



## COMMUNITY ASSOCIATION

### Undeveloped Parcel Maintenance Policy

Amended August 10, 2017

WHEREAS, Prescott Lakes Community Association, Inc. (“Association”) is governed by the Declaration of Covenants, Conditions and Restrictions for Prescott Lakes (“Declaration”), the By-Laws of Prescott Lakes Community Association, Inc. (“Bylaws”), the Prescott Lakes Community Association Compliance Policies and Procedures Effective August 25, 2006, (“Compliance Policies and Procedures”) and all other policies and procedures properly adopted by the Board;

WHEREAS, Article 5, Section 5.1 of the Declaration states: “Each Owner shall maintain his or her Unit and all landscaping and improvements comprising the Unit in a manner consistent with the Governing Documents, the Community-Wide Standard, and all applicable covenants;”

WHEREAS, Exhibit “C”, Section 3(a) of the Declaration provides that the following are prohibited within the Properties: “Plants, animals, devices or other things of any sort whose activities or existence in any way is noxious, dangerous, unsightly, or of a nature as may diminish or destroy the enjoyment of the Properties, as determined in the reasonable discretion of the Board.”

WHEREAS, Article 7, Section 7.4(a) of the Declaration states: “Every Owner and occupant of a Unit shall comply with the Governing Documents;”

WHEREAS, Article 7, Section 7.4(a) (v) of the Declaration gives the Board the authority to exercise self-help or take “action to abate any violation of the Governing Documents in a non-emergency situation;”

WHEREAS, Article 8, Section 8.5 of the Declaration gives the Association the power to levy Specific Assessments against a particular Unit “(a) to cover the costs, including overhead and administrative costs, of providing services to Units upon request of an Owner pursuant to any menu of special services which may be offered by the Association;”

WHEREAS, Article 8, Section 8.5 of the Declaration gives the Association the power to levy Specific Assessments against a particular Unit “(b) to cover costs incurred in bringing the Unit into compliance with the Governing Documents, or costs incurred as a consequence of the conduct of the Owner or occupants of the Unit, their agents, contractors, employees, licensees, invitees, or guests;”

WHEREAS, Article 7, Section 7.5 of the Declaration states: “The Association may exercise any right or privilege given to it expressly by the Governing Documents, or reasonably implied from or reasonably necessary to effectuate any such right or privilege. Except as otherwise specifically provided in the Governing Documents, or by law, all rights and powers of the Association may be exercised by the Board without a vote of the membership.”

NOW THEREFORE, The Board of Directors of the Association hereby adopts the following amended policy:

A. **Maintenance Standard:**

1. Any parcel held in title by any Class “A” Member of the Association which has not been improved with a dwelling shall conform to the minimum standards as set forth in this policy with respect to all vegetation within the property boundaries.
2. All owners shall keep native and undeveloped parcels free from dry vegetation, tumbleweeds, weeds, bushes, tall grass, and trees which are determined to be a visual blight on the community, which may harbor insect or rodent infestations, or which is or may become a fire hazard, or otherwise threaten the

health and/or safety of adjacent property with or without structures. It is the responsibility of the owner to keep grass and weeds to a height of less than 6” at all times and completely remove all noxious weeds, such as thistle and tumbleweed throughout the property, however high.

3. Prescott Lakes is designated as a Firewise/USA Community effective January 2016. Lot owners should observe Firewise principles for lot clearance as noted below. Please visit [www.firewise.org](http://www.firewise.org) for more details.
  - a) Remove excess dead materials, ladder fuels, and ground fuels.
  - b) For lots with dense brush, maintain 4’-6’ corridors to provide access for maintenance and emergency services.
  - c) Remove all dead trees and bushes.

These provisions are required unless otherwise determined by the Board of Directors.

4. Owners of undeveloped parcels are to approach lot maintenance with sensitivity toward how ground cover affects the drainage on their lot. Maintenance of groundcover tends to assist with erosion control and mitigates drainage issues.

**B. Annual Maintenance Program:**

1. Owners of undeveloped parcels shall schedule the above-required maintenance for completion at the discretion of the Community Manager, as needed, but no more than four (4) times per year, in order to comply with this policy. Maintenance shall consist of cutting the weeds and/or grasses as described above. Noxious weeds, such as certain varieties of thistle, require special removal considerations. Following cutting of weeds, removal of noxious weeds, and clearing for Firewise, all debris and trash must be evacuated from the site and adjacent streets completely.

All owners shall maintain Firewise lots. Full Firewise treatments should be scheduled every 3-4 years as needed and determined by the Firewise inspectors.

2. Notwithstanding the foregoing, owners of undeveloped parcels in Neighborhoods containing no dwellings may, no later than January 31 of each year, propose a plan to the Community Manager and/or Firewise Committee for an alternate method of compliance with this policy. If the proposed alternate plan is not approved, or if the owner fails to comply with an approved alternate plan, the owner will be required to comply with the methods provided for in this policy, and with the deadlines provided by the Community Manager as a part of the compliance enforcement process.
3. A voluntary automatic undeveloped parcel maintenance program will be offered annually by the Association. Owners of undeveloped parcels will be afforded the opportunity to sign up for a program to utilize a local service provider designated by the Association to complete the maintenance required under this policy. The objective of the voluntary automatic maintenance program is to reduce the cost to undeveloped parcel owners, based on economy of scale, along with providing owners with quality service resulting in property conditions consistent with the policy requirements.

**C. Procedure for Enforcement**

Enforcement of this policy will follow the order of the Prescott Lakes Community Association Compliance Policy.