



**The Mediterranean Villas Homeowners Association**  
9713 Mia Lane, Pasco, WA 99301 (509) 554-1882  
tmvassoc@hotmail.com www.medvillashoa.org

## **RULES AND REGULATIONS (R&Rs)**

### **ADOPTED BY THE BOARD OF DIRECTORS PER SECTION 4.2.8 OF THE MEDITERRANEAN VILLAS COVENANTS, CONDITIONS, AND RESTRICTIONS (CC&Rs)**

#### **1. GENERAL REQUIREMENTS FOR ALL ATTACHMENTS TO BUILDINGS**

Any attachments are subject to approval by the Architectural Control Committee (ACC). Townhome owner is responsible for maintenance of any attachment. A licensed contractor may be required to professionally install any attachment approved by the ACC.

No part of any attachments shall extend past the midpoint of the property line (identifiable as the short stucco privacy wall dividing patios) or into landscaped area that will be in the way of landscaping maintenance, i.e. posts must not be installed into grass areas.

Penetrations into building must be sealed weather tight. Any attachment to the Townhome must be kept in clean, neat, and working order consistent with the CC&Rs, keeping the integrity of the Townhome Community. Nothing may be attached, pasted, painted or adhered to garage doors. Any attachment not approved by the ACC, broken, or worn will be subject to removal at the Townhome owner's expense.

No penetrations into the stucco exterior are permitted. However, limited decorative attachments are allowed on the rear privacy walls only and only to the surface facing the owner's patio or townhome interior. Any such attachments must be made only with galvanized 2-1/2-inch screws. Any form of attachment with zinc or other rust-prone screws or nails, or use of moly bolts or expanders, is prohibited. The homeowner is responsible for any damage or repair to the stucco and the privacy wall that results from improper installation, or when the item is removed, and will be assessed the cost of any needed repairs. Any penetrations into stucco on the patio privacy wall, or anywhere else on the stucco-coated exterior of a unit, will be removed when the building walls are scheduled to be redone with siliconized permeable coating (commonly referred to as "repainted"). In all cases, the homeowner will be assessed the cost of the stucco repair (patching, sealing and recoating).

## 2. SUN/SHADE SCREENS, SCREENED PORCHES, AWNINGS, PATIO COVERS, FENCES

**Sun Screens/Shade Screens:** Frame must be white or off-white. Screen must be gray, black or brown.

**Screened-In Porches:** Frame must be white or off-white aluminum or vinyl. Cover must be white or off-white. Screen must be gray or black.

**Awnings:** Frame must be white or off-white only. Cover must be white or off-white only.

**Patio Covers:** Frame must be white or off-white aluminum or vinyl. Cover must be white or off-white.

**Patio Fences:** Fence and frame must be white or off white.

## 3. OUTDOOR HOT TUBS & SPAS

**Installation: Permanent Hot Tubs & Spas** and their enclosures must be installed by a licensed contractor. All applicable code requirements for permanent hot tubs, including permits, setbacks, fence enclosures, and inspections, must be met. Please contact the City of Pasco to determine current requirements.

**Building Permit:** Townhome owner must obtain a building permit to install a permanent hot tub.

**Plug-and-Go and Portable Hot Tubs, Wading Pools and Similar Items** not requiring a building permit or professional installation (those with water levels less than 24 inches and requiring at most a standard 110V AC outlet) may be used on back patios only, subject to the following conditions:

- Water shall not be drained or dumped onto grass or landscaping, and
- Wading pools and similar items shall not be stored on the back patio, even if empty, collapsed, rolled up, etc.

**Enclosures:** Enclosures are required for all outdoor permanent hot tubs and spas, per City Code requirements. For these, the enclosure frame and five-foot-high fencing with a self-locking gate, whether stand-alone or attached to a stucco wall, must be white or off-white aluminum or vinyl, or stucco matching the walls of the residence. Enclosure must not extend into the common area beyond the concrete patio. Enclosures will be required for all plug-and-go and portable hot tubs without a lockable cover, regardless of City Code requirements.

## 4. STORM DOORS, GUTTERS & DOWNSPOUTS

**Storm Doors:** Door and frame must be white or off-white. Any penetrations into building must be sealed water/weather tight. Door and jamb are the responsibility of the homeowner to repair and maintain as needed.

**Gutters & Downspouts:** Installation of gutters and downspouts must be done by a licensed and bonded contractor. Any penetrations into exterior of home should be sealed weather tight. Gutters and downspouts, which must be white or off-white, are the responsibility of the homeowner to repair and maintain as needed.

## 5. ENTRYWAYS & CENTER-UNIT COURTYARDS

**Entryways & Courtyards:** All Townhome owners must maintain their front entryway or courtyard area in a clean and neat condition per the CC&Rs. Patio-type furnishings should not extend beyond courtyards or entryways onto driveways.

**Association Water Stub:** If the Townhome owner elects to utilize the Association's water stub to their courtyard or front entryway, the water line hookup and extension must be installed by the Association's landscaper. It is the sole responsibility of the homeowner to maintain this area, including any homeowner plantings, per Article 2.5 and other relevant Articles in the CC&Rs.

## 6. AREA SURROUNDING THE REAR PATIO & END-UNIT SIDE WALL

**Rocked Area:** Where rock is used around the patio area up to the privacy dividing walls and along the side wall of end units, Townhome owners may utilize those rocked areas.

**Water System:** The Association water system must be carefully avoided and is not for the use in any manner by the Townhome owner. All Townhome units have their own water faucet on or near the unit's patio for the Townhome owner's use.

**Gardening:** If the Townhome owner wishes to garden in the rocked areas, planter boxes are recommended. If the Townhome owner would like to plant directly into the dirt, this is allowed. If rock removal is required, the Townhome owner must contact the Association for approval and arrangements to have the Association's landscaper perform the work; the Townhome owner will be solely responsible for payment to the landscaper. It is then the sole responsibility of the Townhome owner to maintain this area per Article 2.5 and other relevant Articles in the CC&Rs.

## 7. MAINTENANCE OF AIR CONDITIONING UNITS

It is the sole responsibility of the Townhome owner to maintain all areas where the AC unit is attached inclusive of wiring and condensation lines to and from.

If the AC unit is attached to the neighboring roof, the Townhome owner of such unit must maintain rubber grommets as installed to minimize any sound transfer into such neighbor's unit. The owner of the AC unit is responsible for any damage to the neighbor's property which includes but is not limited to roof, attic, stucco exterior walls, garage walls and interior of the Townhome. (A structured maintenance program is suggested.)

Such AC unit or replacement unit may be relocated from the neighbor's roof to the ground at the **rear** of the owner's Townhome in accordance with Rule 8, below.

## 8. RELOCATING ROOF-MOUNTED AIR CONDITIONING UNITS

This rule governs relocating air conditioner units attached to a neighbor's roof to the ground at the rear of the owner's Townhome. It applies both to relocating an original unit or installing a replacement unit.

The existing AC unit must be carefully removed so as not to damage any roof shingles.

The brackets holding the AC unit to the roof must be completely removed and the holes or any scarring must be caulked with clear or color matched silicone or tarred to prevent water penetration.

The electrical wiring that fed the roof-mounted AC unit must to be removed or cut off well under the surface of the stucco. The resulting holes in the stucco must be filled (e.g. with silicone or similar sealant) to permanently prevent any water penetration and the filled hole patched with stucco matching the existing wall.

Wiring must be run out of the soffit at the rear of the Townhome directly above the new or relocated AC unit so as to run vertically down the exterior stucco wall. The wiring must be covered in white vinyl, to match the window trim and the gutter. Any penetrations into the stucco must be sealed with silicone to permanently prevent any water penetration.

The ground unit must be placed as close to the exterior wall of the owner's Townhome as practicable, on an AC pad or on the patio.

All Plans must be submitted in detail on the ACC General Form for review and approval by the ACC before commencement of any work. The completed installation must be inspected and approved by the ACC.

## **9. SATELLITE DISHES ON ROOFS**

Dishes must be attached at the rear of the building opposite the street, or on the side of the building no more than half the eaves span from the rear corner.

In attaching dishes to the roof, the roof must be sealed water tight after attachment. Any wiring to and from the dish must be concealed under soffits directly behind fascia. There shall be no attachments to the stucco exterior.

The ACC Satellite Dish Form must be submitted for approval by the ACC. The completed form must detail all aspects of installation, including the name of the company to perform the installation.

## **10. HOLIDAY LIGHTS, ATTACHMENTS FOR ANY PURPOSE, & FLAG HOLDERS**

There shall be no lights, seasonal decorations of any kind (at any time of the year), or any other attachments affixed to exterior stucco building surfaces, garage doors, soffits or fascia of any Townhome.

Holiday lights may be attached at the roofline above the fascia only by clips designed specifically for attaching them to the roof edge or gutters. Any lights attached in such a manner are the sole responsibility of the Townhome owner.

Permanent holders for United States flags may, however, be attached to the wood frame surrounding the garage door or to the wood fascia at the corner nearest the unit entryway.

## **11. PARKING OF RECREATIONAL VEHICLES**

Recreational Vehicles are motor homes, 5<sup>th</sup> wheels, boats, campers, tent & travel trailers, utility trailers, snowmobiles, ATVs and any other recreational vehicle that is declared to be such by the Board.

**Long-term Storage** of recreational vehicles shall be offsite or in a designated space in the RV parking area, if such space is available.

**Short-term Loading and Unloading** parking is allowed in driveways for **48 hours** so long as such does not obstruct the line of sight to any passing vehicle, or obstruct access to any other driveway, the sidewalk, mailbox, street or intersection, or parking lot.

For recreational vehicles that do not fit in the driveway, the City of Pasco allows a maximum of 72 hours for loading and unloading in public right-of-ways (city streets) with a maximum distance of 12" from the curb, in front of the owner's property only. Regulations on visibility and access, as noted above, still apply. For details, inquire at the City of Pasco's Municipal Code Department by calling 544-3080.

## **12. GUEST PARKING & TOWING OF UNKNOWN/UNAUTHORIZED VEHICLES**

Any area designated as "Guest Parking" is for guests only of homeowners and residents of The Mediterranean Villas. Homeowners are not authorized to park in these areas.

Any guest vehicle to be parked in "Guest Parking" for longer than seven days must be authorized and registered with the Association. Such authorization may be granted for a maximum of 30 days.

Any unknown or unauthorized vehicle parked in "Guest Parking" will be towed by Clearwater Collision and Towing at the owner's expense after seven days. This is not a recurring grace period. After the first infringement unauthorized vehicles may be towed after 24 hours.

## **13. HOMEOWNERS ASSOCIATION ASSESSMENTS (a.k.a. DUES)**

Dues are to be paid a minimum of once per month in the amount of \$145 on or before the first day of the month. Owners may pay dues in advance. Homeowners are responsible for following the instructions for mailing and submitting dues payments provided by the Board of Directors.

A \$10 charge will be made for a check returned for insufficient funds. A late charge of \$10 will be assessed on dues payments received after the 10<sup>th</sup> of any month. Any assessment or installment thereof which remains unpaid for at least 15 days after the due date thereof shall bear interest at the rate of 12 percent per annum. Dues delinquent 90 days or more may be turned over to a collection agency and a lien will be placed on the subject property.

## **14. GARBAGE CANS**

Garbage containers may only be stored on designated concrete pads or in the garage. No containers may be stored on/in courtyards, patios, driveways or walkways. (CC&R 6.7)

Garbage placed in cans must be securely bagged to prevent anything from escaping prior to collection. Garbage must not extend above the side of the can so as to prevent the lid from fully closing. (City of Pasco Code 6.04.090, 6.04.130)

Garbage cans may be placed at the curb for collection only during the 24-hour period from 7 PM the day prior to collection until 7 PM on the day of collection. (City of Pasco Code 6.04.093)

## **15. NUISANCES**

No nuisance and/or noise shall be permitted to exist or operate at any Townhome so as to

be detrimental in any manner to any other Townhome in the vicinity thereof or to its occupants. (CC&R 6.5)

A fine of \$25 may be assessed a Townhome owner for the first occurrence and \$100 for subsequent occurrences of such nuisance.

## **16. SHARING OF BUILDING REPAIR AND MAINTENANCE**

This Rule clarifies the language of Article 6 of the CC&Rs, Use and Maintenance Obligations of Owners, especially that regarding Common Walls and Roofs in Section 6.24.2, as follows:

The cost of reasonable routine repair and maintenance for all exterior, common and privacy walls, soffits, fascia and trim shall be shared by all owners through the Mediterranean Villas Homeowners Association (HOA). Repair and maintenance of Townhome windows, garage doors, doors, sliders, door jambs and sills, exterior light fixtures, roofs, roof vents, solar tubes, sky lights, satellite dishes, roof-mounted HVAC units, gutters and downspouts shall be borne by the individual Townhome owner; the HOA will absorb the shared expense for repair and maintenance of like items for the Community's common buildings, such as the Palazzo and Pavilion.

All other provisions of Article 6 of the CC&Rs will continue to govern those cases where repair, maintenance or replacement expenses might be shared by one or more individual owners, such as damage due to negligence, willful acts, fire or other casualty.

## **17. OPEN-FLAME WOOD AND CHARCOAL BURNING**

Gas barbeques or similar controlled-flame gas appliances, such as gas-fed fire-pit vessels, may be used on patios, provided they are placed well away from exterior stucco and privacy walls when in use to avoid heat damage and the potential for starting a fire due to our foam-covered-concrete construction. Open-flame burning from wood or charcoal barbeques and fire pits is strictly prohibited, consistent with City of Pasco Fire Code.

Pellet-fed smokers are strongly discouraged due to the potential for serious damage to our Townhomes, but if used, must be constantly attended and operated with extreme caution.

[To report violations, please call the Pasco Fire Marshall's office at 528-4142 or Fire Prevention Department at 545-3426. They will come investigate, and, if necessary, issue a citation, so please provide the address where you saw the open burning.]

## **18. BIRD FEEDERS**

The use of all forms of bird feeders using seed or suet are prohibited. Hummingbird feeders, which do not use seed or suet but simply a water-sugar mixture, are allowed as the only exception.