

COLONY SURF CLUB RULES

Revised 1/18/2020

AUTHORITY: In accordance with Article VI, Section I of the Colony Surf Club Bylaws, the Board of Trustees is granted the authority to establish Club Rules for preserving the welfare of its members and the value of their property. In addition, Article III, Section 7 of the Colony Surf Club Bylaws states that the Board of Trustees, by unanimous action, may levy fines and restrict members and/or their guests from use of Club facilities if any of the rules are violated. Failure to pay the fines may result in a lien being placed on the owner's property. It is the policy of the Board to enforce these rules rigorously.

CONDUCT: Offensive, obscene, and/or abusive language will not be tolerated at any Colony Surf facility.

SOLICITING OF GOODS AND SERVICES: There is no soliciting of goods and services allowed within Colony Surf. This includes door to door or mass email correspondence. An exception would be for Club sponsored events and selling goods and services on the bulletin board at the Clubhouse.

MOTORIZED VEHICLES: All motorized vehicles (cars, trucks, ATV, motorcycles, scooters, golf carts or any alternative transportation vehicle) are subject to the following rules:

- Members are responsible for their families and all guests. Colony Surf Club is not liable for anyone that is injured while driving on Colony Surf roads. The Club encourages that all children under the age of 18 wear helmets when driving, Bicycles, ATV's and motor cycles.
- Children driving golf carts must be in the seated position while driving and their feet must reach the peddles. If they have to stand up they are too small to be driving.
- Parents are responsible for the driving behavior of their children and are encouraged to teach them safe driving practices.
- Vehicles must be driven in a responsible manner. Drivers must watch out for pedestrians, who have the right-of-way.
- If someone is driving recklessly and endangering pedestrians and other motor vehicles the enforcement letter will begin at a \$100 fine.
- All stop signs must be obeyed.
- The posted speed limit on all roads is 20 MPH and must be obeyed.
- Driving is limited to maintained roads only, and is not allowed on other person's property or Hood Canal or Lake Fosen beaches.
- All vehicles must use headlights when driving after dark. Headlights must be used at all times by recreation vehicles if they are so equipped.
- No motorcycle or ATV may be operated after 10 PM or before 8 AM, unless specifically authorized by the Board. After 10pm you are only allowed to operate a motorcycle or ATV if you are going from one property to your property.
- No recreational vehicle [ATV, motorcycle, pocket rocket, scooter, etc.] with a height of less than 24 inches from the top of the handlebars or steering wheel, to the ground is allowed on

Colony Surf roads. Vehicles between 24 and 30 inches are required to have a buggy whip flag for better visibility.

- All vehicles must have effective mufflers [no straight pipes allowed].
- All motor vehicles must drive in the proper lane at all times.
- Members are encouraged to remind persons involved in unsafe driving behavior of the need for correction.
- When children are involved, members are encouraged to contact their parents.

FOR YOUR CHILDRENS SAFETY: Our goal is to keep our children safe and happy.

- Please use helmets at all times.
- An adult should always accompany young children.

PARENTS:

- Please make sure that each child [members & guests] has been taught the Colony Surf rules of the road.
- Please educate so we don't have to legislate!

ABANDONED VEHICLES:

Definition of a vehicle: A vehicle in this section is considered any motorized vehicles (except Motor homes) A vehicle is deemed to be abandoned if it meets one or more of the following criteria:

- has been unattended for 120 consecutive hours,
- is unlicensed,
- is extensively damaged
- is apparently inoperative

When such a vehicle is found partially or wholly on Colony Surf common property, the Club shall make a reasonable effort to identify the owner, and to request that owner to remove it. If the owner is a member or guest of an owner, the Rules Enforcement Policy shall be followed through the first four steps. If the vehicle is not removed within 30 days following the fourth notification, the Club shall arrange for a commercial tow truck operator to remove the vehicle to an impoundment of its choice. The member shall be advised of this action, and a lien to cover the fines and cost of removal shall be placed on their property.

If the vehicle is found to be stolen, it shall be removed immediately after discovery of that fact. If the vehicle owner is neither a member nor guest of a member, the vehicle shall be removed 30 days after the owner is notified by registered mail.

FIRE CONTROL: The State Department of Natural Resources and Mason County Regulations MUST be observed. Full information, including the Club "Fire Control Policy", is available at the Clubhouse. Please check the burning status by noting the color of the signs at the entrance and the color of the flag being flown at the Clubhouse. The colors are

- Red – no burn (includes all open fires, including campfires).
- Yellow – use caution in outdoor fireplaces, but no open burning of refuse or slash is allowed.
- Green – OK to burn but always with caution.

OUTDOOR BURNING:

The Washington Clean Air Act states that only natural vegetation is allowed to be disposed of by outdoor burning. The following materials **may not** be burned in any outdoor fire: Garbage, dead animals, asphalt, petroleum products, paints, rubber products, plastics, paper (other than what is necessary to start a fire), cardboard, treated wood, construction/demolition debris, metal, or any substance (other than natural vegetation) that normally releases toxic emissions, dense smoke, or obnoxious odors when burned.

If a club member leaves their property while a fire is left unattended it will result in an automatic \$100 fine and follow the fine procedure. This is a safety issue that cannot be allowed.

HUNTING: Hunting is not permitted on Colony Surf property. No firearms are to be discharged within the perimeter of Colony Surf Club. This includes an owner's own property.

FISHING: State Fishing Regulations apply. A fishing license is required for anyone 15 or more years old.

SHELL FISH: State harvesting regulations apply. Everyone must have a WDFW License for harvesting shell fish. Only members in good standing are allowed to harvest shell fish on Colony Surf property.

OYSTER: Min. size 2½" measured across longest distance of shell. Daily limit 18. Oysters must be shucked on the beach. Oysters consumed on the beach count toward a limit. Leave shells on the same tideland and tide height where they were taken.

Other shell fish: Daily limit no more than 40 clams, not to exceed 10 lbs. in the shell, all species combined (excluding HORSE CLAMS and GEODUCKS). For species with a minimum size, measure across longest distance of shell.

Washington Department of Fish and Wildlife internet address is <http://wdfw.wa.gov>. All regulations and catch limits are posted.

OUTBOARD MOTORS: The use of outboard motors on Lake Fosen is not allowed.

STORAGE ON COMMON PROPERTIES: No boats or privately owned objects may be stored on Colony Surf common property. This includes Fosen Lake beach, Hood Canal beach, Clubhouse, and /or other common and greenbelt properties. Any such objects will be removed to a Club storage area and considered abandoned.

EXCESSIVE NOISE: Absolutely no loud noises that will disturb neighbors are allowed after 10 PM and before 8 AM. Chainsaws, loud parties, music, pounding, and barking dogs are examples of noises that are considered a nuisance.

NUISANCE LIGHT: Members shall not allow direct light from outdoor lighting fixtures on their lot to be omitted onto the lots of other members or common areas, such that by the degree of intensity or duration of operation, the light interferes with neighboring members peaceful enjoyment of their lot or the common areas, thereby constituting a nuisance. Light emitted from the following is exempt:

1. Fixtures controlled by an automatic motion detector that remain on for 5 minutes or less per trigger event.
2. PUD owned fixtures installed prior to March 21, 2015.
3. A single porch light.
4. Low intensity ornamental lights, such as holiday lights or rope lights.
5. Low intensity walkway or landscape lighting. However, owners are encouraged to take measures to ameliorate any light trespass from exempt sources, in as much as this is feasible.

SWIMMING:

All persons entering the pool area must abide by the posted Washington State Regulations and Colony Surf Club Rules. Children under 14 years of age require adult supervision.

CLUBHOUSE: No children under the age of 9 will be allowed to use the Clubhouse facilities, unless they are accompanied by a guardian of at least 14 years of age. No overnight sleeping is allowed in the Clubhouse, and the doors will be locked from 10pm to 8am from Memorial Day to Labor Day. The Clubhouse will be left open 24/7 from Labor Day to Memorial Day.

GARBAGE: Each member is responsible for removing their own garbage from the community areas and from their own lot.

FIREWORKS: Fireworks shall not be used (high risk of fire) anywhere on Colony Surf member's or Club common properties.

HOUSEHOLD PETS:

- Household pets are not permitted to run loose on Colony Surf property. They must be under leash control at all times except at the Lake, where they must be under voice control. They are not allowed to wander onto someone else's property.
- Pet owners must remove all feces deposited by their pets on all properties within Colony Surf.
- Dogs are not permitted on the Hood Canal Beach Tidelands. They are allowed only on the grassy area above the beach.
- Pets are not allowed in the Clubhouse or Swimming Pool area.
- Aggressive dogs will not be tolerated on any Colony Surf common property.
- If a dog bites anyone the fine process will begin with the 2nd violation of \$100.00 fine and escalate from there.

In the event of a dog bite Mason County recommends calling 911 to report.

RESPONSIBILITY: Members will be held responsible for the acts of their family & guests. Damage to Club property will be billed to the member and if not paid, is subject to a lien being placed on the owner's property. Guests may not have guests of their own.

COLONY SURF CLUB VEGETATION REMOVAL RULES: Unless specifically exempted by the provisions shown below, an Architectural Control Committee (ACC) approval must be obtained before any tree/shrub is removed from an owner's lot. The purpose of having architectural control is to protect the beauty of Colony Surf as a whole, which in turn will help to keep property values high. Besides protecting beauty, reasonable vegetation control helps prevent soil erosion and potential damage to buildings and structures. The guiding principle in this rule is that approval shall be granted only if the reason for the tree removal is site development or the removal of a hazard/nuisance, and not for timber harvesting.

Owners may remove any tree/shrub on their property without seeking ACC approval if the tree/shrub meets any of the following criteria:

- The tree is less than 4 inches in diameter.
- It is a shrub not located within the 5-foot perimeter of the lot boundaries. An exception to this is that any plant that is poisonous to the touch may be removed from any location on a lot.
- No approval will be given for tree removal within 50' of a slope steeper than 15% with at least 10' of elevation without a County permit or County written approval. Trees may only be removed via requesting member's property. Approved tree removal requests are only valid for 120 days from the approval date.
- **Please note that the location of legal property lines is not the responsibility of the ACC or the Board of Trustees.**
- Generally, the ACC will not grant approval to remove trees/shrubs within 5 feet of a lot line (to preserve privacy and a natural beauty buffer between lots) unless the owner presents a written plan, which describes how the removed vegetation will be replaced.
- All trees, which are scheduled to be removed, must be identified with a clear marker such as a plastic ribbon before approval will be given. Architectural Request forms are available at the Clubhouse office.

Heavy Equipment Use on CS Roads

To help manage and protect Colony Surf roadways from damage or debris caused by heavy trucks or equipment, members are required to submit and obtain approval of an Architectural Request Form before introducing or causing the introduction of heavy trucks or equipment into Colony Surf. Some examples of heavy trucks/equipment would be, but is not limited to: Logging trucks, dump trucks, cement trucks, tanker trucks, etc., and includes flatbed trucks or trailers transporting heavy machinery or equipment such as excavators, bulldozers, rollers and etcetera. Additionally, members will be held responsible for the prompt clean-up or repair of any Colony Surf road or property damaged or contaminated by trucks or heavy equipment they introduce or cause to be introduced into Colony Surf.

In all cases, the maximum GCVW (Gross Combined Vehicle Weight) allowed on Colony Surf roads is 100,000 pounds.

Exceptions not requiring an architectural permit:

1. Deliveries of landscaping materials such as crushed rock, topsoil, beauty bark, etc. of less than 25 cubic yards.
2. Ready-mix cement deliveries of 10 or less cubic yards.
3. Septic pumping trucks.
4. Propane deliveries.
5. Telecommunication or PUD trucks.
6. Emergency vehicles, such as fire suppression equipment.

REPORTING: Anyone observing violations of these rules should fill out an “Incident Report” at the Clubhouse. These Incident Reports will be kept confidential.

MAINTENANCE OF PROPERTY: All property at Colony Surf shall be maintained in accordance with the Club Beautification Program, copy attached.

BEAUTIFICATION PROGRAM AND GUIDELINES

In response to the desires of numerous members, the Board of Trustees has developed a program designed to maintain the beauty and attractiveness of our community. All properties should meet the following expectations:

- Buildings, including mobile homes and trailers, shall be kept clean well maintained. Excessive moss, rust, algae, deteriorated paint, broken windows, old fencing, etc. should be removed or repaired. Although this is a subjective call, we believe most people can recognize a run-down house that can affect the value of a neighbor’s property.
- Unlicensed motorized vehicles and boats (except for motor homes) may not be stored exposed on the property. They must be in closed garages.
- Garbage and other refuse may not be stored exposed on anyone’s property. They must be in covered containers. Construction demolition should be removed within a reasonable (30 days) time.
- Combustible materials such as branches and firewood shall be stored at a sufficient distance from structures so that they are not a fire hazard. Dead or numerous cut branches and tree debris are considered a fire hazard and must be removed prior to the fire season.
- Tarps used to cover structures or equipment must be neat, secured, and not torn. Members should use colors that blend with the surroundings.
- When one or more of these conditions is noted, the Board should be notified in writing. If verified and approved by the Board, a letter shall be sent to the member affected, stating exactly what the problem is, and requesting specific remedial action. Paragraph 1 of our Covenant & Bylaw Enforcement Policy shall be included, and the member informed that this provision applies. The right to appeal the claim of the letter shall also be noted.
- Authority for this policy is based on the following:

Article V, Section 2 of the Covenants which states *“All structures must be finished, painted, and located so as not to detract from the value of the surrounding area, and must be in compliance with Mason County Codes”*. Although this Section refers to new construction, the Board considers the intent to be continuous throughout the life of the structure.

Article VI, Section 2 of the Covenants which states *“Recreational vehicles, tents, campers, trailers, or other temporary structures may be kept on a lot as long as they are well maintained and do not detract from the property value of the surrounding area”*.

Article VI, Section 11 of the Covenants that states *“No rubbish, trash, garbage, or other discarded or abandoned material shall be kept or permitted on any lot.”*

Article VI, Section 16 of the Covenants that states, “No owner or contract purchaser of any lot shall permit any personal property to be abandoned upon any lot. This includes cars, trailers, campers, tents, boats, etc.” The Board considers unlicensed vehicles and boats to be abandoned.

Colony Surf Water Leak Policy

Water metering is to detect leakage and any member failing to resolve a leak will be “subject to the Enforcement Policy”. Colony Surf is responsible for any water leaks and repairs up to and including the meter. The club will fix leaks within (4’) four feet from the exit point of the meter. Beyond the four foot is the member’s responsibility.

If the Water Manager feels there is a suspected water leak on a member’s property, the water crew (Water Manager, Caretaker or Security) will be investigating. If there is no one at the property and a water leak is found Colony Surf will notify the member by phone and in writing.

The member will then have 30 days to repair the leak. If the leak is not taken care of within 30 days the Enforcement policy will take effect and the water will be shut-off and locked out until notified by the owner that the leak has been repaired.