

# Round Hill Estates North Property Owners Association

## House and Landscape Maintenance Rules

Revision 00  
Approved 05/25/04

### Change History

Revision	Effective	Description of Change
1.0		

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# 1 ABOUT THESE RULES AND GUIDELINES

## 1.1 Rules Intention

These Rules are intended to provide property owners with the minimum requirements for the maintenance of their home, landscape and lot within the Round Hill Estates North (RHEN) community. These Rules also set forth certain procedural standards and violation fines for addressing infractions.

## 1.2 CC&R Statement

The preamble to the CC&Rs states “the Association has remained committed to high standards of property maintenance”. Further, the general standards for maintenance of lots within the Round Hill Estates North development is declared to be “First Class” as stated in Section 9.6 of the CC&Rs:

Standard of Lot Maintenance. No improvement on any Lot whose maintenance, repair or replacement is the responsibility of the Owner shall be permitted to fall into disrepair, and each such improvement shall at all times be kept in first-class condition and repair and adequately painted or otherwise finished. No Owner may fail to maintain plants, trees or landscape materials, and no Owner shall permit weeds in landscaped beds, brown or dead lawn, shrubs or trees, or other unkempt landscaping to remain on the Lot, but shall promptly restore his or her landscaping to a watered, healthy and first-class condition.

## 1.3 General Provisions

In accordance with the Association’s CC&R’s, property owners, regardless of the level of their lot’s development, are responsible for keeping their property fully and properly maintained. Thus, undeveloped lots must be properly maintained. As well, developed properties with residences, site development, ancillary structures and landscape, etc., must be fully maintained. Repair/replacement of approved elements must be maintained with the approved materials, colors, etc. Changes in the approved architectural and landscape elements must be submitted to the Committee for review and approval prior to making the change (example: exterior paint colors). Owners who make changes to their approved properties without first seeking the Architectural Committee’s approval are in violation of these rules and are subject to the assessment of fines after a hearing. In addition, the Architectural Committee may not grant approval or the changes made to the property, requiring the owner to remove said changes and restore the property to its original approved status. In some instances, upgrades in approved materials may be required to meet new community standards. For example, those homes with wood shingle/shake roofs will be required to upgrade the roofing material to new minimum standards when reroofing. It is, therefore, required that the owner check with the Property Manager and/or the Architectural Committee to verify that the maintenance efforts will not create any

conflicts.

## **2 OWNERS' MAINTENANCE OF LOT AND SLOPES**

### **2.1 Ground Cover**

Ground areas shall be maintained in a neat and attractive manner with grasses, weeds, and vegetation removed or controlled as appropriate. All dead vegetation (and trees) shall be removed within 30 days of notification from the Association. Spraying of grasses or weeds, or other vegetation in lieu of cutting is strictly prohibited and is subject to substantial rule infraction fine (see Weed Abatement Policy). All grass areas shall be regularly mowed and dead areas reseeded or replaced with turf. In landscaped areas, bare ground must be covered with mulch to conserve water and must be maintained in first class condition. Decorative rocks or other artificial inanimate ground cover shall not be installed without approval of the Architectural Committee. After improvements are installed on any Lot, if not maintained properly by the property Owner, the Association may have grass, weeds, and vegetation cut when and as often as is necessary and have dead trees, shrubs and plants removed. The Owner shall reimburse Association for the cost of such work.

### **2.2 Shrubs and trees**

All plants and shrubs shall be trimmed and cut as necessary to maintain them in a neat and attractive manner. All dead vegetation (and trees) shall be removed within 30 days of notification from the Association and replanted with an identical or similar planting with the same growth characteristics.

### **2.3 Hardscape**

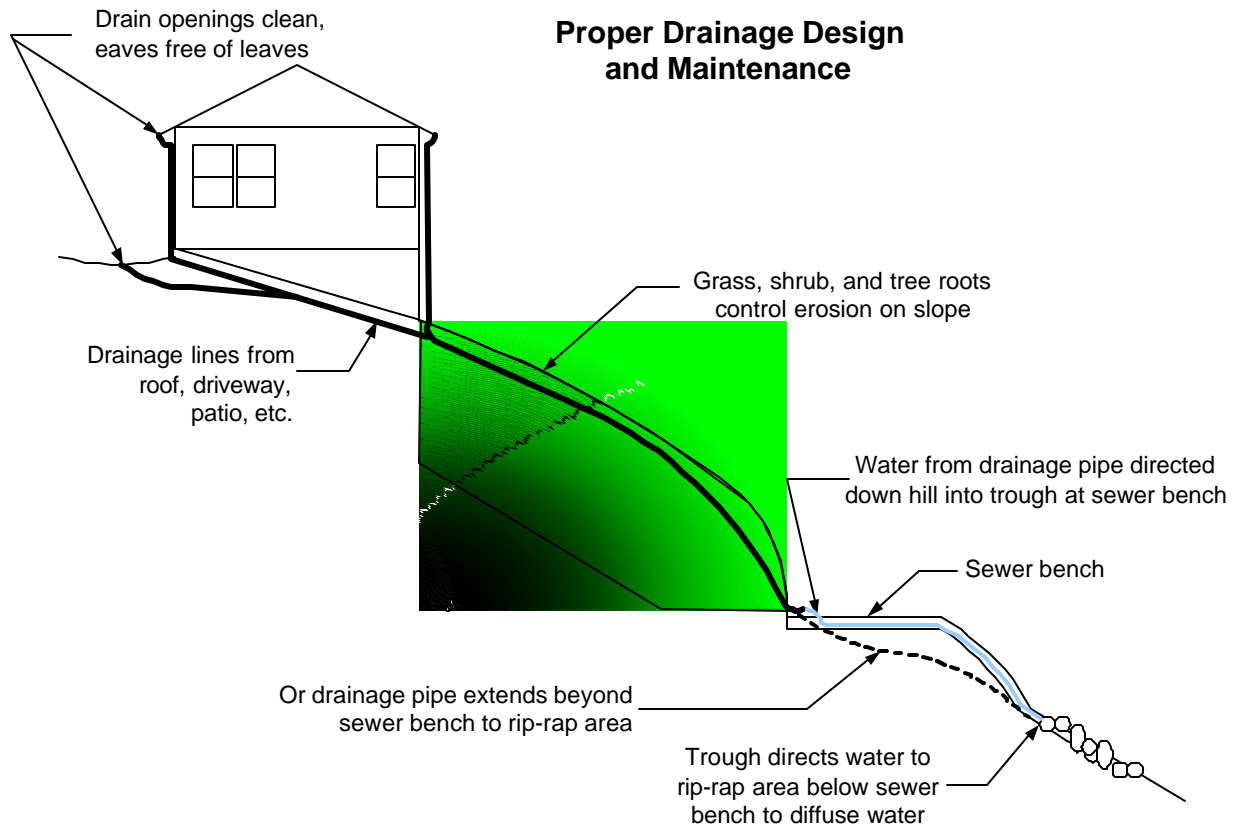
All hardscape surfaces (retaining walls, decorative fountains or sculptures, raised planters, walkways, driveways, etc.) are to be maintained in a clean and attractive manner. Oil stains on driveways and the Association's private roads must be cleaned immediately. Excessively cracked driveways must be repaired. Accumulated staining and mold/mildew must be cleaned by appropriate methods. Pressure washing may be applicable on many surfaces and is fast and effective.

### **2.4 Slopes**

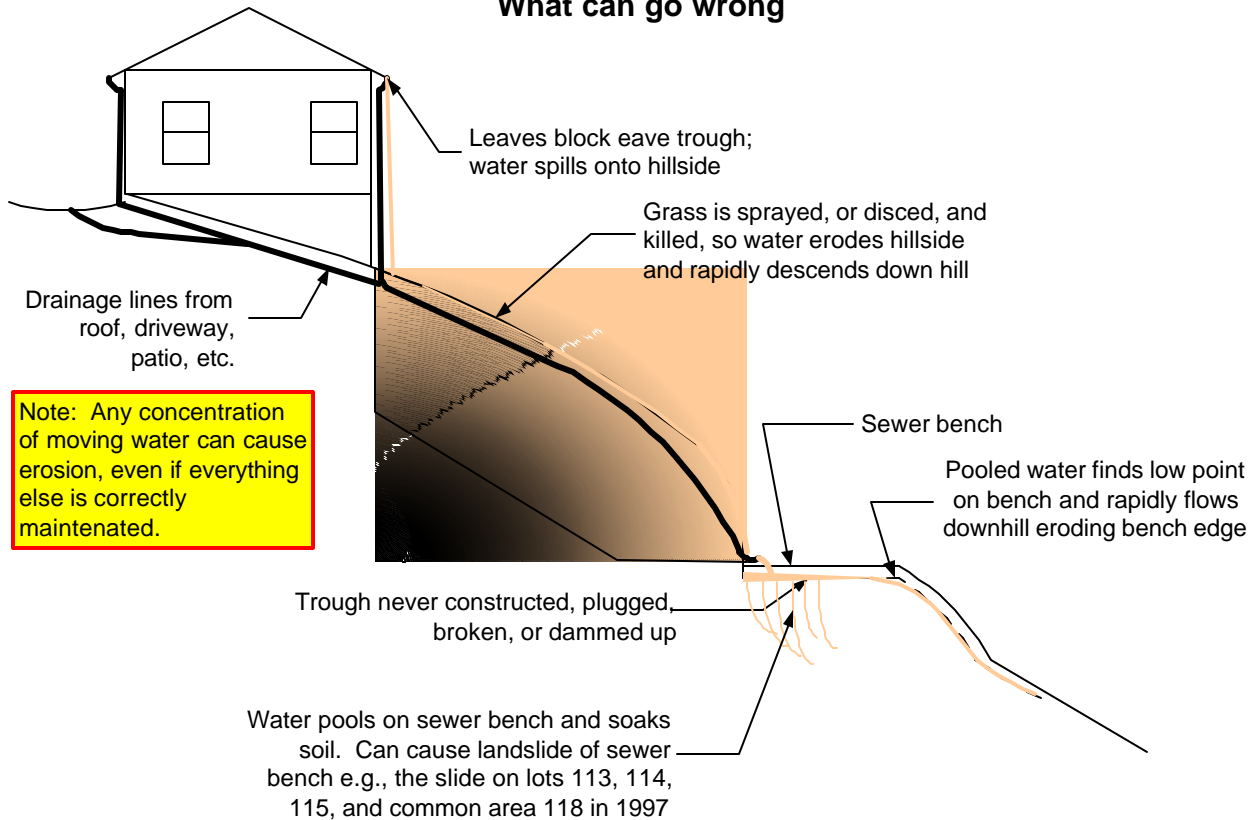
Each Owner shall maintain, water, plant or replant those areas, slopes, banks, rights-of-way and setback areas located on his Lot, as necessary, to prevent erosion and to maintain safe, attractive, clean and slightly conditions at all times. These areas include all utility easement areas and any Association Slope Area, Storm Drain, or Fire Trail to which a lot is subject.

## 2.5 Drainage and Erosion Control

Since RHEN is situated on hilly terrain, drainage and erosion control on owners' lots is very important. The following illustrations illustrate proper design and maintenance to control erosion.



## What can go wrong



Unchecked erosion or improper drainage can have serious consequences. Repair of damaged hillsides is difficult and very expensive. Examples within RHEN have ranged from ~\$8,000 to over \$50,000. In addition, problems with erosion can create financial liability for damage to the sewer bench or of RHEN Association Common Areas. Landslide insurance is almost impossible to obtain in California in areas where there have been previous slides (as has already occurred in RHEN). So, proper design and maintenance is the best protection. Therefore, extreme care is required, and any beginning erosion observed must be promptly repaired. At the first sign of erosion, you should contact a registered soil engineer to advise you on any action you should take for your particular circumstances.

## 2.6 Changes in Slopes

No Changes in the grade or elevation of any Lot or Common Area, and no change in the cut, filled, or natural slopes which alters established drainage patterns, shall be permitted without the prior written consent of the Contra Costa County Building Department and the Architectural Committee. Established drainage patterns are those existing at the time the grading of the Sub-division was completed in conformity with the grading plan heretofore approved by the County.

## 2.7 Owners' Duties

Owner shall at all times keep any culvert, ditch or other installation constructed or

located on Owner's Lot for drainage purposes properly cleaned and maintained, unless Association expressly assumes such maintenance.

### 3 WEED ABATEMENT POLICY

#### 3.1 Introduction

Each year around April 1, the San Ramon Valley Fire Protection District sends each parcel owner a "Notice to Abate" the accumulation of grass, weeds, dead trees and rubbish by June 1. The notice lists "minimum abatement standards" that require firebreaks and maintenance and other vegetation at a height of no more than 3 inches.

In addition to these public requirements, Section 18 of the Association's CC&Rs provides for continuing weed abatement on the private lots as follows:

"Ground areas shall be maintained in a neat and attractive manner with grasses, weeds, and vegetation removed as appropriate. ...Association may have grasses, weeds, and vegetation cut when and as often as necessary. ...The owner shall reimburse Association for the cost of such work"

**Because spraying or discing of weeds or grasses encourages erosion of the hillsides, in addition to being unsightly, these practices are strictly prohibited and will be subject to a substantial fine with the first offense after a hearing.**

#### 3.2 RHEN Weed Abatement Policy

1. Weed abatement is a year-long process. The San Ramon Valley Fire District (SRVFD) requires a combination of discing, mowing, or spraying (***discing or spraying is not allowed in RHEN***) the entire lot unless it exceeds an acre. Those lots greater than an acre require a 100-foot circumference around any structure to be abated, along with a 30' wide fire-break at the perimeter of the property. June 1 is their final date of compliance. 2-week extensions are sometimes granted by the SRVFD, usually in wet or late-rain years.
2. After the cutting required by the Fire District, the Association requires that all weeds over 3 inches in height be kept trimmed. Thus, cutting might need to be done periodically throughout the year. Some cutting during the winter might be required, if weeds go over the curb or onto the street. After cutting, the street must be swept clean of any clippings.
3. If the owner is out-of-town or cannot carry out the cutting within 10 days, he or she must call Community Care Property Management (925) 455-6362. If the request is reasonable, an extension of up to 14 days may be granted.

## **4 OWNER MAINTENANCE OF HOME EXTERIOR**

Homeowners are reminded that they must submit plans to the Architectural Committee for approval before commencing any exterior changes to their yards or homes. Changes begun before approval are subject to substantial fines. Basically, anything that you change that can be seen from the street or from any adjacent property requires PRIOR architectural approval. Please save yourselves time, frustration (and expense) by obtaining approval *before* you begin your exterior home or landscape improvement.

Maintenance of home exteriors includes, but is not limited to, the following rules:

1. No peeling or fading on painted or stained surfaces is allowed.
2. Stucco must be kept clean and free from stains.
3. Torn screens are not allowed and must be replaced.
4. Broken windows must be replaced within 10 days.
5. Fences must be maintained in good repair and kept painted or stained in first class condition.
6. Construction materials must be kept out of sight unless an approved construction project is underway, with this type of project subject to rules as outlined in the "Architectural and Landscape Rules, Guidelines and Procedures".
7. Gutters and downspouts must be attached, functional, and kept in good condition without rust or leaks and must be connected to an approved drainage system.
8. Roofs must be kept in first class condition and, if replaced, surfaced with fire-retardant materials.

## **5 BOARD POLICY BRIEFS – NO. 1.01 (MARCH 30, 2001)**

### **USE OF GARAGES AND PARKING**

To even a casual observer, it is apparent that a number of homeowners do not utilize their garages to the fullest capacity for parking their cars. Rather, they have chosen to park one or more cars permanently in their driveways. The Board has received complaints about this practice.

As a reminder to all homeowners, the CC&Rs for the Round Hill Estates North development require all lot owners to build their homes with garages, and the garages are

to be used for parking. In particular, Paragraph 13 of the CC&Rs provides that:

No single Family Dwelling shall be constructed on a Lot without a garage large enough to contain at least two standard sized automobiles. The garage shall be used to park the motor or electrical vehicles, campers, trailers, and boats belonging to the Owner and for other compatible purposes. ...No garages situated on any Lot shall be used for any purpose other than parking and storage of motor vehicles and for such other purposes not incompatible with customary residential use.

Your Board of Directors interprets this CC&R provision as follows:

Residents shall park their vehicles in their garages, up to the number of vehicles which the garage was designed to contain. Only additional vehicles may be parked in residents' driveways.

In the spirit of enhancing the overall aesthetics of our community, we ask that effective May 1, all homeowners comply with the foregoing policy.

## 6 APPENDIX A. RULE INFRACTION ENFORCEMENT GUIDELINES

Adopted by Board of Directors  
May 25, 2004

1. The Board of Directors and/or Management will conduct periodic reviews of RHEN Association member lots and send non-compliance notices to property owners who are in violation of the "Maintenance Rules and Regulations", CC&Rs, or "Architectural and Landscape Rules Guidelines and Procedures".
2. Notices of non-compliance will give a specific time for correction of the rules violation. The homeowner will be advised that they are subject to a fine and of the opportunity to appear at the next board meeting for discussion of how and when the homeowner will correct the infraction.
3. Time allowed for correction of rule infractions are as follows:

-Parking	Immediate correction
-Garbage cans, trash debris	24 hours
-Boats, campers, motor homes, inoperable vehicles	24 hours
-Landscaping	Up to 30 days or as on notice
-Home maintenance	Up to 30 days or as on notice
-All others	Up to 30 days or as on notice

4. If violation is not corrected by the time specified on the first notice, a second notice will be sent to the homeowner advising them they are subject to a fine. The homeowner will be advised they **MUST** attend a hearing at the next regularly scheduled Board meeting to discuss the violation.
5. Fines for rules infraction will be as follows:

### Parking violations:

First infraction –	Warning
Second infraction –	\$100.00
Every subsequent infraction in calendar year -	\$200.00

Fine for performing architectural changes without prior approval – First infraction - \$500.00, subsequent infractions - \$1,000.00

Fine for spraying grass or weeds – First infraction \$750.00, subsequent infractions - \$1,250.00.

### Fine for landscape and home maintenance –

First infraction –	Warning
Second infraction -	\$100.00
Every subsequent infraction in calendar year -	\$200.00

All other violations - \$250.00

6. Homeowners are responsible for the actions of their tenants and, if the rules infraction is not abated by the tenant and/or the owner, the fine will be assessed against the homeowner. Both the homeowner and tenant will be sent notification of non-compliance at the address on record with the Property Manager.
7. If the homeowner does not pay assessment fine within ten days of date due, a late fee of 10% of the fine will be assessed. If assessment fine is not paid within thirty days after the delinquency date, the assessment fine shall bear interest from the date of delinquency at ten percent per annum. If assessment fine remains unpaid, small claims action and/or a pre-lien action will be initiated.
8. In addition to any remedies above, if the homeowner fails to correct the violation, the Association may, at its option, pursue any other legal remedies available to them.
9. Past Board's failure to enforce rules does not prohibit enforcement of restrictions by subsequent Boards.