

Manorwood Owners' Association (MOA)
Architectural Control Guidelines
As revised September 2023

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ARTICLE 1. Objective

This document is a guide for both members of the Architectural Control Committee (ACC) and Manorwood Division No. 1 homeowners. The purpose of the Architectural Control Guidelines is to assist homeowners in complying with the Declaration of Protective Covenants, Conditions and Restrictions Affecting Manorwood (CC&Rs). The Guidelines address the exterior maintenance of property and improvements for which homeowners most commonly submit applications. The Guidelines are not intended to be all inclusive. They outline minimum requirements necessary to meet the intent of the CC&Rs.

According to the CC&Rs, a homeowner must submit an application to the ACC for all exterior improvements and changes. No work shall be started until the ACC approves the application.

These Guidelines and subsequent ACC approval do not remove the homeowner's responsibility to meet all local ordinances, regulations and restrictions, and to obtain necessary permits. Renters and guests of homeowners are expected to comply with ACC Guidelines, as well.

The merits of each application will be considered case by case.

1.1 Objective of the Guidelines

The objective of this document is to provide uniform minimum guidelines to be used by the ACC in reviewing applications, in light of the requirements set forth in the CC&Rs. The specific goals are to:

1.1.1 Increase homeowners' awareness and understanding in meeting the requirements of the CC&Rs.

1.1.2 Provide basic design principles and concepts that will assist homeowners in developing exterior improvements that are in harmony with the Manorwood community as a whole.

1.1.3 Assist homeowners in preparing an acceptable application for submittal to the ACC.

1.1.4 Maintain and improve the quality of the living environment within Manorwood.

1.1.5 Protect the value and desirability of the Manorwood community.

1.2 Introduction

All homeowners benefit from the planning and design that are important parts of the development of our community. The design controls and guidelines contained herein are a means to assure

homeowners that a minimum standard of design and quality are maintained. The maintenance of design and quality will in turn protect property values while enhancing the overall living environment.

These Guidelines are directed to exterior alterations and additions erected or maintained upon the lot; however, the Manorwood Owners' Association (MOA) must also review plans for all new construction by builders to ensure adherence to the CC&Rs.

Homeowners should have received a copy of the Declaration of Covenants, Conditions and Restrictions Affecting Manorwood (CC&Rs) at the time of settlement on their home. A copy can be downloaded from the MOA website, manorwood.org, under the tab "Covenants & Bylaws." It is important that they be read and understood. Most problems can be resolved and unnecessary complications avoided by a thorough understanding of the CC&Rs and the Architectural Control Guidelines.

1.3 Protective Covenants ("CC&Rs")

The legal document responsible for the maintenance and control of quality of design within the community is the CC&RS. It is a part of every deed of homeownership. The Architectural Control Guidelines that follow supplement the CC&Rs.

Each homeowner is legally bound by the rules, regulations, and stipulations contained therein. Ignorance, indifference or lack of possession does not excuse or nullify this obligation.

Among other things, the CC&Rs establish the MOA and the Architectural Control Committee (ACC). The ACC is empowered by the CC&Rs, and its members are appointed by the MOA Board of Directors.

Among the duties delegated to the ACC is the principal responsibility to review all applications for exterior alterations submitted by homeowners as well as notifying homeowners of any infractions on their property that must be rectified.

1.4 Amendments to the Guidelines

The Architectural Control Guidelines reflected in this publication may be amended. The Guidelines and any amendments cannot conflict with the CC&Rs. The ACC will conduct a periodic evaluation of the Architectural Control Guidelines to determine if amendments are required.

Association members in good standing may submit to the ACC or the MOA Board of Directors requests for additions or changes to the Guidelines at any time. The ACC shall make recommendations on each requested change to the Board of Directors. Advance notice of all proposed changes to the Guidelines will be provided to the community for review and comment at least 30 days before the Board of Directors votes on adopting any amendments. There will be public discussion and review of any comments received about the proposed changes at a subsequent monthly Board meeting.

Changes to the Architectural Control Guidelines become effective upon adoption by the Board of Directors.

1.5 What Must Homeowners Have Approved?

All exterior alterations to a homeowner's property must be approved by the ACC before work begins. Examples are painting, roofing, tree removal, exterior structures/home modification, fences and rockeries. Any work contracted for should have a contingency subject to ACC approval. Upon ACC approval, no change can be made without the consent of the ACC. ACC approvals are valid for one year. Homeowners may apply for an extension if work is started but not completed at the one-year mark. If work has not started after one year, a new application is required.

1.6 How to Submit an Application

An ACC Application can be printed from manorwood.org, under the tab "ACC Guidelines/Application." When preparing an application, homeowners should provide an illustration/sketch of trees and existing structures such as fences, patios and decks. This helps the ACC to visualize the proposed request in the correct perspective of existing property. A homeowner must submit either physical samples or provide specific manufacturer information and color codes, and any other relevant information, that the ACC can view online. Examples are paint, exterior siding, roofing, shutters, trim and doors.

Applications and supportive documents can be sent via mail or email:

Mail:

Manorwood Owners' Association – ACC
c/o J.C. Higgins & Associates
PO Box 731029
Puyallup, WA 98373

Email: manorwoodhoa@gmail.com

Alternatively, an application may be presented in person at the monthly meeting of the Board of Directors. These meetings are publicized on manorwood.org. An application will be approved, disapproved or sent back for more information. Homeowners are asked to allow at least 15 calendar days for processing. An application that is not considered due to a lack of information shall be deemed denied until all necessary and requested information is received.

1.7 The Application

Only final plans should be submitted to the ACC. The ACC will retain on file submitted applications and supportive information. Upon approval of an application, homeowners will receive a signed approval and a copy of the submitted application. Applications must include, as applicable:

1.7.1 Plot plan showing dimensions, relation to the house where the project will be constructed, and relation to adjacent residences, property lines, and proposed landscaping.

1.7.2 Descriptions of type of materials to be used.

1.7.3 Color samples of exterior paint, siding, roofing, trim, doors, and other building materials, even if the replacement is the same color or style.

1.7.4 Samples of professional brochures and sketches to further illustrate design and style.

1.7.5 A sketch or photograph showing in elevation the relationship to the applicant's house and adjacent residences.

1.7.6 All information and details pertaining to railings, posts, stairs, steps, benches, current house and trim color and other such items as applicable.

1.7.7 Any other descriptive information that would assist the ACC in reviewing the submitted application.

1.7.8 Estimated starting and completion date.

1.8 ACC Review Criteria of an Application

All applications submitted will be evaluated for conformity with the Architectural Control Guidelines and CC&Rs, along with their individual merit and relevance toward maintaining continuity with the values of the community as intended by the CC&Rs.

As set forth in Sections 6.02 and 6.03 of the CC&Rs, the ACC shall render its decision approving,

denying or requesting additional information in writing to the applicant with respect to the construction within 15 calendar days after the ACC has received all material required by it.

Natural Forested Environment

A proposed application for tree removal must take into consideration that the guiding concept behind the development of Manorwood was to maintain a forested environment. The removal of healthy trees may not be permitted if their loss would result in the property no longer presenting a forested appearance.

Location and Impact on Neighbors

Points that must be considered include view, sunlight, drainage, access and privacy. For example, additions or alterations to a house could affect the view, access or sunlight of adjacent properties. If that is the case, it is imperative to discuss changes with the neighbors prior to submitting an application.

The ACC encourages cooperation between neighbors to help ensure the continuity of community standards and values. It would be helpful to submit neighbors' signatures acknowledging the project as part of the ACC Application.

Timing and Homeowner Responsibilities

Projects that remain uncompleted for long periods can become both a nuisance and safety hazard for neighbors and the community. Therefore, we encourage expeditious completion of all projects.

If delays occur, please advise the ACC or J.C. Higgins so potential complaints may be properly addressed. Contact a member of the ACC, J.C. Higgins or email manorwoodhoa@gmail.com.

Approvals are valid for one year. A new application must be submitted if work did not begin before the approval expired. If work has begun but is not complete after 12 months, an extension must be obtained from the ACC.

Homeowners are responsible for adhering to appropriate safety and building codes. The Board of Directors reserves the right to take appropriate action against unsafe or unsightly conditions during and following construction.

ARTICLE 2. ACC Activities and Procedures

2.1 Identifying Architectural Control Guidelines Non-Compliance

A home is identified as potentially in non-compliance with the Architectural Control Guidelines or the CC&Rs in the following ways:

2.1.1 Any homeowner may report potential non-compliance with the Guidelines or the CC&Rs directly to the ACC.

2.1.2 With oversight by ACC volunteers, a Compliance Inspector from J.C. Higgins & Associates (the MOA's management company) conducts monthly drive-throughs of the community. A drive-through does not include entering onto the property, so non-compliance that is not visible from the street or sidewalk is not identified by a drive-through.

2.1.3 A penalty is a one-time charge or a recurrent charge that the MOA may assess if a homeowner or resident violates a provision of the CC&Rs or the Architectural Control Guidelines, or fails to correct a violation within a stated number of days after notification. The penalties are:

- **\$400 per tree** that is 6 inches in diameter 5 feet above ground level, removed without written approval of the ACC and the landscape is not restored insofar as possible within 60 days.
- **\$250 for a stop-work order:** a one-time charge to the homeowner who begins a large project without an approved ACC Application and who fails to halt work when notified to do so. Examples of an unapproved project that might generate a stop-work order would be alteration of an existing structure, the construction of an unattached structure, or tree removal. Work may commence only after an ACC Application is approved.
- **\$100 per day** for each day work continues after a stop-work order is issued.
- **\$50 per violation** identified by J.C. Higgins's Compliance Inspector on two consecutive drive-throughs, which indicates that the previous month's identified violation, mailed as a courtesy notice to the homeowner, was not brought into compliance with the Architectural Control Guidelines. In each subsequent month, the fine will be doubled up to a **maximum of \$200 per month** until the owner has brought the property into compliance.

Please communicate with the ACC, J.C. Higgins or the Board directly to inform the MOA that efforts to rectify the compliance issue are underway, have been delayed or have been scheduled. Immediate communication with the ACC, J.C. Higgins or the Board helps to avoid misunderstandings and violations.

2.2 Maintenance

Proper maintenance and repair of all structures and grounds (front, rear and sides) are the responsibility of the homeowner. Items that are observed for non-compliance during a drive-through include the following:

2.2.1 Outdoor lighting; proper storage of landscaping equipment, grills and other barbecue equipment, lawnmowers and firewood; workmanship on existing and new structures; and storage of building/construction tools and materials are among items that can be noted.

2.2.2 House, garage and fences are observed for general maintenance needs such as roof cleaning, house painting, repair, and, if necessary, replacement of old, worn, broken or missing items. This can include siding, trim, shutters, gutters, chimneys, attic vents, house and garage doors, windows, screens, satellite dishes, and porch/deck/patio areas as visible from the street. Roofs and gutters are to be free of debris and vegetation. The use of tarps is prohibited except during roof replacement or in the event of leaks and should be limited to one month or less; if a tarp is necessary for longer than a month, please notify the ACC.

2.2.3 Unattached structures visible from the street, which may include sheds, greenhouses, playground equipment, basketball equipment, and storage sheds or screens for refuse containers, can be noted for general maintenance.

2.2.4 Landscaping items can include general maintenance needs such as lawn mowing to keep a well-groomed appearance. All trees, shrubs, plants, and groundcovers shall be properly trimmed. Any fallen tree limb or dead tree, shrub, plant or ground cover shall be removed as soon as reasonable. A lot shall be reasonably kept free of weeds.

2.2.5 While sidewalks belong to the City of Puyallup, homeowners with abutting property are responsible for keeping them clean and clear of obstructions, debris, and weeds. A walking height of 7 feet must be maintained.

2.2.6 The following vehicles can be cited for non-compliance if they are not parked in an enclosed garage or out of sight in a screened area: boats, campers, motorhomes, snowmobiles, utility trailers, and non-licensed and inoperable vehicles. No mobile home shall be used as a residence, whether temporarily or permanently. Boats, campers, trailers, motorhomes and other RVs shall not be parked longer than 72 consecutive hours in front of a homeowner's residence in preparation for travel or for post-travel cleaning.

Failure of the homeowner to accept responsibility for non-compliance will result in fines as

outlined in Article 8 of the CC&Rs and Article 2 of these Guidelines.

2.3 Notification

After the ACC has identified a home that is potentially in non-compliance, the homeowner will be notified via a mailed “courtesy notice.” A non-compliance notification will include:

- 2.3.1 The homeowner’s name, address and lot number.
- 2.3.2 A description of the items in non-compliance.
- 2.3.3 A reference to the MOA Architectural Guidelines (by title as listed in the table of contents) and optionally, a description of the pertinent section of the Guidelines.

2.4 Homeowner Response

A homeowner may write the ACC via mail or email to resolve the complaint. Send mail to Manorwood Owners’ Association – ACC, c/o J.C. Higgins & Associates, PO Box 731029, Puyallup WA 98373. Or send email to manorwoodhoa@gmail.com. The ACC reserves the right to continue the process at its discretion. The homeowner may appeal to the MOA Board at any time during the process. Possible responses by the homeowner include:

- 2.4.1 Statement that some corrective action has or will take place by a certain date.
- 2.4.2 Justification as to why the home is in compliance.
- 2.4.3 Submission of an ACC Application for approval.
- 2.4.4 Attendance at a Board of Directors’ meeting to discuss the non-compliance issue.

2.5 Appeal

If a homeowner disagrees with a non-compliance letter, the homeowner should address correspondence to Manorwood Owners’ Association – ACC, c/o J.C. Higgins & Associates, PO Box 731029, Puyallup WA 98373 or email manorwoodhoa@gmail.com within 10 days of the violation notice, listing specific objections and/or mitigating circumstances justifying the appeal. The MOA shall make a decision within 15 calendar days after receipt of said notification.

ARTICLE 3. Exterior Alterations (Major)

3.1 General Guidelines

The design of exterior alterations should be compatible in scale, material and color with the existing structure and adjacent structures.

As Section 4.13 of the CC&Rs states: “No building shall be located on any lot closer to the front, rear or side lot lines than as permitted by the City of Puyallup Municipal Codes applicable to single-family residential zoned property.”

Any addition must be in full compliance with Puyallup Municipal Code and Building Codes and have any required permits.

3.2 Additional Application Requirements for Exterior Alterations (Major) (Also see Article 1.7 The Application)

If changes affect drainage, they must be indicated. Drainage changes that may negatively impact neighboring properties generally will not be approved.

3.3 Decks, Patios, Porches and Gazebos

Since decks, patios, porches and gazebos are an extension of the house and have much to do with its overall appearance, certain guidelines must be taken into consideration. Remember that decks, patios and gazebos may affect the privacy of neighboring properties.

3.3.1 Any changes to existing decks, patios, porches and gazebos should provide for continuity to complement the house.

3.3.2 Privacy of adjacent homes should be considered when planning decks, patios and gazebos.

ARTICLE 4. Exterior Finish

The exterior of all construction on any lot shall be designed, built and maintained in such a manner as to complement the natural surroundings, existing structures and landscaping within Manorwood. Exterior colors shall be limited to subdued/muted tones.

4.1 Exterior Colors

A formal application is required for all exterior paint projects.

4.2 Associated Home Details

Exterior trim, fences, doors, railings, decks, eaves, gutters, and the exterior finish of garages and other accessory buildings shall be maintained to complement the exterior of the structure they adjoin.

ARTICLE 5. Exterior Lighting

Any exterior lighting, including security systems with lighting, that is visible from any street, any part of the Common Area or any other lot in Manorwood must be approved by the ACC prior to installation in accordance with the provisions of Section 4.16 of the CC&Rs.

Any temporary holiday lighting may be put up 45 days before the holiday and must be removed within 30 days after the holiday.

ARTICLE 6. Fences

6.1 General Guidelines

Section 4.14 of the CC&Rs states: “No fence or screening structure shall be erected without the prior written approval of the ACC. In no event shall side yard fences project beyond the front walls of any dwelling or garage nor shall any fence exceed 6 feet in height from the finished lot grade.”

ARTICLE 7. Landscaping

When planting shrubs and trees, care should be taken not to obstruct street corners, sidewalks or a neighbor’s view. Be considerate of the potential height of trees. Trees, shrubbery and vines must not hang over the sidewalk less than 7 feet, including when raining, for the entire width of the sidewalk. All landscaping must be trimmed back so it does not protrude onto the sidewalk.

ARTICLE 8. Tree Removal

8.1 Specific Objective

Property will maintain a forested appearance in keeping with the guiding concept behind the development of Manorwood. Homeowners are encouraged to maintain healthy trees.

8.2 General Guidelines

8.2.1 Section 4.21 of the CC&Rs states: “No trees with a diameter of 6 inches or more, measured at a height of 5 feet above ground level, may be removed from those portions of any lot that lie outside of the building site (including driveway) without prior written approval from the Architectural Control Committee.” See Section 2.1.3 of these Guidelines for fine schedule and restoration requirements.

8.2.2 Replacement trees should be a minimum of 5 feet tall at time of planting and may be either conifer or deciduous.

8.2.3 A forested appearance is defined as one with mature trees allowing up to 50% of the property to be open to direct sunlight.

8.2.4 In lieu of submitting an ACC Application to remove an obviously dead tree, a homeowner may call J.C. Higgins & Associates at 253-841-0111, ext. 108, or email manorwoodhoa@gmail.com and request a site visit by an ACC member who can provide verbal approval to proceed with removal.

8.3 Additional Application Requirements for Tree Removal (See also Article 1.7 The Application)

8.3.1 Homeowners will submit an ACC Application with an accurate drawing that depicts boundaries, structures, paved areas, existing trees, the tree(s) proposed for removal, plan for tree replacement if required, and preferred date for removal.

8.3.2 If the ACC is concerned that removal of the specified tree(s) may negatively impact other trees in the area, an ISA Certified Arborist shall be retained at the expense of the requesting homeowner to provide a written independent assessment as to the effect removal would have on the survival of other nearby trees on the same or other properties. If a homeowner states the health or hazardous nature of a tree is the reason for removal, they may be asked to provide the ACC with an ISA Certified Arborist's written evaluation addressing those issues. One resource for finding an independent arborist is the Pacific Northwest Chapter of the International Society of Arboriculture (PNW-ISA). The link to search for arborists is <https://pnwisa.org/page/find-an-arborist>.

ARTICLE 9. Roof Replacement

9.1 Specific Objective

The appearance, style and color of the roof shall complement the natural surroundings and existing structures.

9.2 Application for Roof Replacement

To facilitate the ACC Application process, requests should describe the materials to be used,

including details such as manufacturer, style, color, weight, and wind and fire rating. A homeowner may choose to submit physical samples or provide manufacturer information that the ACC can view online.

ARTICLE 10. Miscellaneous

10.1 Parking

It was the intent of the original builders to eliminate on-street parking as much as possible in Manorwood. Each lot has adequate off-street parking for at least four cars (garage and driveway). As Section 4.09 of the CC&Rs states: "All parking areas on the private lot must have an improved surface. Vehicle parking on the public right-of-way within Manorwood is limited to 72 consecutive hours. Parking of boats, trailers, heavy commercial trucks, truck campers and like vehicles and equipment shall not be allowed on any part of the Private or Common Area, except within the confines of an enclosed garage or behind a fence or gate and not visible from the street. This section will not prohibit temporary parking for the purpose of loading and unloading, not to exceed 72 consecutive hours." Renters and guests of homeowners also must comply with these Guidelines in regard to parking.

10.2 Recreational Vehicle Storage

Motorhomes, boats, trailers, and other recreational vehicles shall be stored only in that section of the Common Area specifically designated as Recreational Vehicle Storage Area, or they shall be stored as provided for in Section 4.09 of the CC&Rs.

10.3 Vehicles in Disrepair

Section 4.06 of the CC&Rs states: "No Owner shall permit any vehicle that is in a state of disrepair to be abandoned or to remain visible upon any lot or on the Common Area for a period in excess of 72 hours. A vehicle shall be deemed to be in a 'state of disrepair' when, in the opinion of the Association or its agent, its presence offends the occupants of the neighborhood. Should any Owner fail to remove such vehicle within five days of receiving a certified written notice from the Association or the Architectural Control Committee, the Association may impose an assessment on the Owner in accordance with Sections 5.05 and 7.02" of the CC&Rs.

10.4 Business and Commercial Uses

Section 4.02 of the CC&Rs states, "No trade, craft, business, profession, commercial or similar activity for profit of any kind shall be conducted on any lot except as allowed by this section. Nor

shall any goods, equipment, vehicles, materials or supplies used in connection with any trade, service or business be kept or stored on any lot except as allowed by this section. Residential construction and telecommuting do not constitute a home business under this Title. Automobile repair, body work, upholstery or other auto-related work is not allowed.”

The following restrictions apply to home businesses in Manorwood:

- a) No business signage related to the occupation is allowed.
- b) The business must not be visible from the outside of the house or accessory structures.
- c) No visible outside display or storage of materials, merchandise, or equipment is allowed.
- d) Traffic resulting from the business does not interfere or jeopardize any Owner’s property rights or use of the rights-of-way in Manorwood.

Owners are directed to Puyallup Municipal Code concerning Business Licenses and Home Occupations for more information.

10.4.1 Licensed Family Home Child Care and Licensed Child Day Care Centers

Washington state law prohibits homeowners associations from banning or unreasonably restricting licensed family home child care and child day care centers from operating. In the event an MOA Owner operates a licensed family home child care or licensed child care center out of their Manorwood Division 1 home, the Owner must adhere to the following conditions as allowed by state law:

- The child care entity must be licensed in good standing by the Washington Department of Children, Youth, and Families.
- The licensed child care entity must be in compliance with the MOA’s CC&Rs and Architectural Control Guidelines. As a licensed child care entity, an MOA owner must adhere to all requirements of applicable state laws.
- Only the original home with direct customer access may be used as a family home child care or child day care center.

The homeowner will obtain and provide the MOA with notarized documentation that it will indemnify and hold harmless the MOA from claims relating to the operation of the licensed home child care or licensed child day care center.

10.5 Antennas, Satellite Dishes, Utility Equipment, Solar Panels and Other Service Facilities

Section 4.22 of the CC&Rs states: “Exterior antennas and satellite dishes must be approved by the Architectural Control Committee prior to installation and must meet the guidelines of appropriate governmental agencies as well as those of the Association. Clotheslines, utility

equipment and other service facilities shall be screened so as not to be viewed from the street or Common Area.”

4.23 of the CC&Rs states: “Solar panels must be approved by the Architectural Control Committee prior to installation and must meet the guidelines of appropriate governmental agencies as well as those of the Association.”

10.6 Refuse Containers

Section 4.04 of the CC&Rs states: “No lot or part of the Common Area shall be used as a dump for trash or rubbish of any kind. All garbage and other waste shall be kept in appropriate containers with lids for proper disposal, out of public view, and removed from the premises on a regular basis. Yard rakings and dirt and other material resulting from landscaping work shall not be dumped onto streets, or Common Areas or any lots. Should any Owner fail to remove any trash, rubbish, garbage, yard rakings, or other such materials from any lot or any street or Common Area where deposited within 10 days following the date on which notice is mailed by the Association or the Architectural Control Committee, such materials may be removed and the expense charged to the Owner in addition to the assessments made upon them in accordance with Sections 5.05 and 7.02” of the CC&Rs.

Place bins at the curb no sooner than the day before pickup and remove bins from public view no later than the day after pickup.

10.7 Signs

Section 4.11 of the CC&Rs states, “No temporary or permanent signs shall be erected or maintained on any lot except as permitted by this Section. The Manorwood entryway signs permanently placed upon easements provided therefore shall be permitted. One ‘For Sale’ or ‘For Rent’ sign, reasonably sized, placed by the Owner, or by a licensed real estate agent authorized by the Owner, may be temporarily displayed on any lot for a reasonable period of time and only until the lot or home is sold or rented. Political signs that advertise a candidate or urge a vote on a public ballot issue may be displayed 60 days before an election and must be removed by 10 days after the election.”

10.8 Animals

Section 4.08 of the CC&Rs states: “No animal or fowl of any kind shall be raised, bred or kept on any lot, except that cats, dogs, birds or other household pets may be kept that are not bred or maintained for any commercial purpose. Such animals shall not be kept in numbers or under

conditions so as to interfere with or jeopardize the reasonable use and enjoyment of any Owner's lot and the Common Area in Manorwood."

10.9 Offensive Activities

Section 4.07 of the CC&Rs states: "No noxious or offensive activity as determined by a majority vote of the Board shall be carried on within any Private or Common Area, nor shall anything be done or placed upon any Private or Common Area which interferes with or jeopardizes the reasonable use and enjoyment of any Owner's lot and the Common Area in Manorwood."