

CARLYON BEACH HOMEOWNER'S ASSOCIATION

RULES AND REGULATIONS 2011

Adopted January 25, 2011

GENERAL

1. The Rules and Regulations of Carlyon Beach Homeowner's Association are established annually by the Association's Board of Trustees, as directed by Article VI, Section 3, of the Association's By-Laws.

The following Rules and Regulations are procedures required by the Association's Board of Trustees for implementation of CBHA By-laws.

2. Costs, including attorney fees, incurred by the Association to enforce compliance with the Rules and Regulations shall be charged to the offending member or members as identified by the Board of Trustees. Such charges shall be collected as prescribed in Article IX, Section 4C, of the Association's By-Laws.
3. Garbage services supplied by Carlyon Beach Homeowner's Association and paid for by the entire membership are intended for members and their guests utilizing the facilities of the Community Recreation Area, Dock, Floats, and Clubhouse. The disposal of "home" garbage in Club containers is prohibited. Garbage or refuse collected at the owner's property is the owner's responsibility to

Trunk diameter of existing tree	Equivalent number of planted trees
1- 8 inches	1 tree
9 – 14 inches	2 trees
15 – 18 inches	3 trees
19 - 22 inches	4 trees
23 – 26 inches	5 trees
27 – 30 inches	6 trees
31 – 34 inches	7 trees
35 – 36 inches	8 trees

Refuse Service, telephone 923-0111, is the Health Department approved agent servicing the Carlyon Beach area.

4. All payments to CBHA are due and will become delinquent if not paid within 60 days of the date of billing.
5. A reward as determined by the Board, not to exceed \$500, may be paid for information leading to the arrest and conviction of anyone who damages, destroys, or steals property belonging to Carlyon Beach Homeowner's Association.
6. No hunting shall be permitted and the use of firearms is prohibited within CBHA boundaries.
7. No soliciting (commercial house to house selling) or other soliciting within CBHA boundaries will be allowed.
8. Each lot and residence shall be kept in a neat, clean and tidy condition and shall be free of litter, containers, equipment, building supplies or debris which may be hazardous to the health and safety of CBHA residents.
9. At no time will non-drivable vehicles be allowed to remain on CBHA streets or rights of way, or in open view on a member's lot.
10. No recreational vehicle parked on an undeveloped lot or a developed lot shall be allowed to block the air, light and view of the neighboring houses. This includes motor homes, travel trailers, campers and boats.
11. Carlyon Beach Homeowners Association Resident's Guide to Tree Preservation as prescribed by Article X, Section 2, of the By-Laws.
 - a. You are required to maintain one tree for every 1,500 square feet of lot size.
 - b. Preserving large trees reduces the number of trees required on a lot.

3. Members (Landlord) renting/leasing property within CBHA are responsible to insure that the occupants of their property comply with CBHA Rules and Regulations, By-Laws and Covenants. The member is ultimately responsible for the actions or inactions of the renters and will be held accountable for compliance with these Rules and Regulations.

ANIMALS

1. Non-members may not have horses within Carlyon Beach Homeowners Association boundaries. Members will clean up after horses.
2. Dogs must be on a leash or on the owner's property at all times. Members may allow dogs to run loose on the beach adjacent to the bridge. Access is permitted through the boat ramp gate and the pedestrian gate at the boat launch. Any mess or dog feces must be cleaned up and removed by the owners. No dogs or other animals are allowed in the parks nor on the beach adjacent to the park.
3. Any household pet, when outside the owner's yard, will be cleaned up after by the person responsible for the pet at the time when cleanup is necessary.
4. For a resident to report a complaint or violation of the animal control rules, a preprinted complaint form is available at the CBHA office. No phone calls will be taken in place of this form.
5. No member shall keep a pet animal within Carlyon Beach which habitually or continually disturbs the peace and quiet by barking, whining, howling or any other noise. Any person who harbors, keeps, or has temporary custody of a pet animal shall be responsible for the behavior of such animal whether the owner knowingly permits the behavior or not.

ADMINISTRATION

1. Annual assessments levied by the Association and marina slip fees are due and payable as of August 31 of the fiscal year when due, or shall be paid in no more than twelve (12) equal monthly installments July 1 through June 30 of the fiscal year unless such assessments are provided an alternate payment plan as approved by the Board of Trustees.
2. If as of August 31, the assessment is not paid in full or if the monthly payment is delinquent at any point during the fiscal year, such existing balance shall be subject to interest at the rate of twelve percent (12%) per annum from that date. When a payment is made it will be applied to the finance charges first before the original amount owed.

Minimum tree size: Evergreen trees must be at least four (4) feet tall. Deciduous trees must be branched with 1.25 inch caliper at the base.

- c. A variance to this requirement may be granted by the Board of Trustees or a designee to meet the existing rules regarding reasonable expectation of light, view and air.
12. At the time of sale of property within Carlyon Beach, a transfer fee of \$400.00 will be assessed at closing to cover the costs of providing property status information to the title company and establishing membership services for the new owner.
13. Property owners must keep their property free of undergrowth, including but not limited to alder and blackberries, so as not to create a fire hazard and not to deny other property owner's view. A complaint form is available at the CBHA office. No phone calls will be taken in place of this form.

LANDLORD/TENANT

1. Members may rent or lease no more than one land parcel in CBHA regardless of the number of parcels owned by the member.
2. Members renting/leasing property within CBHA shall:
 - a. Notify CBHA and complete sub-paragraph "c" anytime the property is rented /leased to a new tenant.
 - b. Insure that the property is rented /leased only to an individual or single family and is rented/ leased on at least a month-to-month basis.
 - c. Provide to CBHA a completed New Renter Information form within ten days of leasing the property.

3. Unpaid assessments shall be subject to Article IX of the By-Laws: the Board of Trustees shall institute liens and foreclosure action.
4. All payments of assessments or other charges shall be made payable to "Carlyon Beach Homeowner's Association." All charges are due and payable as billed. Past due accounts for these charges become delinquent when 60 or more days in arrears. Delinquent accounts are subject to interest charges at the rate of twelve percent (12%) per annum.
5. All lot payments must be identified by the lot number or the address as to the lot assessment being paid.
6. The General Manager must be notified of any change of a property owner's (member's) home or mailing address and phone number. The General Manager shall be notified of any sale or transfer of property within Carlyon Beach Homeowner's Association.
7. Member's NSF checks shall incur a \$25.00 charge to the member's account.
8. Only authorized personnel may operate the Carlyon Beach Homeowner's Association business computers and only Carlyon Beach Homeowner's Association official business will be conducted on them.
9. All waiting lists of CBHA members kept for the purpose of determining who is next in line for use of a facility or service shall be kept in the office and updated monthly or as needed by the General Manager. Required forms shall be completed to document requests signed by the member and the appropriate trustee to substantiate the accuracy of the names on the waiting list.
10. a. The Board of Trustees employs individuals to provide services to the Association. Members shall treat these employees with respect at all times. Members may greet and ask questions of the employees while working in their capacity as employees of the Association. Members shall never distract these employees from their Association work if to do so may cause any damage or injury. Furthermore, members shall never request personal favors of Association employees, while such employees are acting in their capacity as employees of the Association.
 - b. Any complaint, which a member may have concerning the work or behavior of Association employees, shall be directed to the Board of Trustees in writing. A hearing with the Board of Trustees shall constitute the member's final administrative remedy.
11. a. Regular meetings of the Board of Trustees shall be held on the fourth Tuesday of each month, unless changed by Board action, at the principal place of business of the Association. Members are encouraged to attend these meetings. Members in good standing, as defined in Article II, Section 1B, of the By-laws of Carlyon Beach Homeowner's Association, may speak when public comment and suggestions are requested at the meetings. The purpose of the meeting of the Board of Trustees is to conduct the business of the Association and make public decisions concerning issues such as Association funds and utilities.
 - b. The Board of Trustees may also hold workshops to discuss issues with members in a less formal setting. The Board of Trustees cannot make binding decisions however, at such workshops.
 - c. The Board of Trustees may also hold town meetings in order to allow members to make suggestions to the Board of Trustees and the General Manager. The role of the members of the Board of Trustees at town meetings is to listen to concerns of members; and answer any questions that members may have. The Board of Trustees cannot make binding decisions however, at town meetings.
 - d. Regular meetings of the Board of Trustees, workshops, and town meetings are public meetings, open for observation by all members in good standing and any person invited by the Board of Trustees to assist the Board with its business. All members who attend such meetings shall agree or disagree with one another, with the utmost respect and follow the meeting procedures, (Robert's Rules of Order), as the President directs.
 - e. Executive sessions of the Board of Trustees may be held to consider personnel matters and other matters set forth in Article V, Section 4, of the By-laws of Carlyon Beach Homeowners Association.
12. Each committee of the Board shall:
 - a. Consist of no less than three (3) members including the trustee with the trustee acting as committee chair. A list of committee members shall be posted on the CBHA bulletin board and on the CBHA website.
 - b. Establish a regular meeting schedule to meet at least every two months. The regular meeting schedule shall be posted on the CBHA bulletin board and on the CBHA website.
 - c. Schedule any special meeting at least 24 hours in advance. Such notice of a special meeting shall be posted on the CBHA bulletin board.

- d. All committee meetings are open to all members in good standing with the exception of any portion of a meeting qualifying for executive session in accordance with state law.
- e. All actions and/or recommendations made at a committee meeting shall be reported by the trustee to the full board at the next regularly scheduled board meeting and shall become a part of the Board minutes.
- f. It shall be the responsibility of the committee chair to insure that the requirements of this paragraph are adhered to.
- g. The Vice President and Secretary are not required to form committees.

WATER SERVICE

1. Water service to individual properties will be obtained by making a request through the Carlyon Beach Homeowner's Association Office a minimum of 72 hours in advance. If the Trustee in charge of water determines that a water hook up is necessary, the landowner shall pay a one thousand two hundred twenty five dollars (\$1,225.00) hook-up fee to CBHA. Of this \$1,225.00, two hundred fifty dollars (\$250.00) will be credited to the General Reserve Fund per membership vote of June 13, 1998.
2. Unauthorized hook-up to or tampering with Carlyon Beach Homeowners Association's water lines, setters, meters, valves and other utility services will not be permitted. Any violation shall be removed/repaired by Carlyon Beach Homeowner's Association and the landowner will be charged a water service hook-up fee of \$1,225.00 if applicable, and a fine of \$1,225.00.
3. Carlyon Beach Homeowner's Association is a purveyor of water and as such must provide safe drinking water to all members of CBHA and must meet all governing regulations. The water system includes all water reservoirs, the water tower, all water mains and water lines up to and including the valve at the individual property line. This responsibility shall include a cross connection control program, which shall consist of a hazard survey provided to each property owner. This survey shall be completed in writing and returned to the CBHA office. If no on-site activities are identified that could contaminate the water distribution system in case of backflow, no further action is required. If activities (e.g. plumbing, sprinkler systems, and swimming pools) are identified as potential hazards to the water source, CBHA shall provide education regarding cross connection control, how to avoid cross connection control problems, and shall make recommendations regarding backflow assemblies or methods to protect the water source. If backflow assemblies are required, they shall be installed at the owner's

expense. In the event that the property owner does not complete the survey, CBHA shall give 24-hour notice and shall conduct the hazard survey by walking the property to evaluate and document the hazards. After the valve at the property line, the property owner is responsible to provide and maintain the water line to the house. It is recommended that the property owner install an additional valve to shut off the water service to the house.

4. No water shall be piped to, or in any way be used on, properties outside of Carlyon Beach Homeowner Association's boundaries, nor can any water lines from the CBHA water system cross the outside boundaries of CBHA. The penalty for a property owner that provides water to outside properties is \$5,000.00.
5. No homeowner who has a water service updated or installed shall have a hose bib/standpipe or other connection other than CBHA approved connections within CBHA right of way/property, approximately ten feet from the road edge. If an existing bib or connection is present at the time of update or installation, it will be removed at that time.
6. A homeowner may install a hose bib, standpipe or other connection from his waterline on his property if it is five feet away from the CBHA water valve or meter setter, as long as the installation does not pose a cross connection or potential cross connection to the residence or the CBHA water system.
7. When updating or installing a water service, CBHA will attempt to reattach the homeowner's existing water line to CBHA service. However, if the water line from the connection to the home is deteriorated, damaged or unusable, the homeowner shall pay for the replacement of the water line from the water valve or meter setter.

SEPTIC SYSTEM

1. Any installation of a septic tank, holding tank or the replacement of an existing system for whatever reason requires a permit from Carlyon Beach Homeowner's Association. It also requires a permit from the Thurston County Department of Environmental Health. All Thurston County and Washington State requirements will be enforced through inspection by an authorized representative of CBHA. All permits shall be posted in a conspicuous location visible from the access street. New septic holding tank systems shall be allowed for existing residences or for new residences in conjunction with a building permit application. This is to be applicable when the WWTP (Wastewater Treatment Plant) is permitted for .060 MGD (60,000 gallons per day)

2. Any permit requiring an application fee (except fence permits) on properties having septic or holding tanks will be required to bring the septic system up to current standards, i.e., extend the pump outlet and/or switch to the road in accordance with this section and/or replace the float if necessary. All existing tanks shall be filled to capacity, ground cover removed from the top five (5) feet covering the tank, and the tanks shall be tested for leaks and integrity for 24 hours before being covered over again with ground cover.
3. All septic system installations shall consist of an approved or guaranteed septic holding tank that meets Thurston County standards.
4. Any existing drain field that fails shall be repaired to meet Thurston County Health Department and Washington State standards. If repair is not possible under said standards, owner must install the two-tank system and utilize the sewer treatment plant. To encourage owners with existing drain fields to switch to two-tank systems, the application fee to replace a drain field with a two-tank system will be waived.
5. All new septic and/or holding tanks shall be made of monolithically poured concrete and certified watertight. The tank shall be at least a minimum of 1,000 gallons and shall meet Thurston County or Carlyon Beach Homeowner's Association standards, whichever are more stringent.
6. On new tank installations, top of inlets/outlets shall be held to finish grade. Septic and holding tank tops will be at an elevation above ground level of approximately 6". The tanks may then be mounded over or otherwise landscaped, but not to preclude drainage away from the tank. On existing homes, installations shall be held as high as possible.
7. All new tank access openings and pipe inlets/outlets shall be sealed with a water-proof material of a thick fibrous tar such as Black Jack roof cement or Atco fibered tar roof patch that will not crack or peel off. Concrete patching materials such as Thoroseal, shall be used to fill voids around pipe inlets/outlets, permitted to harden, and then coated with roof cement or roof patch cement. Tank access openings shall additionally have watertight risers that extend above ground grade. CBHA reserves the right to require more stringent tank requirements as better technology and construction become available.
8. a. For new installations, after January 1, 2008, pump out connections shall be no more than one (1) foot inside the owner's property line and shall be easily accessible to the pump truck operator. Repair and maintenance of pump out, float, pump, and switch is the responsibility of the homeowner. If for any reason access to a pump out station is blocked or denied by fence, dogs, vehicles etc., the pump truck driver will leave a note and will return as soon as time permits. Should accessibility be blocked three different times, whether in succession or on different occasions, the owner will be charged an extra pump fee in addition to actual pumps. If a residence is built, remodeled, or moved on a lot requiring permits Type #1 or Type #2, the pump out connection shall be upgraded to conform to standards identified in steps 8, 9 and 10 of this section.
9. If the vertical head of wastewater from the bottom of the holding tank to the top of the pumper truck is fifteen (15) feet or more, then the septic system shall have a pump installed to assist in lifting the wastewater to the pumper truck. Pump capacity will be a minimum of 100 gallons per minute. An on-off switch for the pump shall be installed at the pump-out connection. The on/off switch shall be key-activated with a key type device that has been approved by the CBHA General Manager.
10. Whenever the pump-out connection is below the outlet of the holding tank a valve will be installed within 10" of the pump-out connection.
11. Any member installing a new tank or tanks shall have an inspection, including leak down test, by an authorized representative of the Carlyon Beach Homeowner's Association. Request for inspection shall be made 48 hours prior to back filling. The Association installation permit will at this time be validated by the inspector's signature if the installation is approved. Failure to request the inspection shall result in the disapproval of the installation until the system is uncovered, inspected, and approved.
12. Scheduled pumping;
 - A. All residences having holding tanks shall be placed on a pumping schedule determined by the Carlyon Beach Homeowner's Association Board of Trustees or its representative, as directed by the Washington State Department of Ecology. If a person does not follow his schedule and repeatedly requires early pump outs, CBHA will provide a warning notice and offer to increase the frequency of pump outs. If the problem persists it will be brought before the Board for action.
 - B. The emergency pump fee is \$75.00. An emergency pump is any after hours pump or on Thanksgiving or Christmas.
13. All septic and holding tanks will be maintained in a watertight condition at all times. If tanks are found

to be out of compliance, owner shall be responsible for repairs in a timely manner.

14. Whenever primary or secondary raw sewage pollution creates an emergency, water service shall cease and immediate repairs shall be undertaken by the landowner at the landowner's expense. If repairs are not completed by the landowner within 72 hours, CBHA will repair the tanks and associated apparatus or have the tanks and associated apparatus repaired and will bill the owner for time and materials.
15. Payments for billings for holding tank pump outs are the sole responsibility of the property owner(s) and will be submitted to the property owner monthly for payment. This shall also occur if the property is used as a rental.

ROADS AND STORMWATER

1. No parking is allowed on CBHA-owned surfaced roads, access roads, rights of way or drainage areas (such as roadside ditches) at any time. No building, trees, or shrubbery shall impede sight distance on any roads. None of the aforementioned will block or interfere with drainage on Carlyon Beach Homeowner's Association property. Improperly parked or placed property may be removed at the owners expense.
2. All roads in Carlyon Beach Homeowner's Association are private roads on which the speed limit is twenty (20) miles per hour.
3. All platted roads and easements in Carlyon Beach Homeowner's Association shall be subject to State of Washington and Thurston County laws, rules and regulations pertaining to vehicular traffic.
4. Prior to any clearing or development of property a permit is required from CBHA. Access across existing or potential ditches requires the permanent, final installation of an eight to twelve-inch (8" to 12") inside diameter, concrete or corrugated metal pipe (or of a diameter specified by the storm water engineer upon inspection of location.) The invert (inside elevation of bottom of pipe) is to be at the bottom of established ditch grade. The length of the culvert is minimum 12' maximum 24'. All culvert pipes will be laid so they drain in accordance with the existing ditch and be covered with no less than three inches (3") of gravel. Concrete or asphalt for driveway surfacing may be extended to the street, providing an expansion joint be placed at the property line. Should utility work require removal of that portion of driveway surface from property line to the street, replacement of concrete or asphalt as well as cost, will be the responsibility of the property owner. Where property has been developed and a culvert has not been installed beneath the driveway, or where property has not been developed and CBHA needs to improve storm water flow, CBHA may determine that a culvert is required. When a culvert is required, CBHA will send a certified letter to the member at least fourteen (14) days in advance of any work. CBHA will order and purchase all materials including pipe, pipe bedding, backfill, and finish rock. CBHA will perform all excavation, pipe installation, bedding, and backfill and finish work. The member will be billed for required time and materials. The member shall pay the amount of such bill to the Association within 30 days. If such bill is delinquent after that date, such payment shall be subject to interest penalties and liens in accordance with Article IX Section 4 of the CBHA By-Laws.
5. Except for private driveways and parking lots, all vehicles must use roads only.
6. There shall be no signage on Association property or rights of way.
7. Homeowners are required to trim and/or remove any foliage that stems from their property into CBHA rights of way. Trimming will be accomplished so as to allow the sixteen-foot (16') height clearance from the established road surface for the entire easement/rights of way. Non-compliance with these rules will result in CBHA employees or third party contractors performing this task. Costs incurred for time/equipment will be billed to the homeowners.
8. CBHA reserves the right to put in place bio-swales and or drainage ditches within CBHA rights of ways in accordance with storm water drainage engineering plans.
9. Homeowners are responsible for the removal of any trees or shrubbery that may become unstable when CBHA authorized cleaning/excavation of the easement/rights of way is performed. Homeowners are to ensure that their "Privacy Screen" shrubbery does not grow to a point where it may become unstable in the event of excavation of the rights of way. Non-compliance with these rules will result in CBHA employees or third-party contractors performing this task. Costs incurred for time/equipment will be billed to the homeowner.
10. The Board of Trustees will have the discretion to close the roads in CBHA to construction equipment due to weather conditions, frost, rain, etc. Failure to comply will result in the property being "Red Tagged" and the owner being fined \$1,000.00 per occurrence. The President, or his designee, may impose this restriction on an emergency basis with Board concurrence at its next meeting.

EQUIPMENT

Equipment, tools, or materials, other than tables and chairs, belonging to Carlyon Beach Homeowner's Association shall not be rented or loaned to members for private use nor shall they be used by any Association employee or Association official for non-Association use, unless deemed necessary, for the good of the Association, by the Board of Trustees.

COMMUNITY RECREATION AREAS

Defined as all parks, beach adjoining the park, community dock, boat launch, launch dock, canoe/kayak racks launch parking area, and wanigan.

1. Only motor vehicles engaged in delivery, pickup or access for disabled persons are allowed in the park area.
2. No dogs or other pets are allowed in park nor on the beach adjoining the park.
3. All residents of CBHA are eligible to use the off-leash dog park. For the safety of all people and dogs, dog park use is conditional upon completion of the Dog Park Usage Agreement. A Dog Park Usage Agreement form may be obtained at the CBHA Office. The CBHA Office shall maintain a list of dog park committee members who may register residents for use of the dog park.
4. No bicycles or skateboards are allowed in park.
5. Fires are permitted in the wanigan (the park shelter) fireplace and shall be maintained in a safe manner. Beach fires are specifically prohibited.
6. Picnic garbage is to be placed in waste containers provided in the park areas.
7. Playground equipment is for everyone's use. Members and guests should use the equipment with respect for others.
8. Recreational activities must be limited to activities that do not damage the grass, trees, or shrubs, and do not disturb the surrounding community.
9. Use of the Community Recreation Area shall be limited to the hours of 8 A.M. to 11 P.M.
10. Group use of community recreation areas:
 - a. Facilities may be used on a first come/first served basis unless the facility is reserved.
 - b. Groups should be registered with the General Manager 30 days prior to the date of the intended use of the area. A member in good standing may

invite friends and family to use the community recreational area(s) as long as the member is also in attendance. The sponsoring member shall sign a statement indemnifying and holding harmless CBHA from any loss or injury while the group is using CBHA property.

c. If a group of more than 30 people is using the community recreation areas, a damage deposit of \$200.00 per day will be assessed. The damage deposit, except for \$50.00, is refundable if the recreation areas are cleaned up to the satisfaction of CBHA following the group's use of the area.

11. Each member must help to keep the restrooms, picnic grounds, and wanigan as clean as possible.
12. Each member utilizing community recreation areas is responsible for observing and enforcing the above rules and regulations and for courteously sharing the park with other members and their guests.
13. The wanigan is available to any member in good standing and may be reserved by contacting the office.
14. Children under 12 years of age are not permitted on piers or floats unless accompanied by a parent or other responsible adult. Children seven (7) years and younger must wear a Coast Guard approved life jacket when on docks, even if accompanied by an adult.
15. Refuse cans are maintained at the head of the dock next to the Clubhouse for boater's use. No garbage, trash, oil, fuel, debris or other material, liquid or solid, shall be deposited in the water or on land areas of the facilities, or on any floats or piers except into containers provided for that specific use. Extreme care must be exercised to avoid spilling petroleum products on floats or in the water areas around the floats for reasons of ecology and fire.

BOAT LAUNCHING

1. The private boat launching area is for the exclusive use of CBHA members in good standing only.
2. Members using the boat launching facilities must lease a gate key from the CBHA Office. One key per membership will be issued. Keys shall not be loaned. Misuse of a key shall result in the loss of privileges. Boats may not be moored at floats at the launch area except during the period of launching or tailoring the member's boat.
3. Small skiffs or boats shall be stored only in the open rental racks provided. All other space in the boat launch area is to be kept clear at all times.
4. The speed limit for all boats in the marina area is DEAD SLOW. The marina area includes the zone

between the launch ramp and the outer breakwater. Please observe this rule. LEAVE NO WAKE! Members will be held responsible for any damage caused to other boats or the marina by their wake.

5. Gates to the launch/ramp area will be kept locked at all times. There is NO overnight parking in the launch area and doing so may result in a vehicle being towed. A launch area key may be leased for \$25.00 per year. To replace a lost key will cost \$50.00.
6. Launch locks will be changed on an annual basis. New keys will be issued and paid for by June 30th of each year.
7. Small boat storage racks in the launch area may be leased for an annual fee of \$35.00. The Board of Trustees establishes the charge for this periodically. A lease agreement must be executed and approved by the Marina Trustee or his/her representative.
8. Launching of all watercraft, including canoes, kayaks, power boats, and personal watercraft, shall be done at the designated launch ramp. No vessel shall be launched from the main dock.

CLUBHOUSE

1. Only members in good standing shall enjoy entitlement to use the Clubhouse.
2. Members intending to use the Clubhouse for a group function, with the member in attendance, are subject to the following requirements:
 - a. The clubhouse is available for use between 8 A.M. and 11 P.M. 7 Days a week.
 - b. Notify the General Manager at least fifteen (15) days in advance.
Reservations for use of the Clubhouse shall not be effective until a user agreement is executed and the required security deposit has been paid fourteen (14) days in advance or within 24 hours of a reservation request if less than 14 days prior to rental.
 - c. Groups are limited to a maximum of 80 persons; the maximum allowed by the fire code.
 - d. Private member group rental fees shall be charged according to the following schedule:
Private Member Functions

Rental Period	1-30 people	31-60 people
1-3 hours	\$30.00	\$60.00
4-6 hours	\$60.00	\$120.00
6+ hours	\$100.00	\$150.00

- e. "Member-sponsored Business" groups will be charged a user fee of \$200.00 per day. No part day rentals are allowed for business use.
 - f. A \$150.00 refundable damage deposit, subject to inspection, will be payable in advance of scheduled date.
 - g. Damage or clean up costs will be billed to the renting member and treated as any other assessment on property.
 - h. The sponsoring member shall sign a statement indemnifying and holding harmless CBHA from any loss or injury while the group is using CBHA property.
3. No barbecues or open flame cookers are to be used in the Clubhouse or on the deck.
 4. The building is a non-smoking facility. Smoking is prohibited within 25 ft. of the entrances of CBHA owned buildings, as prescribed by state law.
 5. No commercial soliciting is allowed.

MARINA

"DEFINITIONS"

- A. "Marina" shall mean the Carlyon Beach Homeowner's Association Inc. boat slips and Docks A and B attached to the community dock.
- B. "Moorage" shall mean a designated position where watercraft may moor.
- C. "Owner" means the person who has lawful possession of a vessel or watercraft by virtue of legal title or equitable interest therein which entitles him/her to such possession, including all members of his/her immediate family.

The Marina is closed to fishing, swimming, skin diving (other than boat repair/maintenance) and aquatic events.

To insure the safety and enjoyment of all boat owners and to preserve our high quality environment, the following Marina Rules and Regulations have been established.

1. All persons entering the marina area shall be subject to the marina rules. Non-compliance with the marina rules may result in loss of the member's marina use.
2. The marina dock hours are limited from 7AM to 11PM except for boat owners going to and from their boats.
3. All boats using the facilities of the marina for moorage, or otherwise, shall be subject to all of the charges, rules, and conditions as established by the Marina Rules and Regulations.

4. All boats, property, gear, or equipment will be stored, moved, or maneuvered in the marina in a safe and orderly fashion.
5. Anyone visiting or using the marina areas or its facilities does so at their own risk. The Carlyon Beach Homeowner's Association does not assume any responsibility for loss or damage to property or persons within the marina.
6. In the Marina, children under 12 years of age are not permitted on piers or floats unless accompanied by a parent or other responsible adult. Children seven (7) years and younger must wear a Coast Guard approved life jacket when on docks, even if accompanied by an adult.
7. Refuse cans are maintained at the head of the dock next to the Clubhouse for boater's use. No garbage, trash, oil, fuel, debris or other material, liquid or solid, shall be deposited in the water or on land areas of the facilities, or on any floats or piers except into containers provided for that specific use. Extreme care must be exercised to avoid spilling petroleum products on floats or in the water areas around the floats for reasons of ecology and fire.
8. Only members in good standing may use the marina facilities. If an existing Marina Member becomes "not in good standing" the following will take effect immediately: the forfeiture of any slip, Marina keys and Marina privileges. "NO REFUNDS". This is in accordance with By Laws, Article II, Section 1 #B.
9.
 - A. Annual Moorage slip leases begin each year on July 01 and end each year June 30. They are NOT ONGOING. Marina Leases must be renewed by May 31 for the following year. Lease renewal is accomplished by providing the office with a signed lease agreement, proof of insurance, and a current vessel registration. Lease fees will be billed to the members account on July 1 and may be paid in full or a maximum of twelve equal payments. The member is obligated for the full annual lease. On July 1 each year, slips that have not had leases renewed will be considered vacated and available for lease to other members. Boats moored in vacated slips after July 1, will be impounded.
 - B. A slip may be leased during a fiscal year by paying for the remaining months on a pro rata scale AND AGREEING TO LEASE THE SLIP FOR THE FOLLOWING ENTIRE FISCAL YEAR.
- 10 A waiting list will be maintained for Marina moorage.

If a slip position is refused by a member at the top of the list, the slip will be offered to the next person on the list and the declining member will retain their position on the list. A waiting list request form must be completed and turned into the office before a member will be placed on the waiting list. The waiting list is determined by the date the request form is received in the Office. Waiting list forms will be accepted year round. Only members in good standing may be placed on the marina moorage waiting lists. If at any time a member becomes in non-compliance, they will be taken off the waiting list.

- 11 Marina berthing lease regulations must be adhered to. Failure to do so shall result in forfeiture of all marina privileges.
12. Members caught lending keys to anyone not affiliated with or in good standing with CBHA will be fined \$100.00 and will lose key privileges for one (1) year. Anyone who cannot be verified as the key owner will have the key confiscated.

DOCKS, FLOATS & MOORAGE

1. Boats, when unattended, must be securely moored with stern, bow, and spring lines. Four or more lines are required.
2. Living aboard any boat moored in the marina is prohibited.
3. Boats may be moved by authority of the Marina Trustee or General Manager for the protection of life or property or proper utilization of the facility.
4. Boats which do not meet normal safety standards, are hazardous to other boats, or the marina facility, will be denied permission to remain on the premises. All boats must have current licenses properly displayed
5. The lessee may not sublet or loan moorage slips once assigned.
6. Posting of signs for the sale of boats while moored in the marina shall be subject to the approval of the Marina Trustee. No chartering or rental will be allowed.
7. Dinghies shall not be kept in the water or on floats.
8. No storage lockers are permitted on the floats or piers.
9. The Lessees may make no alterations to the dock or piers. All work done on or around the marina will be under the direction of, and with the approval of, the Marina Trustee.

10. Marina carts are made available for the transporting of supplies to and from the vessel. Please return them to the head of the dock.
11. Federal Law prohibits discharge of sewage from toilet facilities on vessels while in moorage.
12. Drinking alcohol except on private vessels is prohibited.
13. Open fires, charcoal burners, cutting torches, welders or anything else that would create a fire hazard are prohibited. Additionally, any damage witnessed in the marina area shall be reported to the Marina Trustee or General Manager immediately.
14. All vessels in the marina area will be required to have the minimum complement of fire-fighting gear to meet the standards as set forth by the US Coast Guard for the class of boat.
15. Boats shall not exceed the length of the assigned slip by more than three (3) feet to include the overall length including the out drive and/or outboard motor.
16. Gates to boat moorage area will be kept locked at all times. A deposit of \$25.00 is required for a gate/dock key. If a slip lessee already has a key, the fee will be waived when it is exchanged the next year. Only one key per moorage or slip area will be issued. A lost key will cost \$50.00 to replace. When use of the slip is given up, the key must be returned within 14 days or a \$100.00 fee will be assessed.
17. Unless permission to moor is granted by the Marina Trustee, on a case-by-case basis, any boat not legally registered to the member leasing, the boat will be impounded at the owner's expense and the member will be fined \$15.00 per day until the boat is removed.
18. The speed limit for all boats in the marina area is DEAD SLOW. The marina area includes the zone between the launch ramp and the outer breakwater. Please observe this rule. LEAVE NO WAKE! Members will be held responsible for any damage caused to other boats or the marina by their wake.
19. Any infractions of the rules not corrected in ten days after notification shall result in loss of slip, and the slip will go to the next person on list.
20. Dock keys shall be issued with unique, individual serial numbers for purposes of user identification.
21. All boats shall be identified with CBHA Tracking Labels which will be issued when annual rents are paid and must be applied to the vessel for the slip

leased from CBHA so that it is visible from the dock or boat launch area by Marina Trustee and Maintenance staff. Owners of vessels NOT displaying the appropriate tracking label will receive, first, a verbal warning then, if necessary, will be fined for non-compliance.

BUILDING & CONSTRUCTION

1. All lots in this plat of Carolyn Beach Homeowners' Association shall be used for residential purposes only, except those designated community tracts and Tracts A, B, C. No lot or parcel of this plat shall be used for passage to or from this plat of Carlyon Beach Homeowner's Association. Any member's accounts that are not in compliance must be brought current with CBHA before applying for a building permit of any kind.
2. No building or structure shall be constructed on any lot; tract or parcel of this plat, which does not conform to Carlyon Beach Homeowner's Association By-Laws, Rules & Regulations, Covenants, Thurston County Building Regulations and the laws of the State of Washington. Violations of the building construction Rules and Regulations shall be assessed a minimum fine of \$500.00 or 5% of the total building costs, whichever is greater per month until the violation has been rectified. Prior to full or part time occupancy, each building requires a "Right to Occupy" permit issued by the CBHA General Manager. A "Right to Occupy" permit will be issued when all money owed to CBHA is paid and an inspection form has been completed and signed by the CBHA building inspector. The property owner, CBHA President and the Chairperson of the Architecture Committee, shall sign said permit. Any money owed to CBHA must be paid before the building deposit is returned or the amount owed to CBHA will be taken out of the deposit.
3. The maximum height of all buildings with or without a basement shall be limited to a maximum of sixteen (16) feet above pre developed grade at the highest point of the lot at the base of the structure unless the Architecture Committee grants a variance. (See building packet).
4. CBHA shall not issue driveway construction permits ("driveway permits") for a total driveway width greater than 24 feet per single lot. That is, the sum of the permitted widths of all driveways accessing a single lot, measured at the points where such driveways enter the street, shall not exceed 24 feet each lot shall be as shown on the plat map.
5. Low volume flush toilets are required in all new construction.

6. For corner lots, the street address will maintain the setback established for the division in which it is located.
7. When a variance is requested, CBHA will send letters to all lot owners within a radius of 300 feet from the center of the subject property soliciting their input regarding any obstruction of view, light or air to their property. Responding members will be notified of any and all meetings for review of the requested variance. A fee of \$365.00 will be charged to the property owner requesting the variance. The Architecture Committee in making the final decision must consider all letters, giving responding property owners closest to the applicant property the greatest consideration. Member may appeal the Architecture Committee's finding in writing to the Board.
8. Owners and/or construction manager must review the marina bluff guidelines for adherence to the onsite drainage guidelines
9.
 - a. Permits MUST be obtained for all new buildings, mobile homes, septic tanks, (Also see Septic Systems section, for additional requirements for permit types #1 & #2), large parabolic dishes or other large antennas, addition to existing structures, out-buildings, retaining walls, bulkheads, holding tanks or road drainage culverts and storm water systems and/or drainage systems that connect to, empty into, or receive flow from the CBHA storm water system. Permit(s) must be obtained from Carlyon Beach Homeowner's Association prior to obtaining Thurston County Permit(s). Permits are non-transferable. All permits must be posted in a conspicuous location visible from the road.
 - b. Any homeowner who applies for a permit of any type is required to sign a statement that he/she has received, read, understands and will follow CBHA Rules and Regulations, By-Laws and Covenants.
 - c. As a requirement for a CBHA building permit, the property owner shall grant to CBHA a drainage easement in the five (5) foot set back along each side of the affected property.

The application fee is due with the application. Remaining fees are due upon issuance of permit.

Permit Type #1

- Houses, Mobiles, Modular's
- a. Application Fee - \$42.00
 - b. Non interest bearing deposit for legal fees, or other costs, should they be required: \$1825.00 Requirements for return of deposit shall include "Right To Occupy" from CBHA and a Thurston County Certificate of Occupancy.
 - c. Non-refundable fee for CBHA water hook-up: \$1225.00

- d. New construction non-refundable impact fee: \$610.00
- e. Holding tank inspection fee of \$245.00
- f. An additional fee will be charged by CBHA for storm water engineering review.

Permit Type #1a

- Clearing
- | | |
|------------------|----------|
| Application Fee: | \$30.00 |
| Deposit Fee | \$300.00 |
- Must be approved by: Storm Water Engineer

Permit Type #2

- Carports, Decks, Garages, Concrete, Retaining Walls, Bulkheads, Septic Systems, Culverts, Pavement or Blacktop.
- a. Application Fee: \$42.00
 - b. Permits shall require approval from the Roads & Storm Water Committee to insure proper run-off issues are addressed or repaired. All pavement or concrete used to establish a lot line should comply with the same code as a fence. (See category 3 Permits).
 - c. If applicable, holding tank inspection fee: \$245.00.
 - d. Refundable deposit: \$300.00
 - e. If required, an additional fee will be charged for storm water engineering review.
 - f. All original permits for residential dwellings may include any of the above with no additional fees if they are submitted as one application. Issuance of this permit does not relieve the applicant from the member's responsibility to comply with Thurston County permits requirements.

Permit Type #3

- When a permit is required for smaller projects, such as: large parabolic dishes; large antennas; projects over 200 square feet and/or over \$2,000.00 in cost or decks without a poured concrete slab:
- a. The cost for this permit type is, \$25.00.
 - b. All fences shall be considered a Category 3 permit. All fences shall comply with CBHA rights of light, view, and air and shall not be built on CBHA Rights of Way. Permits to build a fence on a lot line will require either:
 - Proof of registered survey as well as registered surveyor's pins (no sticks).
 - A letter of agreement between the two lot owners in question.
 - c. Fences and gates up to 72 inches in height from the ground level may be allowed from the front edge of a home outward to side lot lines, extend to the back and along the rear property line. Gates shall not exceed 72 inches in height. Fences and gates along remaining property lines may be no higher than 48 inches.

- d. Fences and gates running forward from a home shall be no more than 48 inches in height, to include side lot lines, front lot lines and side driveway lines. Gates for these fences shall not exceed 48 inches in height.
- e. No fence, wall or hedge shall be erected on any lot in such location or at such heights as to unreasonably obstruct the view, light and air from any other lot.

10. No Permit Required

- Projects, other than fences, less than 200 square feet.
- Projects other than fences, less than \$2,000.00 in cost will not require a permit.

11. When a permit is required: An application for Carlyon Beach Homeowner's Association Building Permit must be submitted to the Architectural Committee for review and a permit secured prior to the commencing of any construction. Supporting documents must fully disclose and describe the work to be done in adequate detail to verify compliance with CBHA requirements. Be sure to list the owner name and lot description on each drawing or document. Required supporting documents include 3 copies of each of the following:

- a. Plot plan showing lot dimensions, existing structures and utilities, proposed structures and utilities, measurements to property lines and paved roadways.
- b. Drawings indicating elevation of septic holding tanks in relationship to finish grade after landscaping is complete and other required setbacks (e.g. water /sewer separation).
- c. Architecture drawings, with measurements and elevations.
- d. Surface water drainage plan showing lot topography before construction and after construction, and features to control runoff from impervious area (e.g. roof, driveway, patio),
- e. Erosion and sediment control plan both during and after construction.
- f. A copy of all easements, covenants and restrictions of record.
- g. A survey from a licensed surveyor.

Site requirements are proof of survey to locate corner pins and property lines and locate of CBHA water lines by CBHA General Manager which requires 48 hours notice. When property lines are curved, the surveyor shall put pins or stakes or otherwise show the curves on site, in the ground, in such a ways as to make it possible for the CBHA inspector to measure the setbacks anywhere around the property as necessary. Construction must proceed in the following phases:

- a. Phase 1 obtain proper building permits
- b. Phase 2 install culvert and gravel driveway
- c. Phase 3 site work; Install forms for foundation.

- d. Phase 4 foundation and framing work. Install roof trusses
- e. Phase 5 install septic, holding tanks and pump out station.

12. Any damage to roads, bio-swales or properties caused during construction, etc. will be the owner's responsibility. These areas must be restored within thirty (30) days of notification at the owner's expense to the satisfaction of the CBHA Board of Trustees. Failure to do so will result in a \$5,000.00 fine and a lien placed on the property. CBHA will restore or have restored the areas at the owner's expense. The lien will be released when all monies, including the lien costs, are paid in full.

13. The Right to Occupy property is contingent on compliance with CBHA requirements.

14. The construction of all buildings and structures shall be prosecuted diligently and continuously from commencement of construction until the exterior of such buildings and structures are completed and painted or otherwise suitably finished. All buildings and structures must contain only those materials that conform with Thurston County building codes pertaining to quality of materials.

15. No lot, tract or portion of a lot or tract of this plat shall be divided and sold, ownership changed or transferred, whereby the ownership of any portion of this plat shall be less than 7200 square feet, nor less than fifty (50) in width as measured along the waterfront, or any ownership left without bordering a street, or leaving property line closer than five (5) feet to a building drip line. A lot may be divided to increase the size of adjoining lots.

16. Out-house toilets are not allowed.

17. Portable toilets with holding tank(s) will be required on site and serviced regularly during all construction when workers are present until toilet facilities are put into service in the house being constructed. Trash barrel(s) or garbage cans(s) shall be furnished and serviced during construction by homeowner at homeowner's expense.

18. If a stop work order is issued and the identified violation has not been fixed in three (3) days, a lien will be placed on the property and will not be released until the project is completed and a "Right to Occupy" is issued.

Non-compliance with the Stop Work Order will result in an immediate \$500.00 per day fine to the owner of the property until the work is stopped and remains stopped until the violation is corrected.

19. Recreational vehicles and equipment including travel trailers, camp trailers, cargo trailers, Park

Model Trailers, motor homes, boat, etc., shall be used for recreational purposes only at Carlyon Beach Homeowner's Association, and shall not be considered nor occupied as residences. Trailers shorter than forty (40) feet or less than 220 square feet in floor area, excluding cabinets, are classified as travel trailers (by Thurston County Building Dept.). Living or sleeping occupancy of recreational vehicles/equipment shall not exceed thirty (30) consecutive days or a cumulative total of 120 days during any Association fiscal year (July 1 through June 30).

20. Recreational vehicles or equipment shall not be converted into a residence nor made part of a residence by alteration or combination with other structures or vehicles. The addition of attached or separate structures such as bedrooms, bathrooms, kitchens, garages, carports and open sheds to be used in conjunction with recreational vehicles shall not be permitted. However, a separate storage room or locker for recreational equipment, tools and other accessory items may be installed. Such structures shall not exceed one hundred twenty (120) square feet in floor area.
21. No clearing or construction will be allowed prior to 7:30 A.M. nor will it be allowed after 9:00 P.M., Monday through Saturday and 9:00 AM until 6:00 PM on Sundays.
22. Digging will be permitted only after a water line locate has been accomplished. A water line locate may be had by calling the CBHA Office at least 48 hours in advance of digging.
23. Although State Law prohibits the unwanted downing of another's trees, it does not restrict the enforcement of maintenance. CBHA Architecture Committee or Trustee reserves the right to enforce the privileges of light, views, and air with regards to trees and brush on both developed and undeveloped lots. A preprinted complaint form is available at the office. No phone calls will be taken in place of this form.

ENFORCEMENT

Any person(s) found in non-compliance with the Rules and Regulations of CBHA shall be subject to loss of CBHA privileges as provided in Article II Section 1B of the CBHA By-laws. Person(s) found in non-compliance shall further be subject to interest charges, fines, and shut-off of water service. The process shall follow the schedule below:

- a. Members delinquent in paying annual or special assessments shall receive the following notice: "Failure to make full payment or timely monthly payments shall result in the initiation of

collection procedures. All legal costs shall be borne by the delinquent member."

- b. Members delinquent in paying fees or fines other than annual assessments or special assessments shall receive the following notice: "If full payment of this account is not received within 10 days, a legal lien will be placed upon your property. All costs shall be borne by the delinquent resident/owner."
- c. Members in non-compliance with the Rules and Regulations in any way other than described in a, and b. above shall receive a letter which describes the infraction and requests that it be remedied within 30 days of the date of the letter.
- d. If, forty (40) days after the above letter has been sent, the infraction has not been remedied and CBHA has not received a satisfactory written response describing a plan to remedy the infraction, the Board shall have cause to send a certified letter which restates the infraction and assess a fine of \$100.00 plus associated costs.
- e. If, thirty (30) days after receipt of the certified letter, the infraction has not been remedied and no satisfactory written response describing a plan to remedy the infraction has been received by CBHA, the Board shall send another letter by process server, restating the infraction and assessing an additional fine of \$200.00 plus associated costs.
- f. If, thirty (30) days after delivery of the served letter the infraction has not been remedied, and no satisfactory written response describing a plan to remedy the infraction has been received by CBHA, the Board shall have cause to place a lien on the property for the amount of the fines thus far assessed (\$300.00 plus associated costs) plus any additional amount owed by the member. The member's water service may be shut off. Also, the member will be fined an additional ten dollars (\$10) per day until the infraction is resolved.

**CARLYON BEACH HOMEOWNERS
ASSOCIATION**

BOARD OF TRUSTEES

Don Loffler, President

Jason Davenport, Vice President

Dick Morton, Treasurer

Lisa Krupp, Secretary

Sharon Dorning, Trustee

Marvin Harris, Trustee

Barb Way, Trustee

Dated January 25, 2011