

The MEADOWS-FERNDALE HOMEOWNERS' ASSOCIATION

RESOLUTION 2020-03

RESPONSIBILITY FOR SHARED FENCES

WHEREAS the Meadows-Ferndale Community has numerous existing and potential fences along property lines between homeowner lots; and

WHEREAS fences along property lines between homeowners are not common property of the Homeowners' Association, but are property of the homeowners themselves; and

WHEREAS the governing documents of the Meadows-Ferndale Homeowners' Association (i.e., CC&Rs, By-Laws, and Rules and Regulations) do not explicitly assign responsibility for the installation and maintenance of such fences that are shared between homeowner lots; and

WHEREAS the Revised Code of Washington (RCW 16.60) does, in fact, contain guidelines for determining responsibility for such shared fences, as summarized here:

- In most circumstances, a landowner who builds a boundary fence along a property line can seek reimbursement from the neighboring landowner(s) for their share of the cost of the fence.
- A landowner building a boundary fence must first give notice to the adjoining landowner.
- Adjoining landowners are jointly responsible for maintaining boundary fences.

THEREFORE, BE IT RESOLVED THAT

- A. A lot owner who desires to erect a boundary fence along a property line must first seek approval from the Architectural Review Committee (ARC) and shall strictly abide by the Design Guidelines in the CC&Rs; and
- B. A lot owner who desires to erect a boundary fence along a property line must notify neighboring lot owners who share the property line on which the fence will be built – and may seek cost-sharing from them; and
- C. Cost-sharing among homeowners is strictly voluntary and if it exists shall be included in the application to the ARC; and
- D. If the cost of installation of such a boundary fence is shared, then the cost of maintenance shall also be shared; and
- E. If the cost of installation of such a boundary fence is NOT shared, then the cost of maintenance shall accrue to the homeowner who erected and paid for the fence.

F. Cost shares shall be determined by the ratio of fence footage along the respective property lines (See examples below).



Entered this 10th day of March 2020.

Signed *Charles A. Millard*
Charles A. Millard, President

Attest *Rick Horsman*
Rick Horsman, Vice President

Kathy Young
Kathy Young, Secretary