

# KALA POINT OWNERS' ASSOCIATION

## RULES AND REGULATIONS

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# I. Introduction

## A. Purpose

The Rules and Regulations are intended to inform the members and, in some cases, guests, of their responsibilities for maintaining legally established community standards for the property as well as conduct and care for the amenities (see Authority below).

## B. Authority and Enforcement

State law and county ordinance form the broad basis for the Association's regulations, but Kala Point Rules and Regulations do not replace state laws. Members of the Association accept additional restrictions in the form of Project Documents (Covenants, Conditions & Restrictions (CC&Rs), Articles of Incorporation, Bylaws, Rules and Regulations) Architectural Standards, and Policies & Procedures.

The Rules and Regulations constitute a synthesis of standards based on the authority derived from all the above-mentioned laws and Kala Point documents as well as state and county requirements. They are approved by the Board of Directors which may also "adopt, promulgate, amend, or repeal" such Rules and Regulations as it deems necessary.

The Architectural Standards derive their authority from CC&R Articles IV and VIII and govern new structures and modification to existing structures. They also deal with separate structures (including woodsheds, gazebos, and play equipment) and related issues such as TV antennas, fences, exterior lighting, and location of garbage cans.

Administrative Procedures for Compliance & Appeals provide a procedure for members, committees, and the Board to enforce the documents. Copies of the established policies and procedures on compliance and how to prepare for and conduct a compliance and/or appeal hearing are available to members from the Association office.

## C. Definitions

The CC&Rs define Guests as any person in the company of a member.

Single family includes immediate family, legal dependents, foster children, and domestic partners.

For using KPOA Common Areas, extended family and anyone directly visiting a member who has the member's express permission will be considered a guest. Members may not extend open invitations to guests for use of Common Areas and Facilities.

## II. Regulations

### A. Land Use and Appearance - *Jurisdiction: Grounds Committee*

1. All Covered Property, including lots, grounds, structures, and their surroundings must be kept in a neat and attractive manner with shrubbery pruned, grass/weeds cut, and dead shrubs and trees removed. (CC&R Art. IV B, Sec. 7)
2. Garbage cans should be placed out of sight from the street along with yard tools and equipment. Piles of bark, mulch, and gravel for landscaping purposes must not remain in sight from the street for extended periods without being actively used or consumed.
3. Clotheslines are permitted only if retractable and retracted after use. (CC&R Art. VIII, Sec. 4)
4. During construction, only septic systems and portable toilets are allowed as sanitary facilities.
5. Only Single-family residences, whether for owner or tenant occupancy, are permitted. No residential lot may be utilized for industrial or commercial purposes. (CC&R Art. IV D, Sec. 2)
6. Burning - *Jurisdiction: Grounds Committee except Architectural Committee during construction*  
Open burning constitutes a fire hazard to the entire community. Outdoor burning, including propane weed-burning torches is prohibited on all of Kala Point. The exceptions are charcoal or gas cooking grills on private property and the two designated beach areas (gazebo and playground grilling area). (CC&R Article IV B, Sec. 19) All cooking fires must be completely extinguished prior to leaving the beach area. No fires are allowed on the beach at any time.
7. Vegetation Control - *Jurisdiction: Tree Committee except Architectural Committee during construction*
  - a. The regulations below are intended to allow reasonable freedom for the lot owner to remove selected vegetation without altering the nature of the community.
  - b. No clear-cutting or removal of trees larger than six (6) inches in diameter (19 inches in circumference) measured at three (3) feet above the trunk base is allowed prior to receiving Tree or Architectural Committee written approval to a written request. (CC&R Art. IV B Sec. 8) Planted trees are exempt and can be pruned or removed without approval. Note: Tree Committee approvals come with a six-month period for actions.
  - c. On Common Areas, no cutting of any vegetation is allowed without written approval from the Tree Committee and/or Jefferson County when required.
  - d. There is no removal, cutting or trimming of trees, shrubs, or undergrowth in the Common Area high bank in the Jefferson County Shoreline Management Plan (SMP) without approval of the KPOA Board and written approval from Jefferson County. The bank must be preserved for the protection of the adjacent lots and the beach.
  - e. No dumping of trash, grass clippings, brush, or other material on or over the high bank Common Areas B.
8. Kayaks, canoes, and rowing shells may be stored on an owner's lot if they are stored

neatly and are screened from view of the road and neighboring lots.

## **B. Vehicle and Parking Regulations - Jurisdiction: General Manager**

1. All posted speed limits must be observed.
2. Vehicles should not be parked or stored in a manner that would obstruct the flow of traffic, impede maintenance, or jeopardize the safety of pedestrians. Parking is prohibited on any roadway except where expressly designated. Parking on road shoulders is permitted for up to 24 hours. Parking on road shoulders for an extended period requires prior approval by the General Manager.
3. There is no overnight parking in the beach area except for those owners and guests using the overnight moorage. All vehicles must display the Kala Point decal or hang tag at the beach or in KPOA Common Areas. Violators may be subject to towing. Parking or driving vehicles (except KPOA maintenance vehicles) on the beach or spit area is prohibited.
4. Motorized vehicles bicycles, and horses are prohibited on walking paths. Motorized vehicles and horses are prohibited on the beach areas.
5. The Kala Point Owners' Association encourages garaging of all vehicles. Outdoor parking or storage of 1) large vehicles (CC&R Art. IV B, Sec. 6), 2) recreational vehicles, 3) boats, 4) trailers, 5) commercial vehicles, and 6) vehicles that are unlicensed or inoperable is not permitted on covered property except in the KPOA storage lots. Outdoor parking and storage are available in designated KPOA storage lots or at local commercial storage lots. Temporary parking on private property for a maximum of 72 hours will be permitted for loading, unloading, or maintenance. Extensions of this time limit may be granted by the General Manager on a case-by-case basis for a maximum of 48 hours. Recreational vehicles (RVs) are defined as any motor vehicle or trailer that includes living quarters (sleeping, cooking, or restroom facilities). Types of RVs include motorhomes, campervans, coaches, travel trailers, campers, fifth-wheel trailers, popup campers, and truck campers.
6. Guest(s) may park their recreational vehicles in a host's driveway for up to one week. Extensions require the General Manager's approval. (CC&R Art. IV B, Sec. 6)
7. Storage Lots  
The RV storage lots are intended primarily for the storage of member's RVs, utility vehicles, and boats. Other items may be stored with the approval of the General Manager. Space is made available on a first come - first served basis to all members. No more than one space is allowed per membership unit. However, if excess space is available, the General Manager may temporarily assign a tenant a second space. Timeshare tenants may use spaces upon request during their stay at Kala Point if space is available.
  - a. No use of the Storage Lots is permitted without the payment of a fee.
  - b. No structures are permitted in storage spaces.
8. Forced entry of the gate is considered vandalism.

### C. **Pets** - *Jurisdiction: Grounds Committee*

The Grounds Committee has been authorized to monitor aggressive pet behavior upon receipt of a corroborated complaint. Pet attacks will not be tolerated within Kala Point. Jefferson County Sheriff's Office enforces county ordinances regarding dogs which may require muzzling and restraining or in severe cases, seizing and impounding.

1. Dogs must wear a current dog license at Kala Point. Licensing of adult cats through Jefferson County Animal Services (JCAS) is also recommended. (County Ordinance 6.07.250)
2. Dogs must be always leashed when off the owner's property, except for owner-supervised runs on the beach.
3. Pet owners are responsible for removing their pets' waste from the right of way, beach, and Common Areas.
4. No owner may allow an animal to unreasonably disturb any resident through habitual barking or making any other noises which by frequency or volume unreasonably disturbs or interferes with the peace of any resident. (County Ordinance 6.07.120 "Nuisance Noise")
5. Dogs must be prevented from digging on the Common Areas including the beach area and spit.
6. Wild animals constitute a hazard to the health, safety, and welfare of members, their families, and their household pets. No member should intentionally feed animals. Bird feeders should be situated to be safe from foraging wildlife and not spill feed onto the ground.
7. Livestock is prohibited except for owners of Lots 1 through 6 in Division 1 which have the right to keep horses on their Lots per the CC&Rs.
8. Aggressive dog behavior refers to any behavior connected with an attack or a threat of an attack. If a dog is deemed to be "dangerous" per County Ordinance 6.07.250, the Sheriff's office may require the dog to be muzzled and restrained. A determination by the Sheriff's office may result in the removal of the animal. If your dog or you are the victim of a dog attack, you should call 9-1-1 and request a Sheriff Deputy to respond and complete a report on the incident.

### D. **Firearms, Fireworks, and Explosives** - *Jurisdiction: General Manager*

Due to fire danger and safety considerations, use of firearms, fireworks, or explosives are prohibited on all of Kala Point. (CC&R Art. IV B, Sec. 19)

### E. **Alterations to Common Areas** - *Jurisdiction: General Manager*

Any improvement made by individual property owners on adjacent Common Areas (such as the addition of trees, shrubs, or flowers) is subject to conditions. KPOA reserves the right to make use of Common Areas at any time.

1. Except for driveways, newspaper boxes, and house number post, plans for

improvements in the Common Area must be pre-approved by the General Manager. Improvements must not interfere with or increase the workload of the maintenance staff.

2. Owners making improvements in the Common Areas must maintain those improvements.
3. The owner making the improvements must remove the improvements upon fourteen (14) days' notice by KPOA, if requested. If the owner fails to do so, KPOA may remove it and bill the owner for the cost of removal.

#### **F. Boating & Beach - Jurisdiction: General Manager**

(Also see sections Burning and Vehicle and Parking Regulations)

1. Kala Point's dock, waterfront, and beach areas are amenities reserved for members and their guests. Except for family gatherings, prior approval is required from the General Manager for parties using the gazebo.
2. Either side of the boat dock may be used for loading and unloading if space is available. The shoreside of the dock is available for dinghy and kayak tie-up. The maximum tie-up time is 24 hours and only for boats no longer than 12 feet. Boats must not be locked to the dock. Boats left beyond this time may be impounded.
3. Mooring to the Kala Point mooring buoys is on a first come, first served basis. Initial tie-up is for no longer than 7 consecutive days. If the alternative mooring buoy is not in use, then an additional 7 days may be used. Moored craft can register at the Clubhouse or with the Administrative Office (360.385.0814 – leave a message if not open). Boats cannot be registered more than once within any fourteen (14) day period.
4. Small craft can be stored on the small boat storage racks. All small boats stored on the beach are required to be registered at the Office and display a Kala Point number. Use of dock, buoys, ramp, and small boat storage is at the user's risk with no liability to KPOA.
5. Swimming and unattended crab pots are prohibited in the vicinity of the dock and boat ramp. The ramp is to be kept clear of vehicles and trailers except during launching and haul out.
6. No overnight camping is permitted on the beach or spit area.

#### **G. Clubhouse, Hot Tub, Sauna, and Pool Areas - Jurisdiction: General Manager and Staff**

Note: Pool, hot tub, and sauna rules follow the requirements of the Jefferson County Health Department.

1. Eating, smoking, or use of breakable beverage containers are prohibited in the locker room, hot tub, sauna, and pool areas. Consumption of alcoholic beverages is permitted in the Clubhouse meeting room for those over 21 yrs of age during special events. Additional rules governing individual facilities are posted at each facility.
2. Clubhouse Rules
  - a. A responsible adult (18+) must supervise individuals seven (7) years of age and under while using the clubhouse facilities.
  - b. A member may have a maximum of six guests at any one time while using the

- clubhouse facilities except for reserved events in the meeting rooms.
- c. All guests except registered house guests and family members (see Sec. III, Membership) will be accompanied by a member.
  - d. No pets may be brought into the Clubhouse or left tied outside.
3. Hot Tub Rules and Safety
- Health and Safety Warning: It is recommended that the hot tub not be used alone. Long exposure may result in nausea, dizziness, or fainting. Elderly persons, pregnant women, infants, and those with health conditions requiring medical care should consult a physician before entering the hot tub. Children under the age of six should not use the hot tub. Hot water immersion while under the influence of alcohol, narcotics, or medicines may lead to serious health consequences and is not recommended. Hot tub sessions should be limited to 15 minutes.
- a. Maximum hot tub capacity is 8 persons.
  - b. It is the responsibility of the parent(s) to determine whether their children 10 years of age and under is permitted in the hot tub. A responsible adult (18+) should supervise any individuals under 13 years of age while using the hot tub. When people 13 to 17 years of age are using the hot tub, two people 13 years of age or over must be present. (State Law)
4. Sauna Rule
- No one under 18 years of age is permitted to use the sauna.
5. Pool Rules
- Safety: KPOA does not employ a lifeguard. However, there is safety equipment (ring, buoys, and long pole shepherd crooks) readily available at two locations next to the pool. All members and guests swim at their own risk.
- Rules: All persons using the pool should familiarize themselves with the posted pool rules prior to use. The Board has delegated to the General Manager the right to refuse admittance to or eject from the premises any person failing to comply with any of the facility rules.
- a. A responsible adult (18+) must supervise individuals 12 and under while using the pool and always be at the pool. When people 13 to 17 years of age are using the pool, there should be at least two people 13 years of age or over present.
  - b. Showers are required immediately prior to entering the pool or hot tub. (State Law)
  - c. Running, diving, and "horseplay" in the pool area is prohibited. Throwing balls or other objects in the pool is prohibited.
  - d. Infants using the pools are required to wear waterproof pants with elastic legs and waistband over their diapers.
  - e. Spitting, spouting water, blowing the nose, or discharging bodily waste in the pool is prohibited. Persons having infectious or communicable diseases should not use the pool.
  - f. Cut-offs are not permitted in the pool.
  - g. Caps, braids, or hair tied back is required for shoulder length hair or longer.
  - h. Individuals 5 years of age and older must use the gender appropriate locker rooms unless the parent(s) gives instructions to staff that the child needs to be with the

parent(s).

#### **H. Tennis/Pickleball/Sports Courts Rules - Jurisdiction: General Manager and Staff**

1. Court play is limited to 2 hours, one hour if crowded.
2. Non-marking court shoes are required on tennis courts.
3. Use of the courts for activities other than tennis or pickle ball is prohibited except at the sport court where other activities are allowed (equipment available from the office).
4. No pets are permitted on the tennis courts or tied up outside.

#### **I. Camping During Home Construction - Jurisdiction: General Manager except Architectural Committee during construction**

Camping is restricted to an owner's individual lot, provided a culvert and driveway apron are installed, with prior Architectural Committee written approval, and a sanitary arrangement is established.

#### **J. Signs - Jurisdiction: Grounds Committee except Architectural Committee during construction**

No commercial signs of any kind may be displayed without the written approval of the Architectural Committee, Ground Committee, or General Manager. Political signs may be displayed within appropriate time periods.

#### **K. Solicitation - Jurisdiction: General Manager**

Commercial solicitation is not permitted in Kala Point.

### **III. Membership and Privileges - Jurisdiction: General Manager & Staff**

Membership in the Owners' Association is limited to two adults per unit/lot. Other owners, if any, are considered guests. Membership is transferable only by ownership change.

#### **A. Assignment of Privileges**

Members may assign to their guests their privileges for use of the Kala Point Common Areas and Facilities. Both members and assignees are responsible for the use and proper care of the Common Areas and observance of these Rules and Regulations. Transfers of Privileges forms are available at the KPOA office.

### **IV. Finance - Jurisdiction: Finance Committee**

Finance is governed by Chapter 61.24 of the Revised Code of Washington (RCW) and the KPOA documents, specifically CC&R Art. I, Sec. 3; Art. IV A, Sec. 6 and 7; Art. VI, Sec. 1-10; and Art. VII, Sec. 1-5).



#### A. Assessments

Owners must pay all their assessments when due. (CC&R Art. IV A, Sec. 6 & 7)

#### B. Member Responsibility

If members have rented their home or unit and assigned their privileges for the use of Kala Point Common Areas and Facilities, the members are responsible for payment to KPOA of any fines or repairs levied as a special assessment against the property. (CC&R Art. I, Sec. 3)