

**HOMEOWNERS GUIDE  
OF  
KINGSGATE HIGHLANDS, DIVISIONS NUMBER ONE  
AND NUMBER TWO, HOMES ASSOCIATION**

**What is this Homeowner's Guide?**

Every home and lot in Kingsgate Highlands Division 1 and 2 was transferred to the current owner (you) by a Deed which included the phrase "Subject to Easements and Restrictions of Record" (or something similar). That "record" includes several documents, all of which are part of your deed by reference and to which you are legally bound. The documents include the following:

1. **Plat Restrictions** (Recorded in Volume 78 of Plats, pages 13, 14, and 15, in Records of King County) [referred to in this Guide as "PR"].
2. **Declaration of Covenants, Conditions, and Restrictions for Kingsgate Highlands, Divisions** Number I and Number II (Recorded under King County Auditor's File number 59384339 re-recorded under King County Auditor's File number 5955230; amended as filed under King County Auditor's File number 602538 [referred to as "DCCR"].

By reference, the following are also applicable:

1. **Articles of Incorporation** of Kingsgate Highlands, Divisions 1 & 2 Homes Association (Recorded November 12, 1981, by the Department of State of the State of Washington, file number 2-315915-5, microfilm roll number 1603 pages 483-491) [referred to as "AI"]
2. **By-laws** of Kingsgate Highlands Divisions 1 and 2 Homes Association (originally adopted November 24, 1965), including amendments and resolutions adopted at meetings of the general membership and of the Trustees. [referred to as "BL"].
3. Association **Rules and Regulations** adopted by the Trustees, such as those concerning use of the park and pool referred to as "Rules").
4. Code of **King County**, Washington {referred to as "CKC"}.
5. State **Laws** of local application [referred to as "RCW"].

All of these records and documents, and the public law codes, are available to you at the courthouse, at the public library, or in the Association records kept by the Secretary. The Association has extracted the most important points and stated them in plain English (or as close as we can get!) in this Homeowner's Guide.

We have made our best effort to ensure that this Guide accurately reflects the information in all of the legal documents. Should any conflict exist, the actual legal documents, and not this Guide, rule. We have intentionally omitted items which are purely administrative, and also have omitted state laws and county ordinances that are well known, of general application, or do not directly relate to how you may use your property in our subdivision.

We encourage all members of the Association and residents of Kingsgate 1 & 2 lots to be fully informed regarding their responsibilities. The actual text of the official documents creating and controlling the Association, the covenants and the restrictions are included in the rear sections of this Guide.

### **Why Does the Association Exist? (Articles of Incorporation I – VIII)**

The Kingsgate Highlands Divisions 1 and 2 Homes Association is a non-profit membership corporation. It exists primarily to maintain common areas of the subdivision (the park and pool), and to enforce the covenants, restrictions, and other rules and regulations that apply to us all.

The Association may not make a profit or pay out profits to anyone. We cannot attempt as an organization to influence legislation or endorse political candidates or engage in any other activities prohibited of non-profit organizations by Federal law or IRS regulations. Of course, this doesn't limit the officers, directors, or homeowners from acting as individuals for these purposes (for example, officers may personally lobby, endorse candidates, and run for office).

### **You are a Member of the Association (Articles of Incorporation, Article VII)**

Every lot in Kingsgate Highlands Divisions 1 and 2 is a member of the Association. By virtue of the original plat development, prior to November 1981, lots were allowed to resign. In 1981, the Articles of Incorporation and By-laws were amended. Henceforth on turnover of a then resigned lot, membership became automatic and mandatory. Those lots previously resigned and still owned by owners of record remain resigned, although still subject to the Covenants and By-laws. Each home has one vote; if the property is jointly owned by more than one person, they are entitled to one vote among them (and it is up to them to decide what their one vote will be). Membership in the Association is automatic by virtue of owning property in our subdivision. Nobody else can be a member, and homeowners cannot choose to not be members.

### **These Rules Apply to You!**

All of the covenants, restrictions, resolutions, bylaws, and other requirements apply to all homeowners and lots (or parties who are renting and leasing a Kingsgate residential lot) in the subdivision automatically. **You cannot choose to not abide by these rules**, although for a previously resigned lot participation in homeowner's association activities (use of pool & park) are prohibited and payment of dues is not required.

### **The Newsletter**

The Association publishes a periodic newsletter to inform you about upcoming events, recent activities of the Board and committees, and other important information. We encourage you to read this Newsletter and save it for future reference. The phone numbers of all officers, trustees, and committee chairs are published in every issue. Also, space is often available for Association members to run advertisements for their business or services (such as yard work or baby-sitting). Your active participation in the community by submission of articles is encouraged.

## **Social Events**

Every year, the Association has a winter holiday seasonal home lighting yard decoration contest, a children's Easter Egg Hunt (the Saturday before Easter), and a late-summer Kingsgate Days end of summer Park/Pool party. We also sponsor a swim team and provide swimming lessons at the pool. A community-wide garage sale is also held in late spring or early summer. The annual clean-up days for the park and pool in late spring are great opportunities to meet your neighbors and help the community by readying our facilities for the season's usage.

## **Dues and Assessments**

### Article V (h) - Articles of Incorporation

Every Association member must pay annual dues as determined by the Board of Trustees. Dues levels are reviewed at each annual Homeowner's meeting. Dues are used for maintenance of common areas, lifeguard salaries and pool operations, social activities and other purposes authorized in the By-laws. Dues must be paid whether members choose to use the park and pool facilities or not.

Dues are currently \$270 per year per lot. Dues are assessed in March and are payable by June 30. Dues may be paid in a single payment, or in up to three installment payments. The period covered by the dues assessment is from February 1<sup>st</sup> to January 31<sup>st</sup>, which is the Association's fiscal year. A dues rebate is usually offered for participation in the annual clean-up days. The rebate is currently \$40.

If dues are not paid by June 30, a \$5 late charge is assessed, and finance charges begin to accrue at 1% per month. After one warning, pool and park reservations and access will also be denied. If a dues assessment remains unpaid on January 31<sup>st</sup>, a lien is filed on the member's property.

## **General Membership Meetings (Bylaws Article XI)**

The Association holds an Annual Meeting each year on the second Monday in February. At this meeting, the Trustees are elected, and other business is conducted that requires a vote of the entire membership. The meeting is held at a place determined by the Board of Trustees, such as Robert Frost Elementary School or Our Redeemer Church. Members may attend in person or be represented by another member giving that person written permission (known as a "proxy") to vote for them.

If a matter of urgent business arises requiring a vote of the full membership, the President, a majority of the Board, or one-fourth of the members of active lots by petition, may request a special meeting of the full membership to be held.

Before the Annual Meeting or any special meeting, the Secretary will mail or deliver a written notice to all members giving the time, place, and purpose of the meeting. The Association newsletter for the month prior to the annual meeting can serve as this notice.

A majority of the members of active lots must be represented at general membership meetings, in person or by proxy, for a quorum to exist. A majority of the members present may adjourn the meeting if a quorum is not present.

## **Board of Trustees (Bylaws, Article V – XVI)**

A Board of eight Trustees manage the Association. The Board may have up to 15, but not less than 5. Five members is a quorum. They serve voluntarily and are not paid. The Board adopts and publishes rules, enforces the covenants, by-laws, and rules, maintains the park, organizes social activities, welcomes new residents to the community, and performs many other duties for the membership. The Board may hire employees or contractors needed to fulfill the Association's responsibilities to maintain and operate the park, pool, and other common areas (for example, landscapers, lifeguards, accountants, attorneys, etc.).

The Board of Trustees usually meets monthly. Special meetings may also be called when necessary. Members of the Association are always welcome to attend Board meetings, but only members of the Board may vote on matters before the Board.

Trustees are elected at the Annual Meeting and serve two-year terms. Terms are staggered so that four Trustees are elected each year.

Trustees can be removed from the Board by a majority vote of the members of the Association. If a Trustee is removed, dies, or resigns, a replacement is selected by the remaining Trustees, and serves the remainder of the unexpired term.

Please remember that the members of the Board of Trustees are people just like you, your neighbors, trying hard to be of voluntary service to the community. They appreciate it very much when, if you have a complaint or concern, they are approached in a spirit of neighborly friendship and cooperation.

## **Officers**

The Association has four officers: President, Vice-president, Secretary, and Treasurer. The officers are elected by the Board of Trustees at the first Board meeting following the Annual Meeting and serve for a term of one year. The President and Vice-president must also be Trustees; usually, all of the officers are Trustees. Officers are not paid. A list of the current offices and trustees is attached to the back of this Guide.

Officers may be removed by a majority vote of the Board. If any officer is removed or resigns, a replacement is elected by a vote of the Board, and the replacement serves the remainder of the unexpired term.

The President presides at all membership and Board meetings. He or she has the power to sign legal documents and make contracts on behalf of the Association and has responsibility for general management.

The Vice-president acts in place of the President if the President is absent or unable to function, and performs other duties assigned by the Board

The Secretary keeps minutes of all meetings of the Board and the general membership, keeps the Association's official records, issues notices of meetings, and performs other duties assigned by the Board. If you would like to see any of the Association's records or official documents, the Secretary will make them available to you, or make copies for a reasonable fee.

The Treasurer is in charge of the Association's money. He or she keeps all financial records, makes deposits and writes checks as authorized by the Board, reports on our financial condition at each meeting, prepares the annual budget, mails reminders of dues and assessments, and performs other duties as assigned.

## **Architectural Control Committee**

The original Covenants, Article B., include an architectural design committee comprised of the original developers of Kingsgate. This addressed the original design of Kingsgate. This committee expired in 1969.

At present there is no active committee, although a provision exists to establish one. Members of Kingsgate 1 & 2 are requested to use good taste in any design or construction on their lots, keeping with the scale and harmony of existing design and following current covenants and King County regulations for such things as setbacks, fences, etc.

## **Duration of Covenants and Restrictions**

The Declaration of Covenants, Conditions, and Restrictions automatically renews for ten-year periods. The current ten-year period expires January 1, 2005, and a new ten-year period will automatically begin unless a majority of the then owners of the lots in Kingsgate 1 & 2 sign a petition to modify or terminate the covenants and record it with King County prior to the expiration.

## **Changing the Rules**

There may be some things you don 't like about the various rules and regulations that apply to living in Kingsgate Highlands 1 & 2. Methods are provided to change virtually any of them. Some, of course; are easier to change than others.

1. The Plat Restrictions (recorded in the Plat Book) may only be changed by consent of all members of the Association, followed by approval of the Metropolitan King County Council.
2. The Declaration of Covenants, Conditions, and Restrictions may be changed by a petition signed by a majority of the then owners of the lots in Kingsgate 1 & 2, even if resigned, which must be recorded with King County [DCCR - Paragraph 2].
3. The Articles of Incorporation may be changed by a vote of two-thirds of all of the members lots of the Association. Such amendments must be filed with the Secretary of State [AI - V] and the By-laws.
4. The By-laws may be changed by a majority vote of the Board of Trustees at any regular or special Board meeting, or by the general membership at any Annual or special general membership meeting. Any changes to the By-laws must remain consistent with the Declaration and the Articles of Incorporation [BL - XXIV, Revised 3-24-68].

5. The Code of King County may be changed by a majority vote of the Metropolitan King County Council and signature by the County Executive.
6. Applicable State Laws may be changed by a majority vote in both houses of the State Legislature and signature by the Governor.

## **Enforcing the Rules**

Violations of the rules established by the Association can be penalized by suspension of rights to use the pool and park.

Enforcement of the subdivision covenants and restrictions or of the Association By-laws is accomplished first by verbal or written request of any association member or the Board of Trustees, and then by legal action such as lawsuit to recover damages, obtaining a restraining order or injunction, etc. Just because the Association doesn't take such legal action immediately doesn't mean that it can't do so later if it chooses to do so. Also, any single homeowner or group of homeowners may sue others for violation of the covenants or restrictions.

If the Association feels you are in violation of any rule, covenant, or other restriction, you will receive written notice either by personal delivery or by registered mail to the address of your property in Kingsgate 1 & 2.

## **Reporting Covenant and By-laws Violations**

If you become aware that one of your neighbors is breaking one of the rules in this Guide, you should first bring this to the attention of your neighbor yourself; they may not even be aware that the rule exists or that they are in violation. If they correct the problem to your satisfaction, no further action is necessary on your part.

If, after you have asked them, your neighbor refuses to correct the problem, you should check the Guide to see if the rule being broken is a subdivision plat restriction ("PR"), covenant ("DCCR") or By-law ("BL"), or if it is a county ordinance ("CKC") or state law ("RCW"). If it is a county ordinance or state law, you will need to call the King County Sheriff or other governmental authority and file a complaint. If you would like help determining the type of violation, the right government agency to contact, or need any other help with this process, please call the President or one of the Trustees of the Association.

If the rule being broken is a restriction, covenant, or by-law, and you would like the Board of Trustees to become involved in enforcing the rule, mail or deliver a letter to the Board of Trustees. This letter must include your name, address, and telephone number, the address at which the violation is occurring, the rule that is being violated; and a detailed description of what you believe is being done that is in violation of that rule. Anonymous complaints will not be accepted; however, if you request in your letter, the Board will keep your identity confidential during further handling of the complaint. Feel free to call the President or Vice President of the Association to discuss potential covenant or by-law violations.

## **Handling of Reports of Violations by the Board of Trustees**

When your letter is received and the issue is one that falls within the authority of the Association, the President of the Association, or a Board member he assigns, will review the address at which the violation is occurring, verify the conditions stated in your letter, explain the covenant or by-law to the resident, and explain what needs to be done to correct the problem. He or she will try to reach a verbal agreement with the resident to correct the problem promptly. If the problem is corrected within thirty days, no further action is taken.

If thirty days pass and the covenant or by-law violation continues, the President of the Association will send a letter, via registered mail or personal delivery, on Association stationery, restating the problem and what needs to be done, and indicating the further actions the Association will take if the violation is not corrected within an additional thirty days. If the home is being rented, a copy of this letter will be sent to the owner of the home, via registered mail, at their last known mailing address.

If thirty additional days pass after this written notice and no action has been taken to correct the violation, the Board of Trustees may obtain an injunction or other permission in court to take whatever action is necessary to correct the problem. After obtaining a court order, the Board will then contract to have the violation corrected (for example, hire a tow-truck company to remove an illegally parked vehicle, or a contractor to remove improper structures). The homeowner in violation will be billed for the cost of the correction, plus all legal and court costs. If this bill is not paid, a lien will be placed against the property, so that the costs, plus interest, will be recovered when the property is later sold or otherwise transferred.

## **Rules**

The following is a summary of rules, regulations, and ordinances. In the case of county ordinances and state laws, only those considered to be of concern to homeowners in the normal course of day-to-day activities have been included.

### **Abandoned Appliances**

If you have an abandoned, unused, or discarded refrigerator, freezer, or other appliance which has an airtight door, lid, or locking device, please remove the door, lid, or lock, for the safety of your children and those of your neighbors. Such appliances must be kept inside your house or garage [DCCR - E].

### **Accessory Uses**

Any building on your property, such as a shed, playhouse, or storage building, cannot be any closer to your property line than the building setback lines shown on the Plat. In general, you cannot place any building closer than:

1. 20 feet from the front lot line (the street) or, if you have a corner lot, from the side street line [DCCR - C].
2. 20 feet from the rear lot line (except a detached garage, which may be 5 feet) [DCCR - C].

3. 5 feet from the side lot line [DCCR - C].
4. 10 feet from your house [CKC - 21.08.150.A.2].

Swimming pools must be at least five feet from any lot line and from your house [CKC - 21.48.150].

Before you build or install any such structure, you must have permission in advance from the appropriate covenant or county zoning authority.

## **Animals**

You may keep dogs, domestic cats, and other household pets for pleasure and companionship, but not for any breeding or other commercial purposes. You may not keep excessive numbers of animals or keep them in any way which endangers the health or safety of others. You may not keep livestock or poultry of any kind [DCCR - L].

All dogs and cats eight weeks of age or older must have a license from King County. Licenses must be renewed annually (if your pet is not spayed or neutered) or every two years (if your pet is altered). If you are 65 years of age or older, permanent licenses are available for your pets if they are spayed or neutered. License tags must be worn at all times. Dogs and cats six months of age or older must be vaccinated for rabies [CKC - 11.04].

If your dog is off your property, it must be on a leash. Animals running loose on the streets or on others' property may be impounded by the county [CKC - 11.04, 11.08].

The county places several restrictions on animals that are vicious or prone to attack. See the county code for further information [CKC - 11.04].

If your dog or cat makes noises that disturb your neighbors to an unreasonable degree, it may be impounded by the county [CKC - 11.04].

If you have a trained guard dog, you must have a special permit from the county [CKC - 11.32.070].

## **Antennas**

Television and radio antennas may not be more than ten feet taller than the peak of the roof of your house [DCCR - K]. Although there are other county zoning laws and Federal Communications Commission regulations governing these items, generally speaking, you must use good judgment and make such items, including satellite dishes, as invisible as possible.

## **Children, Supervision of**

For their safety, please supervise your children whenever they are outside your home. At the pool, children under 8 must be accompanied by an adult, legal guardian, or competent, authorized babysitter, minimum age 12 years, who has passed the basic swim test.

## **Fences (also see landscaping)**

You may build a wall or fence if it is in compliance with [DCCR - K].



Fences, walls, hedges, and thick plantings may not be any closer to the street than the minimum setback line shown on your Plat. Generally, this is 20 feet [DCCR - K]. Given the depth of front yards in our subdivision, this means that you generally may not have a fence that separates your front yard from the front yard of a neighbor. Fences, walls, hedges, and thick plantings may not be more than 6 feet tall. However, if the fence is on a side yard of a corner lot along the street, it may not be more than 42 inches (3 ½ feet) tall [DCCR- K].

Electric fences are not permitted [CKC - 21.48.160.E].

## **Junk Vehicles**

You may not have a junk vehicle anywhere on your property unless it is inside your garage and not visible from the outside. The county code defines a "junk vehicle" as one that meets any three of the following conditions: is three or more years old, is extensively damaged, is apparently inoperable, does not have a valid license tag, or has a fair market value less than the cost of scrapping it. After giving you notice, the county can have a junk vehicle removed and charge you for the costs [CKC - 23.10].

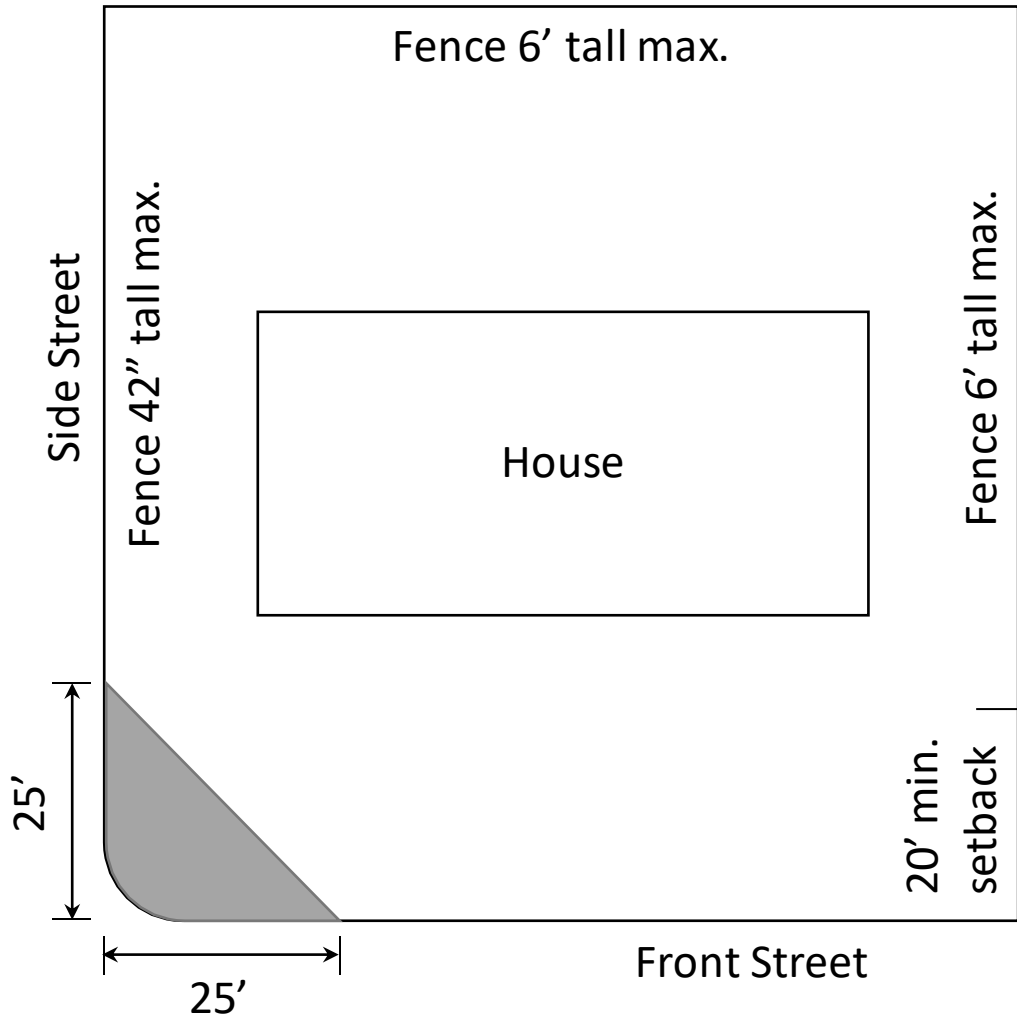
Vehicles that are not in operating condition, or are dismantled, may not be parked, or repaired in your driveway by subdivision covenant [DCCR – E]. Vehicles parked in violation of this rule will be dealt with by the Association as a covenant violation.

## **Landscaping and Fences**

Every homeowner is encouraged to keep their lawn neatly mowed, shrubbery trimmed, trash picked up, and otherwise looking well maintained. If we all do our best, the beauty of the neighborhood will be attractive to prospective home buyers, and thereby increase the value of every home.

If you have a corner lot, the covenants prohibit you from planting or placing anything in a triangular area formed by the street property lines and points twenty-five feet from the corner [DCCR - H and K]; see the diagram below. It would be unreasonable, though, to be held to the letter of this restriction; the spirit of it is to prevent traffic accidents caused by obstructed views. The Association will not consider plantings in the corner area to be in violation of the covenant so long as nothing in the area is tall or wide enough to obstruct the view of drivers approaching the intersection.

Tall landscaping or fences may not be constructed other than:



## Noise

The county code imposes strict limits on the level of noises in residential areas [see CKC - 12.88]. The limits are also complex and hard to describe. Generally, you should not make any loud, unnecessary, or unusual sound which annoys or disturbs your neighbors. Limits are much stricter between 10:00 p.m. and 7:00 a.m.

Radios, televisions, stereos, musical instruments, and similar devices that can be clearly heard more than 75 feet away are presumed to be in violation of the law [CKC - 12.92]. This includes radios in cars and trucks. Noises made by vehicles, including racing of engines, squealing of tires, and exhaust are also covered by the noise ordinance [CKC - 12.90]. Horns should be sounded only as a danger warning, and never because traffic is held up or to greet friends [CKC - 12.92].

## Outdoor Burning

You may have an outdoor fire for cooking food (such as a barbecue grill). No other outdoor fires are allowed except by a permit from the county fire chief and burning may be restricted at any time due to air quality controls. [CKC - 8.08.170]

## **Park Rules and Regulations**

Our park is a valuable asset to our community. To maintain the facility, to keep it safe for those who use it, and to be considerate of adjacent homeowners, the following rules must be followed:

1. Use of the park is limited to members in good standing, their immediate families, and authorized guests. Members are responsible for their families and guests while in the park.
2. Park hours are 6:00 a.m. to 10:00 p.m. unless a scheduled activity has been approved by the Board of Trustees. Unapproved after-hours activities are subject to prosecution under trespass laws.
3. Dogs must be under the direct control of the owner at all times. Dog owners are required to scoop after their dogs.
4. No golfing.
5. No fireworks.
6. Misuse of the park and playground equipment is not permitted.
7. Conduct of a criminal or disorderly nature, including abusive language, or conduct that restricts the enjoyment of others using the park or of neighbors adjacent to the park is prohibited.

The park, or portions of it (picnic area, ball field, tennis court), can be reserved by members for private parties. Guests must be accompanied by a member at all times. The children's play area may not be reserved. To make reservations and for a detailed list of rules, contact the Park Director.

Any violation of the rules and regulations submitted in writing to the Board of Trustees and signed by one or more members may result in the suspension of the violator's privileges to use park facilities. Violators will be notified of the date and time of a hearing.

1. First violation: Two-week suspension.
2. Second violation: One-month suspension.
3. Third and subsequent violations: Six months suspension.

Malicious damage or the destruction of common property may also result in suspension plus liability to reimburse the Association for damages.

**Please help keep the park clean and help enforce the rules. Report damaged equipment to the Park Director.**

## **Baseball Field Rules and Reservations**

1. Organized teams may only practice. No league games are allowed.
2. The sponsoring league must have insurance coverage.
3. No teams are allowed with participants over 13 years of age.
4. No batting practice is allowed at any time due to field size.
5. Fielding practice with a coach hitting the ball is allowed
6. The team coach or assistant coach and a reasonable percentage of the team members must be a member of the association and present during practice. Delinquent or resigned lots are not eligible for use of the park.
7. There must be one adult present for every ten children.
8. Replacement cost for broken windows or other damage will be covered by the coach/team.
9. Balls will not be retrieved from the neighboring yards, locked tennis courts or pool area.
10. Teams using the field are expected to participate in work projects to keep the field in good condition.

## **Tennis Rules**

1. Courts are for the use of members and their guests.
2. Tennis shoes are required.
3. When courts are filled, a one-hour time limit is in effect.
4. Adult members have prior rights over juniors on Saturdays, Sundays, and holidays, and after 5:00 p.m. on weekdays.
5. Walk behind players only between points.
6. No dogs or pets allowed.
7. No bicycles, skate, skateboards, etc.
8. Use trash can — keep rocks, cans, or litter off courts.
9. No food or drink is allowed in playing area.
10. Use courts at your own risk.

## **Park Reservations**

Reservations may be made by either contacting the park director or the pool office.

1. Park parties are limited to 75 people.
2. In addition to the covered picnic area, parties may use the ball field and/or 1 tennis court. Equipment for pickleball, horseshoes, and volleyball and barbecue grates are available at the pool house.
3. A maximum of 8 guests at park parties may use the pool during scheduled hours of pool operation. Regular guest fees apply. Children under 8 years of age must be accompanied by adults.
4. A \$25 deposit is required for all park reservations. Make checks payable to Kingsgate Homeowners Association 1 & 2.
5. The deposit check will be returned if:
  - A. Garbage is picked up in all areas used during the party. The big green garbage can near the covered area is wheeled up to the dumpster (by the bicycle rack

near the pool house entrance) and dumped. Please recycle empty aluminum cans in specially marked garbage can.

- B. Covered area swept (broom and dustpan available from lifeguards); and
  - C. Tables and benches cleaned.
6. If you need to cancel a park reservation, please call (425) 823-1520 (the pool phone) as early as possible and at least 24 hours prior to reservation.

## **Parking**

Parking of buses, trailers, boats, and large commercial or recreational vehicles on your property is restricted by the covenants [DCCR – E]. Note: The covenants concerning parking and prohibited vehicles also apply to the street outside your home. (Please see the "Recreational Vehicles" section for more information on storage facilities.) The covenants were with the land before the developers turned the streets over to the county.

You may park your car, van, minivan, pickup or light truck, sport utility vehicle, or motorcycle in your driveway or an enclosed area in your side or rear yard not visible from the street. Vehicles parked in the driveway must be properly licensed, not dismantled, and in good operating condition. You may not park in your front lawn or any other unpaved or unenclosed part of your yard [DCCR - E]. You may not simply pave over or gravel your yard beyond the basic original driveway in order to increase parking without a county building permit addressing surface water runoff [CKC].

Homeowners are encouraged to park in their own garage or driveway rather than the street, so that space in the street is available for guests. Courtesy dictates that you park in front of your own property, and not in front of a neighbor's lot. Please don't park where you obstruct the mail carrier's access to any mailboxes. It is also illegal to park in any of the following places [RCW 46.61.570-575, 46.90.433]:

1. on a sidewalk (even partially) which impedes pedestrians
2. on a landscaped area along the street
3. within an intersection
4. in a crosswalk or within 20 feet of a crosswalk
5. in front of a driveway or within 5 feet of a driveway
6. within 15 feet of a fire hydrant
7. within 30 feet of a stop sign, yield sign, or traffic signal
8. more than 12 inches from the curb
9. next to another car that is parked at the side of the street (double parking)
10. facing the wrong way on a two-way road
11. anywhere that would leave less than 10 feet of roadway between you and any car parked on the other side of the street
12. on the street, to display advertising
13. on the street, to display your vehicle for sale
14. on the street, to sell merchandise
15. on the street, while washing or repairing it (except in an emergency)

The county may tow away any vehicle parked such that it impedes the normal flow of traffic. [CKC – 46.08.040]

## **Permitted Uses of Property**

Property in Kingsgate 1 & 2 may be used only for detached single-family homes. Homes must be one or two stories and may have up to a two-car garage (one of which may be for a boat or trailer) [DCCR - A]. You may divide your home and rent part of it to an unrelated person or persons so long as you continue to live there. Conversions to non-owner-occupied multiple rentals (boarding houses or apartments) are prohibited by both covenant and county code.

You may not use any trailer, tent, shack, shed, or other outbuilding, or an unfinished garage or basement, to live in, whether the structure is permanent or temporary [DCCR – F].

You may not store materials or equipment where they are visible outside your house [DCCR - E].

You may not do anything on your property which "may be an annoyance or nuisance to the neighborhood" [DCCR-E].

You may not subdivide your lot (sell part of it to someone else) to less than 7200 square feet minimum size [PR & DCCR – D].

See the section on "Working at Home" for more information on restrictions on using your home as a place of business.

## **Pool Rental**

You may rent the pool for private parties and gatherings. It may not be rented during scheduled hours of operation or times blocked for swim team practice or swimming lessons. A per hour rental fee is due before the rental date. At least one adult (other than the lifeguard) is required to be in the pool area at all times for parties of young people under 21 years of age. Members renting the pool must give the pool manager the name of the responsible adult before the rental will be accepted. All regular pool rules apply during private party rentals.

The phone number at the pool, for information and reservations, is (425) 823-1520. Contact either the pool director or park director for reservations.

## **Swimming Pool Rules and Regulations**

The following summary of rules and regulations will be enforced by the lifeguards or other supervisory personnel on duty. They have the right to restrict activities which may be unsafe or create excessive disturbance. They have the right to eject any person from the pool who will not abide by pool rules and regulations. A complete list of pool rules is posted at the pool.

1. Admission requirements
  - A. Admittance to the pool (other than guests) is restricted to paid-up members of Kingsgate Highlands Divisions 1 & 2 Association. Residents of Kingsgate 1 & 2

who are not paid-up members are not entitled to guest privileges or to attend as guests.

- B. All members must present pool membership card and sign in by name and number. Guests must provide their name and address along with the sponsoring member's name and lot number.
  - C. Conduct of a disorderly nature or that which will restrict the enjoyment of others using the pool will not be permitted.
  - D. Children
    - 1. A basic swim test will be administered to all swimmers under 12 years of age.
    - 2. Children under 8 years of age must be accompanied by:
      - a. An adult or legal guardian, or
      - b. An authorized babysitter of at least 12 years of age who has passed a basic swim test.
      - c. **Note:** The adult, legal guardian, or babysitter must be in the water or at pool side in attendance with the child.
  - E. Kingsgate Highlands Division 1 & Division 2 Homes Association is not responsible for lost articles.
  - F. Association members' children and grandchildren are considered members of the family and, as such, are entitled to park and pool privileges.
  - G. Any child in the wading area must be accompanied by an adult. No other persons are allowed in this area.
2. Pool hours
- A. Pool hours are posted each year. Typically, the hours are:

	Sun.	Mon-Fri	Sat.
School in session:	12-8	4-8	12-8

Summertime: 12-8 daily
  - B. The pool manager may, on warm days, keep the pool open after 8:00 pm. Notice will be posted by 4:00 pm on those days pool will remain open past 8:00 pm. Pool manager may also close pool earlier on cold or wet days.
  - C. Ten minutes out of every hour will be for adult swimmers only. The time will be from 10 minutes to the hour until the hour, e.g., 12:50 pm to 1:00 pm.
3. Health and Safety Rules
- A. All pool health and safety requirements will be observed
  - B. No glass, sharp, pointed, breakable or other dangerous objects are allowed in the pool enclosure. Plastic and Styrofoam cups are allowed.
  - C. Running on decks, walkways or in the bathhouse is prohibited.
  - D. The use of life jackets, artificial swimming aids, toys, game devices, etc. is not allowed in the pool except on the specific approval of the pool supervisory personnel.
  - E. All persons using the pool are required to shower with soap before entering the pool. Once leaving the pool enclosure, bathers may not re-enter the pool or deck area until they have again passed through the bathhouse to re-shower.

- F. No pets are allowed in the pool area.
  - G. Persons wearing cut-offs will not be allowed in the pool.
  - H. Smoking and/or vaping is not allowed.
  - I. Violation of pool rules will result in the following penalties:
    - 1. First Violation (after verbal warning): Conduct report sent home to be signed by parent or guardian. Possible pool suspension.
    - 2. Second Violation: up to one-month pool suspension.
    - 3. Third violation: Pool privileges suspended for the remainder of the summer, or up to 180 days.
4. Parties
- A. All pool parties will end at 10:00 pm. The noise level at parties must be kept at a reasonable level consistent with the concern and convenience of adjacent homeowners. Control of the noise level is the responsibility of the host and/or chaperones present. In the event of a complaint to a Trustee(s), the sole decision as to whether the noise is excessive shall rest with the Trustee(s) who investigates the complaint. If the Trustee(s) so decides, the noise must cease immediately. If it does not, the party shall terminate.
5. Guest privileges. The following rules are established and will remain in effect until such time as the attendance at the pool or abuse of privileges make it necessary for them to be modified.
- A. All guests must be accompanied by a member at all times while in the pool area. Each guest must be registered at the pool office recording the name of the member sponsoring the guest, the guest, and the date of registration. Guests may not be admitted more than four times per month. A charge of \$3.00 will be made for each of the guest's visits.
  - B. In the interest of safety, the pool manager's judgment will prevail. Guests may be refused admittance if crowded conditions so warrant.
  - C. All house guests of 48 hours and over duration will be treated as a family member if they have prior registration with the pool manager.
  - D. Guests are bound by all rules and regulations.

## **Recreational Vehicles**

The covenants state that you may not park any bus, commercial vehicle, trailer, camper, motor home, boat, or other recreational vehicle on your property [DCCR – E]. The covenants concerning parking and prohibited vehicles also apply to the street. However, the Association has agreed not to enforce this rule if the vehicle is in a fenced side or rear yard, not visible from the street, and you have asked all of your adjacent neighbors and none of them object [BL – XXVI]. If you do not have room to park in your side yard or do not have a fence, you will have to park your RV somewhere other than on your lot or on the street.

## **Renting Your Home**



If you decide to rent your home to others, please be sure to give your tenant a copy of this Guide, and remind them that they, also, are bound by these rules.

You may choose to give your right to use the pool and park to your tenant or keep that right for yourself but not both [BL - II]. If you choose to reserve this right to yourself instead of your tenant, you should inform the Association in writing; otherwise, the current resident of each home is assumed to have the right to use the pool and park.

The DCCR and county code define all Kingsgate homes as single family. While an owner/occupant you may rent out a portion of the house to another party (auxiliary living unit or "mother-in-law apartment"), however, you may not convert into a boarding house or apartment house. Please help us maintain the single-family nature of our neighborhood. Legal action by the county and Board of Trustees has been and will be again taken to enforce this particular covenant.

## **Rodent Control**

You must keep your property free of mice and rats. Your home must be in sufficient repair to prevent rodents from entering, and you must keep all food and other material sealed to prevent rodents from being attracted. The King County Health Department is permitted to inspect property at any time if an infestation is suspected [CKC - 8.38]. Pet and bird feeders outside are a primary source of attraction for rodents.

## **Security Systems**

If you have a burglar alarm or security system on your home, it may not place telephone calls directly to the county police department or 911.

You must post on the front of your house, or on a card at the police department, a number where you can be reached if the alarm needs to be turned off. If the police call you because your alarm is sounding, you must come within one hour to turn it off.

The county may charge you if they come to your house to respond to a false alarm. There is no charge for the first false alarm response during a calendar month; the second carries a \$50 charge, and the third and subsequent false alarms a \$100 charge [CKC - 12.32].

## **Sewer Service**

All homes in Kingsgate must be connected to the sewer system. The county code makes it illegal to place certain things in the sewer system by flushing them down the toilet, running them down the sink or disposal, or otherwise. The list of prohibited substances is long. Here is just part of it [CKC- 13.04.190]:

1. surface or underground water runoff
2. rain or roof runoff
3. water from drains in foundations, underground, or yards
4. any liquid more than 150 degrees Fahrenheit
5. water containing more than 100 parts per million (roughly a tablespoon in 40 gallons) of fat, oil, or grease

6. any substance that solidifies between 32 and 90 degrees
7. gasoline, fuel oil, or any other flammable liquid
8. garbage not properly shredded in a disposal
9. ashes, cinders, sand, mud, glass, rags, feathers, tar, plastics, animal manure, or other substances that might clog the sewer
10. acids (such as pool acid) or alkalines (lye)
11. any toxic or poisonous substance in large quantities

You may not plant willow, poplar, cottonwood, soft maple, gum, or any other tree which has roots that invade sewer lines, within 30 feet of a sewer. If the county finds that a sewer blockage was caused by the roots of plants on your property, they can charge you for the repairs and for removal of the plants [CKC - 13.04.230].

## **Signs**

You may not post any kind of sign on your property, except for the following:

1. A FOR RENT or FOR SALE sign that is less than 18 inches wide and 24 inches long [DCCR-M]. You should remove such signs promptly after leasing or selling your home.
2. A sign, no more than two square feet in size, giving your name and address [CKC -21.08.040.I.1].
3. Signs advocating a ballot measure or political candidate; such signs must be smaller than six square feet, may not be posted more than 60 days before the election, and must be taken down within 10 days after the election.
4. Signs advertising a garage sale or yard sale; such signs must also be smaller than six square feet, may not be posted more than 3 days before the sale, and must be taken down at the end of the sale. You should not have a sale that lasts longer than three consecutive days, or more than two sales a year.

The covenants do not permit posting any other type of sign. [DCCR- M; BL - XXVI.2]

## **Speed Limit**

The speed limit throughout our subdivision is 25 miles per hour. Many families in the community have young children, who are quite likely at times to dash into the roadway unexpectedly. Please be cautious when driving in our neighborhood and observe the speed limit.

## **Storm Drains and Gutters, Use of**

King County severely restricts what you may place in storm drains, gutters, or any surface or ground water [CKC - 8.12.025]. You may allow the following to run into storm drains:

1. clean, drinkable water
2. overflow from lawn and plant watering
3. runoff from car and boat washing
4. rainwater

Here is a partial list of things that may not be placed in the storm water runoff system (the list in the county code includes many items you are not likely to have around the house):

5. trash or debris
6. construction materials
7. oil, gasoline, grease, fuel oil, or heating oil
8. antifreeze or other automotive fluids
9. paints, stains, resins, lacquers, or varnishes
10. degreasers or solvents
11. drain cleaners
12. pesticides, herbicides, or fertilizers
13. soaps, detergents, or ammonia
14. heated water
15. dog or cat waste
16. sewage, including from recreational vehicle tanks
17. animal carcasses or food waste
18. collected bark, lawn clippings, leaves, or branches
19. silt, sediment, or gravel
20. any other chemical or material not normally found in uncontaminated water

## **Street Numbering**

You must post your address on your house where it can be easily seen from the street, preferably near your front door. The figures must be at least three inches high, and contrast with the background so they can be seen at all times day and night [CKC - 16.08.050]. Obeying this rule is important for your safety and that of your neighbors, so that police, fire, or ambulance personnel can quickly find the right home when they are responding to a call for help.

Street numbers (addresses) are assigned by the county. You cannot change your street number without permission from the county [CKC – 16.08.030].

## **Swim Team**

The Kingsgate Royals swim team is composed of Kingsgate members and residents only. They have exclusive use of the pool during practice and swim meets. The swim season is six weeks long, beginning in mid-May and ending early in July. Practice and meet times vary. Contact the Pool Office for details.

## **Trash Pickup**

You must own (or lease from the trash pickup company) portable trash containers and keep all of your trash in them [CKC - 10.04.030]. They must be strong, watertight, rodent and insect proof, and have tight fitting lids. You must keep the outside of them clean [CKC - 10.04.040].

You must not allow trash, debris, rubbish, or recyclable materials to collect on your property except in your trash containers. However, you may have a compost pile or bin if it is maintained so that it doesn't smell or attract insects or rodents [CKC - 10.04.080].

You should try to keep your trash containers out of view of the street, except on the day of pickup or the night before pickup. The emptied containers should be removed the same day as pickup and stored out of sight.

## **Vehicles, Repair and Storage of**

You may not repair or dismantle vehicles outside of your garage [DCCR – E]. Non-working vehicles may not be kept in the street, in your driveway, or in your yard. Also see the sections on "Junk Vehicles" and "Parking".

## **Water Service**

You may not use water without paying for it. You may not cover your water meter with dirt or other materials, including grass. The water meter and its cover must be visible.

## **Weapons**

You may not fire any type of firearm anywhere within our subdivision (or within 500 feet of any house, street, business, or trail) [CKC - 12.68.030].

It is illegal in King County to give or sell a firearm or ammunition to anyone under 18 years of age [CKC - 12.78.020, RCW - 9.41, 9.45, 26.28]. It is also illegal to give or sell a spring gun, air gun, sling, or slingshot to anyone under 18 years of age, without the written consent of their parent or guardian [CKC - 12.78.030].

## **Working at Home**

The Covenants prohibit all businesses of any kind from being operated from homes in Kingsgate 1 & 2 [DCCR -E]. The Association, however, has adopted a policy of permitting businesses which are not "visible" outside your home [BL - XXVI.3]. The Association and the county have established rules governing "home occupations", which include:

1. Your home occupation may involve only members of your family who live in your home. You may not hire employees to work in your home business who do not live with you.
2. You may not sell any items directly from your home, e.g., customers may not come to your home to buy things. You may keep samples in your home so long as they are not sold from your home.
3. Selling over the telephone is permitted.
4. Your home occupation may not involve group instruction or group assembly of people in your home due to concerns about traffic and congestion.
5. Your home occupation must be conducted only within the enclosed living area of the home, including the basement, if any. You may not store or display products,

materials, or machinery, or conduct any business activities where they might be seen from outside your home.

6. Your home occupation may not increase the number of cars which drive on our neighborhood streets, or park either on the street or off the street.
7. Your home occupation must not require deliveries or pickups by large trucks.
8. The equipment you use in your home occupation must be of the kind normally used in homes. You may not use special commercial equipment, large power tools, or anything that requires special power sources.
9. You may not post any kind of sign on your property advertising your home occupation [DCCR-M; CKC - 21.08.030].

### **Important Phone Numbers**

Park Scheduling - Contact Park Director or Pool

Pool office - (425) 823-1520