in particular shall keep the grass and weeds cut, the shrubbery pruned and dead trees, shrubbery, and plants removed. The member shall keep the exterior of improvement on the premises in a good state of repair and appearance.

Article VI Section 6(a) - Uses permitted and prohibited. The member shall use the lot or condominium site solely for residential purposes, and no building, other than a single family dwelling house and attached out-buildings, or attached garage for private use, shall be constructed or maintained on a single family lot.

Article VI Section 6(h) - No garbage, refuse, rubbish or cutting shall be deposited upon or left on the lot or condominium site unless placed in an attractive container suitably located and screened from public view.

Article VI Section 6 (i) - No clothesline shall be located on the lot or condominium...

Article VI Section 6 (j) - Members shall at no time maintain any sign or other advertising device...

Article VI Section 6(k) - No fuel tank shall be maintained above ground on the lot or condominium site.

Article VI Section 6 (l) - ... no excavation shall be made on the lot or condominium site or shall any dirt be removed there from.

Article VI Section 6 (p) - The member shall neither install nor maintain exterior lighting of any sort which is visible from the street or from the dwelling house of any other member without first obtaining the permission for the Architectural Committee.

Article VI Section 7. View. It is important that members shall restrict the height of improvements on the lot or condominium site and the height of trees and vegetation growing thereon to the extent reasonable possible,

Article VI Section 8. Landscaping

(a) It is the desire of the Association and the developer to preserve the natural vegetation of "The Plat" to the greatest extent possible and to discourage the planting of trees, shrubs, and other vegetation thereon not indigenous to the Northwest.

(b) The member shall neither remove from the lot or condominium site any tree,

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shrub, or other vegetation, without having first obtained the permission in writing of one member of the Architectural Committee.

Article VII Section 3. Violation of Provisions Concerning Care and Appearance of Premises. In the event that the member shall fail to comply with the provisions of Article VI Section 5 herein, the developer or Association may no sooner than 30 days after it has delivered to the member written notice specifying the respects in which the member is violating such section enter upon the lot or condominium site and take such steps as in its judgment may be necessary to remedy the violation of such section...

Article VII Section 4. Violation of Provisions Concerning Landscaping. The developer or the Association shall have the right to impose upon the member a fine for each violation of the provisions of Article VI Section 8 herein in an amount not to exceed \$25.00 for each shrub removed in violation of the provisions in such section and not to exceed \$25.00 per inch of the diameter of the stump of each tree removed...

Article VII Section 4. Setback and Fence Requirements. Fences shall not be permitted. Walls, hedges, retaining walls, or mass planting will only be permitted where approved by the Architectural Committee.

POLICIES ADOPTED BY THE BOARD OF TRUSTEES FOR LANDSCAPING VIOLATIONS AND REMEDIES

VIOLATIONS: Failure to maintain the improvements on the premises and the grounds of such premises in a neat and attractive manner, and in particular to keep the grass and weeds cut, the shrubbery pruned and dead trees, shrubbery, and plants removed. Failure to keep the exterior of improvements on the premises in a good state of repair and appearance.

REMEDIES: The Board may take the steps and impose the fines described below for failure to properly maintain the appearance of landscaping and property improvements as described in the Declaration of Restrictions. Notwithstanding the specific fines called for in this policy, the MVMA and BOT reserve the right to pursue any other available remedy or sanction in lieu of or concurrently with these procedures.

First Infraction: Homeowner is sent a letter containing a copy of the landscape and improvement maintenance policy approved by the BOT and a request to carry out specific landscape and/or improvement maintenance in a timely manner. The letter will encourage the homeowner to contact a Board member or seek opportunity to meet with the Board to explain why the policy should not be applied.

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Second Infraction: At least a week after the first letter, homeowner may be sent an infraction notice (“ticket”) for \$25, a copy of the first letter and a dated picture of the landscape or improvement maintenance violation. In addition as part of the second infraction notice, the BOT may choose to make a specific offer to the homeowner to have the Association carry out at its earliest convenience the required maintenance and bill the owner on a schedule not to exceed six months (fees and interest to apply only to unpaid account balances).

Third Infraction: At least a week after the second letter, the homeowner may be sent an infraction notice (“ticket”) for \$50, a copy of the first two letters and a new dated picture the landscape or improvement maintenance violation.

Fourth Infraction: At least a week after the second letter, the homeowner may be sent an infraction notice (“ticket”) for \$100, a copy of the first three letters and another dated picture of the landscape or improvement maintenance violation. At this time, homeowner will be notified the site will be monitored no sooner than weekly and additional fines of \$100 will be assessed for continued violation at each time period.

[Note: Financial penalties will be billed monthly and subject to fees, interest and property liens for non-payment.]

Revised, July 13, 2016
Revised, February 7, 2001
Revised, June 7, 2000
Revised, May 2, 2000
Revised, February, 2000
June 2, 1999