RULES AND ACTIONS OF RIVER HEIGHTS PROPERTY OWNERS ASSOCIATION UPDATED JANUARY 2025

Rules and Actions shall be followed by all property owners, residents, and guests. RHPOA members are responsible for informing their households, guests, and renters of these Rules and Actions.

RESPONSIBILITIES OF PROPERTY OWNERS

1. No more than one residence shall be constructed on any one lot. No lot may be subdivided.
2. RHPOA property owners who sell their property shall inform their Knoll Representative and/or RHPOA Officers, provide a forwarding address, report a final water meter reading, pay all outstanding assessments and fees, and provide the name and contact information for the new owner.
3. Water problems and other utility problems from the main to the house are the responsibility of the property owner.
4. The RHPOA is responsible for road system drainage, but each property owner is responsible for getting water run-off directed into the swales between each lot.
5. When fallen or dead trees need to be removed (such as posing a safety hazard or infringing on an adjacent lot), property owners are responsible for removing dead trees and other debris from their property; the RHPOA is responsible for fallen trees (or portions thereof) within common areas.
6. A perpetual easement for utility purposes is reserved on a portion of each lot as designated on the final subdivision plat. No improvements shall be placed within the easement rights-of-way which in any manner interfere with the installation and maintenance of the utilities within the easement rights-of-way.
7. RHPOA members may not build upon or use any RHPOA common property for the purposes of private construction or private personal use (including ponds, pond adjacent land, trails, ravines, and knoll entry gardens).

PRIVATE PROPERTY

All applicable provisions of the Johnson County zoning ordinances pertaining to RS lots shall be observed (see 8:1.9 RS - Residential Single-Family Zoning Districts).

The location of dwellings and septic absorption fields shall conform with all applicable state and county laws and regulations. All sewage systems shall be subject to the applicable regulations of the public authority having jurisdiction thereof.

No act constituting a nuisance as defined in these rules and guidelines and under the provisions of Chapter 657 of the Code of Iowa, or the common law of Iowa, shall be permitted, and the restrictions pertaining to acts within a city in said Code chapter shall be applicable to this subdivision. The state of Iowa defines nuisance as whatever is injurious to health, indecent, or unreasonably offensive to the senses, or an obstruction to the free use of property, so as essentially to interfere unreasonably with the comfortable enjoyment of life or property.

8. In addition to Johnson County regulations concerning outbuildings,[1] no trailer, recreational vehicle, mobile home, or permanent tent shall be placed upon any lot and be used as a residence. Detached structures (e.g., storage sheds) are permissible.

9. Lots shall be maintained free of trash and other solid waste, and such waste shall be placed in sanitary containers having tight fitting lids or removed.

10. Lawns shall be mowed at least three times each year (in spring, summer and fall), and lots shall not accumulate excessive overgrowth of invasive weeds (e.g., garlic mustard), infected trees or shrubs, waste, or debris.

11. Septic systems should be pumped every three years or as needed based on use as determined by household size and tank size. If any septic system is not functioning properly and interferes with other RHPOA property owner's rights of enjoyment of their own property or common property, the owner thereof shall correct said condition as soon as is reasonably possible, but in any event within period of two weeks after being notified in writing by the Board of Directors.

12. Campers and boats shall be parked on a paved slab or driveway and within the confines of the lot boundary. Such objects shall remain covered when not in use for thirty days or longer.

13. Any vehicle that appears to be abandoned or inoperable for a period of more than six months should be stored out of sight (e.g. in a garage) or removed by the property owner.

14. No barbed wire fences shall be installed.

15. During construction it shall be the responsibility of each property owner to obtain and display building permits as required. Property owners shall ensure that construction and landscaping materials be kept stored in a reasonably neat and orderly manner. As a part of construction, each property owner shall be responsible to grade and maintain that lot in such a manner to minimize damage which might result to other lots or common areas as a result of erosion and surface water drainage. When it is necessary for an on-going project, construction and landscaping material may be stored temporarily if it is done in such a way that minimizes their visibility from neighborhood streets, property of other residents and common areas.

16. Construction and other noisy activities such as lawn mowing should occur during reasonable hours so as not to disturb other RHPOA residents.

17. All lots in River Heights shall be used primarily for residential purposes as defined by the county in RS zoning regulations. The RHPOA does permit property owners and residents to use their home as a place of work, so long as customers do not create any adverse conditions for knoll residents (e.g., traffic congestion, noise). However, "home business" and "home industries" are not permitted.[2]

18. Pets shall be managed in such a way that they do not interfere with the quiet enjoyment of property by other property owners. All pet waste must be removed if deposited on RHPOA roadways, common areas, or others' private property. No animals shall be kept in such a manner that allows for the accumulation of solid waste that becomes a detriment to the health of the animals or to

[1] Johnson County Code of Ordinances 8:1.9 – Section E (Accessory Structure Regulations)

[2] Johnson County Code of Ordinances 8:1.23 - Section P (Supplemental Conditions)

humans. All pets must be controlled or leashed when not on owner property. All dogs and cats must be vaccinated. No animals, livestock or poultry shall be kept on any lot for commercial purposes. Pets that damage RHPOA common or private property, attack other pets or persons, or continue to make loud noises (persisting for at least 15 minutes or more) shall be considered a nuisance and appropriate measures to remedy the nuisance shall be enforced.

19. RHPOA property owners, residents, and their guests may not engage in any form of disorderly conduct or any other conduct or condition that threatens injury to others or damage to property. RHPOA property owners and their guests may not create repetitive loud or continuous raucous noises to the disturbance of other property owners.

20. RHPOA property owners shall not rent or lease a property for any period of less than 30 days. RHPOA property owners who rent or lease a property in River Heights must inform the Knoll Representative or member of the RHPOA Board, provide contact information for the property owners, renters and property management company, if used.

RHPOA COMMON AREAS

RHPOA assumes no liability for use of common areas.

21. The common areas of RHPOA, including ponds, designated for boating, fishing and other recreational purposes are intended for use of RHPOA property owners, residents, and their guests. Guests using the recreational areas and ponds must be accompanied by a resident at all times.

22. Motors may not be used on boats or other watercraft on any of the ponds.

23. Individual boats and other watercraft kept on or near the RHPOA ponds and other common areas must be identified, any boat that is not clearly marked is subject to removal subject to notice from RHPOA. Boats that are marked but appear abandoned, defined as not being moved in a two year period, are subject to removal.

24. When fishing in ponds, baits are limited to artificial lures and worms. No live bait except worms are to be used.

25. Property owners, residents, and their guests shall be responsible for removing their debris and waste from common areas. No yard waste or other debris may be disposed into ponds, roadways, or common areas.

26. Vehicles shall not be parked and remain unmoved on RHPOA roadways or in common parking areas for more than seven consecutive days. Vehicles shall not be parked on any RHPOA roadway when snow removal or road treatments are necessary.

27. The discharge of firearms, bows or other implement is not allowed on River Heights common property nor within 200 feet of a private property.

28. Hunting or trapping is not allowed on River Heights common property.

ENFORCEMENT

Enforcement of RHPOA Rules and Actions and assessments of fines are enforced by the RHPOA Board according to the RHPOA Bylaws.[3] All articles of the Bylaws shall be carried over. The Board reserves the right to institute legal proceedings to prevent the continued violation of these rules and enforce compliance.

a. Notification: RHPOA property owners (tenants or guests) who appear to violate any Rule or Action initially will be notified in person by another RHPOA property owner, the corresponding Knoll Representative, or a RHPOA Officer as to the concern. It is expected that the property owner responds appropriately and in a timely fashion to any verbal or written notification.

b. If the property owner does not respond to or take action to address the concern, the Knoll Representative or Officer will report such delinquency at the next regularly scheduled quarterly Board meeting scheduled to occur no more than 90 days of first notice. Upon review and approval by 2/3 majority of RHPOA Board present at said quarterly Board meeting, the Knoll Representative or Officer will inform the property owner that they have up to ninety (90) days to remedy the concern.

c. In such cases when the property owner does not remedy the concern within ninety (90) days of such notification, the Board, upon review and approval of 2/3 majority of Board present at the next quarterly meeting, will move to issue a formal written notice of violation that delineate the process for assessing fines and liens for continued non-compliance.

d. In cases when the property owner does not respond to a formal notice of violation or remedy the concern within ninety (90) days of formal notification, the RHPOA Board will review the matter at next quarterly meeting. With approval by 2/3 majority of RHPOA Board present at said quarterly Board meeting, a second written notice of violation may be issued that includes notice of a fine issuance. Fines may be set at a minimum of 1/12 of the total RHPOA annual assessment up to being equal to the total annual assessment, as determined by the Board.

[3] RHPOA Bylaws Article VI, Section 6 (Duties of Knoll Representatives) part G, and Article XI Section 4 (Fines) and 5 (Liens).