



Understanding the details of what is expected of owners in terms of compliance with the various use restrictions in place in the Snoqualmie Ridge ROA community can be complex. After significant conversations with the community regarding these questions, the ROA felt it appropriate to provide a more detailed explanation of what the governing documents permit and prohibit, and where in the governing documents support for various rules appear.

The ROA Board and Staff approach supporting the Community-Wide standards by seeking direction from the governing documents (the CC&Rs, Use Restrictions, Design Guidelines, and other policies). We do so as equally and evenly as possible, given limitations of available staff, and a community as large as ours (over 3,900 units!). Generally speaking, when the Association staff reviews neighborhoods, they seek to identify situations and circumstances that are variations from the standards reflected in the established uses of the general population of the community as a whole. All of the ROA policies are thoroughly reviewed by outside counsel to confirm with federal and state laws, and to follow commonly observed practices within the broader community of ROAs both locally and nationally.

This year, a proliferation of signage on lawns displaying a wide variety of messages in the community prompted questions from residents and staff, which resulted in the Board approving a six-week exemption from the overall sign policy, which ended on 7/29/20. After this time, regular enforcement of the policy on lawn signage went into effect, which in turn prompted further questions regarding compliance requirements that the staff and Board have been working to answer. This letter is intended to provide information to owners regarding the display of signs, flags, and other decorations, and to continue the open and transparent communication that the Board values with the community.

If you have any questions about the information in this document, please reach out to the ROA Director by phone at (425) 396-5430 x24 or via email at info@ridgeroa.com.

Compliance Basics

As a private organization, and under private rights of contract, the ROA is not bound by the same types of restrictions as a state actor would be, under the First Amendment and applicable provisions of the Washington State constitution. Private parties may agree between them to waive certain rights as part of contractual agreements – this is most commonly seen in non-disclosure agreements in the world of employment law, and the legal basis upon which the CC&Rs, Design Guidelines, and other governing provisions of the ROA operate.

Exhibit C of the CC&R's, the Initial Use Restriction, section (b)(xi) provides that an owner or occupant cannot put any "thing" outside the home except in compliance with Article IV and the Design Guidelines.

“(b) Restricted Activities. The following activities are prohibited within the Properties unless expressly authorized by, and then subject to such conditions as may be imposed by, the Board:

(xi) Any construction, erection, placement, or modification of any thing, permanently or temporarily, on the outside portions of the Unit, whether such portion is improved or unimproved, except in strict compliance with the provisions of Article IV of the Declaration and Design Guidelines. This shall include, without limitation, signs, swing sets and similar sports and play equipment; clotheslines; garbage cans; woodpiles; above-ground swimming pools; docks, piers and similar structures; and hedges, walls, dog runs, animal pens, or fences of any kind.”

This language essentially establishes a fundamental rule throughout the Use Restrictions, Design Guidelines, and Policies adopted by the ROA that decorations, signs, or other “things” related to owner property are prohibited unless expressly permitted by some provision in those same documents.

The CC&Rs also include language extending the authority of the ROA to enforce compliance with standards within the home, so that when something is prohibited outside the home, it is likewise prohibited when it is visible from outside, even though the item has been placed inside the home. Specifically, Article IV, Section 4.1 provides that its restrictions extend to “portions of the Unit visible from outside the structure . . .”, while Section 3.4(b) provides limited protection to certain kinds of signs placed indoors. Section 3.4(b) states: “The rights of owners to display religious and holiday signs, symbols, and decorations inside structures on their Units of the kinds normally displayed in dwellings located in single-family residential neighborhoods shall not be abridged, except that the Association may adopt time, place, and manner restrictions with respect to any displays (including those outside of a dwelling) visible from outside the dwelling.”

Signs

While the CC&Rs significantly restrict signage, the Snoqualmie Ridge ROA Sign Policy (Policy #26) was adopted to allow for three types of signage on property under ROA jurisdiction:

- Limited “event” signage, registered with the ROA through a process defined by policy, and limited to four areas within Snoqualmie Ridge.
- “For Sale” signs placed on owner property, subject to the restrictions stated in the policy; and
- Political signs expressing support for a ballot measure or candidate within 6 weeks of an election, placed on owner property and subject to other restrictions as stated in the policy.

A fourth type of sign, the home security sign (“This house protected by...”) is temporarily exempt from active enforcement, as the Board at its August 12, 2020 meeting approved a moratorium on enforcement against these small, widely used, components of a home security system

Flags

The Snoqualmie Ridge ROA Design Guidelines, in Chapter IV, Section E.11 expressly permit display of “national and/or state flags” and further provide that flags “other than national and state may be flown periodically to demonstrate support, such as university or military service colors.” Nations, states, universities, and branches of military service have in common that they are institutions, so the Guidelines do intend to permit a flag demonstrating support for such institutions. Flags flown for a different purpose go beyond what the Guidelines permit and are thus subject to enforcement, although enforcement has usually focused more on removal than on the imposition of a fine.

Further, for those flags that are permitted, the Design guidelines limits any such displays to a single flag, no larger than 5’x3’, and suspended from a pole that is either freestanding or attached to the home.

Window Decorations

Restrictions on window decorations arise from a combination of provisions found within the Use Restrictions, Design Guidelines, and approved Policies.

- Use Restriction (b)(xi) provides that an owner or occupant cannot put any “thing” outside the home except in compliance with Article IV and the Design Guidelines.
- Article IV, Section 4.1 of the Design Guidelines pushes such regulations back into the home, regulating inside decorations or objects that may be seen from the road. “[N]o structure or thing shall be placed, erected, or installed upon any Unit within the Properties and no other improvements or work...shall take place **within** the Properties, except in compliance with this Article and the Residential Design Guidelines.”
- This same section (4.1) further provides that “modifications to the **interior** of screened porches, patios, and **similar portions of a Unit visible from outside the structure** shall be subject to approval.”
- Section 3.4(b) of the Design Guidelines expressly permits the display of religious or holiday sign, symbol, or decoration inside a home which is visible from outside that home, and allows for time, place, and manner restrictions for other decorations or displays.

Operating from the fundamental principle of the Use Restrictions, that what is not expressly permitted is prohibited, any sign or display in a window that is not of a religious or holiday nature is thus prohibited.

Changing Standards

The governing documents hold owners accountable to adhering to community wide standards, but as time passes, circumstances change and sometimes a change to community wide standards should be considered. One good way of knowing that a change should be made is when a majority of owners believe it should be, so there is a process (outlined below) for community-driven policy changes, beginning with a petition process involving 10% of the ownership, and closing (if necessary) with a vote approved by 51% of the total voting membership.

To effect a community-driven change to ROA policy, this process provides that residents must:

- Submit a petition to the ROA Board containing the signatures of 10% of the total association voting membership (roughly 400 households at present).
- Upon receipt of the petition, the ROA Board must review the request and determine whether to take action on the petition as a Board or to refer the matter to the full Association membership for a vote.
- If the Board refers the matter to the overall membership, those seeking the change may be required to put forth ½ of the cost of such a vote, following standard election processes used by the ROA.
- If the matter is approved by 51% of the total voting membership, the policy change will go into effect.

The ROA Board and Staff are open to working with any resident who wishes to pursue this option, to assist them through the process and to provide guidance as to the legality or practicality of any proposal. While this process is not the exclusive means for a change in policy (i.e. the Board can also initiate a policy change), the ROA views this process as a critical component of the governance process, as it permits the membership to make their collective voice heard on matters of importance.

Governing Documents and Policies

All governing documents and policies referred to in this document are available in full on the ROA website. www.ridgeroa.com