

**Seaview Terrace Second
Homeowners Association, Inc.**

6716 Eastside Drive NE • Suite 1- 129 • Tacoma, WA 98422

May 11, 1982
Amended Feb. 21, 1992
Amended March 26, 2007
Amended June 6, 2007
Amended July 23, 2009
As amended June 3, 2010
As amended June 14, 2017
As amended August 28, 2018

BYLAWS

**ARTICLE I
NAME**

This organization will be known as the Seaview Terrace Second Homeowner's Association, Inc., hereafter referred to as the "Association".

Mailing of the Association shall be located within the subdivision known as the Seaview Terrace Second Addition, the exact address to be determined by the Board of Directors.

**ARTICLE II
PURPOSE**

1. The Association is formed by property owners for the mutual benefit of the property owners. The primary goal of the Association will be to promote the peaceful use and enjoyment by the owners of their property in a way that encourages cooperation, fellowship and the recognition of the rights of others to the same end.
2. As the name implies, Seaview Terrace is made up primarily of view building lots. Thus, the purpose of the Association is to maintain the financial values as enhanced by the scenic views and general appearance of the properties. Much of the Association's effort will be to resolve differences of opinion by providing the Association's interpretation of the building Covenants or through alternate methods as developed by the Association.
3. Because many future disputes may be avoided by proper observation of the Covenants during the initial building or remodeling phase, the Association as a whole and particularly the Covenants Committee shall counsel owners at the first indication of new construction or change of ownership.

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**ARTICLE III
MEMBERSHIP**

1. Each owner of a building lot in Seaview Terrace Second Addition is a member of the Association.
2. Voting: Each building lot as shown on the official plat will represent one vote to be voted by the owners. Partial lots of less than minimum buildable size will have no vote.
3. Membership dues, assessments: Fees or contributions may be solicited by the Board of Directors and shall be voluntary. Non payment will in no way affect membership nor will non payment encumber the property.

**ARTICLE IV
BOARD OF DIRECTORS**

1. The Association will be represented by a Board of Directors, comprised of members who *own lots* in Seaview Terrace Second Addition.
2. The general membership will elect 9 members to serve as a Board of Directors.
3. Members will be elected to the Board of Directors for a term of two years. Members of the Board of Directors will serve no more than two consecutive terms.
4. The Board of Directors will elect from among the Board of Directors membership a Chairman, Vice Chairman, Treasurer, and Secretary to serve until replaced by newly elected officers.
5. An election of Board of Directors officers is required after every election of Board members at the Annual meeting. An election for a new Board of Directors Chairman may be requested at any time by motion made and seconded and vote affirmatively by six or more members of the Board of Directors.
6. Association members will be solicited by the Board of Directors to determine who is willing to be nominated for election to the Board of Directors. Names of all owners interested in being on the Board of Directors will be placed in nomination at the annual meeting. Nominations may also be made by members at the annual meeting.
7. Elections to the Board of Directors will be held at the annual meeting in June and terms of office will date henceforth.

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8. Five members of the Board of Directors will make a quorum.
9. The Board of Directors is responsible for formulating the policies of the Association.
10. Vacancies on the Board of Directors will be filled with Association members who are appointed by the Board. Board of Directors members missing three consecutive meetings will have their positions declared vacant. The Board will then immediately appoint a successor to fill the term until the next election.

**ARTICLE V
MEETINGS**

1. The Annual Meeting of the Association members will convene at least once a year in June. The Board of Directors will call other meetings as needed.
2. Notice of the annual meeting date and time will be mailed to members.
3. The Board of Directors will meet at least two times a year, once at the annual meeting and at an organizational meeting within 45 days after the Board is elected. Other meetings shall be called as needed.
4. All meetings of the Association, including the Board of Directors meetings, will be open to the general membership. Only Board members may vote at Board meetings. Association members may obtain information about Board meetings by contacting Board members. Association members may not participate in Board of Directors meetings unless recognized by the Chairman; consistent with Robert's Rules of Order

**ARTICLE VI
OFFICERS**

1. The officers shall consist of a Chairman, Vice Chairman, Treasurer and Secretary, elected as stipulated under Article IV, Paragraph 4.
2. The officers shall hold their office for one year, starting at the date of election until their successors are elected or unless removed for cause by the Board of Directors.
3. The Chairman shall preside at all meetings of the Association and Board. The chairman, with the advice and counsel of the Vice Chairman, Treasurer and Secretary, shall assign responsibilities and appoint committee chairmen subject to Board of Director's approval. The Chairman shall only vote when necessary to break a tie.

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4. The Vice Chairman shall serve as first voluntary assistant of the Chairman, performing the duties of Chairman in his absence.
5. The Treasurer shall maintain and report on all monetary activities involving the Association when and if such activity takes place. With Board of Directors' approval, the Treasurer may solicit voluntary contributions, advertising fees or other funds for use by the Board of Directors in promoting the activities of the Association.
6. The Secretary shall keep a book of minutes recording therein the business activities of the Board of Directors meetings. The Secretary shall also maintain an Association membership list as well as attendance lists for all Association and Board of Directors meetings. The Secretary shall also create and maintain a record book of Board of Directors membership, officers, committee chairmen and committee members with dates, showing the start and end of activity.

**ARTICLE VII
COMMITTEES**

1. There will be three standing committees: the Covenants Committee, the Architectural Committee and the Social Committee.
2. The Board Chairman, with the advice and counsel of the Vice Chairman, Treasurer, and Secretary, shall appoint committee chairman for each committee from among the members of the Board of Directors, subject to Board approval.
3. The committee chairmen will appoint two or more Association members to each of their committees, subject to Board approval.
4. The Board may create additional ad hoc committees whenever prudent and necessary to advance the programs and purposes of the Association.
5. It shall be the function of the committees to make investigations, conduct studies and hearings, make recommendations to the Board and to carry on such activities as may be delegated to them by the Board.
6. A committee shall be discharged by the Board Chairman when its work has been completed and its report accepted, or when in the opinion of the Board, it is judged wise to discontinue the committee.

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7.a No action by any Association member, Board member or officer, committee member or chairman shall be binding upon nor constitute an expression of policy of the Association until it has been ratified by the Board. Not less than once each year, the Board will review and approve all activities and proposed programs for each committee.

7.b Committee Chairmen can discuss and sign letters concerning Covenant interpretations and Association policy within the purview of their committee responsibilities; but they must make it clear to the recipient that the Board is the final authority, judge and arbiter for rendering a decision as to conformance with the covenants on behalf of the Homeowners Association.

8.a The Covenants Committee is charged with enforcement of the Covenants regarding SPECIFIC PROHIBITIONS in the Covenants. The Covenants Committee has the responsibility of investigating complaints of Covenant violations; attempting a reasonable interpretation of Covenants as they apply to an individual piece of property; suggesting additions, deletions or changes to Covenants; and reporting unresolved Covenant violations to the Board. The Covenants Committee will also regularly review overall compliance with the Covenants.

8.b The Architectural Committee is charged with the responsibility of reviewing submitted building plans and specifications as required by the Covenants; observing subsequent construction activity for compliance with the plans and Covenant provisions. The plans will be reviewed solely for compliance with the Covenants and letters of approval (or disapproval) will be sent as required by the Covenants.

Members whose lots may be affected by a submitted building or remodeling application will be given a courtesy notification of such submittals by the architectural committee. The notification is advisory only and does not confer special review or approval rights to the recipients.

9. Any member aggrieved by a decision of the Covenants Committee or Architectural Committee has the right to appeal to the Board any rulings or decisions made by the Covenants or Architectural Committee. A notice of appeal must be received by the Board within 15 days of notification. Individual Board members should excuse themselves from participating and voting in a particular proceeding if there is a conflict of interest due to a relationship with an affected party; the location of their own property; or similar issues concerning their own property. The Board will carefully consider reports from the Covenants or Architectural Committees when hearing an appeal and will not overrule a committee decision except by a majority vote of participating Board members. The Board of Directors may form an ad-hoc committee to aid in the review, but the Board of Directors will make the final decision. The final decision will be in writing and provided to all concerned parties. The decision of the Board is final.

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10. The Social Committee is charged with the responsibility of identifying and greeting new persons or families within the neighborhood and arranging social events. Welcoming the new members into the Association includes sharing the HOA website address where the Covenants, Bylaws, Board of Directors, and meeting minutes are posted.

**ARTICLE VIII
FINANCES**

1. Solicitation for any funds or contributions must be approved by the Board prior to the solicitation.
2. All monies paid to the Association will be put into a separate account, created for that purpose.
3. On approval by the Chairman, disbursements may be made by the Treasurer on accounts for expenses budgeted by the Board.
4. All checks for over \$500.00 must be signed by two authorized members of the Board.
5. The Association shall use its funds only to accomplish the objects and purposes specified in these Bylaws and no part of said funds shall be distributed to the benefit of any group or individual except as reimbursement for Board approved expenses.
6. The fiscal year of the Association shall close May 31st.

**ARTICLE IX
REFERENDUM**

1. The Board may, at its discretion, submit by referendum to the membership questions of general interest and of special importance.
2. The membership may request a referendum by submitting to the Board a petition signed by property owners representing fifteen or more votes. The Board shall determine the manner in which the referendum will be conducted.

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ARTICLE X AMENDMENTS

These Bylaws may be amended or altered by affirmative vote of seven or more Board members or by a majority vote of the members at any Association meetings provided the notice for the meeting includes the Proposals for Amendments. Any proposed Amendments or alterations must be submitted in writing to the Board at least seven days before the Board meeting in which they are to be considered.

ARTICLE XI PROCEDURES

The proceedings of all meetings of the Association, Board of Directors and committees shall be governed and conducted according to the latest edition of Robert's Manual of Parliamentary Rules.

ARTICLE XII COVENANT INTERPRETATIONS POLICY LOCATION AND HEIGHT OF STRUCTURES

Below is the general policy the Board of Directors, or its designated committees and subcommittees, will follow in interpretations of the "...preservation and maintenance of scenic views...." of all homes in Seaview Terrace Second. View consideration will always be a major factor in determining whether waivers can be granted.

1. For "down-hill" lots:

A "down-hill" lot is one that has the majority of the lot below the adjacent road. The height of the *structure can be no more than 10 feet above the highest finished grade of the adjacent road*. The highest point on the adjacent road is measured by finding the highest corner of the property and extending the property line through this point to the crown of the road. The peak of the roof cannot be higher than 10 feet above the elevation at that point.

The Covenants state that the peak of a house can in *no case be more than 22 feet from the lowest floor level*. Waivers can be considered by the Board of Directors, or their designated committees or sub committees, on a case-by-case basis.

2. For "up-hill" lots:

The midpoint of the lot is determined by finding the four corners of the lot and locating two diagonal lines that originate at the respective corners. The crossing point of these lines determines the midpoint of the lot. The peak of the roof cannot exceed 22 feet above the natural grade of the lot at that point. The natural grade of the lot can be

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verified by digging a hole of sufficient size to verify that it is native material and that no fill has been added. The above determination may require the services of an agreed upon surveyor and geotechnical engineer provided by the owner.

The covenants state that the peak of a house can in *no case be more than 22 feet from the lowest floor level*. This provision has at times been waved in the past for up-hill houses providing that the constructed roof peak meets the height-above-grade provision above. Waivers can be considered on a case-by-case basis.

3. For “home remodels”:

Plans to remodel existing homes may include changes to the roof line. It may not be possible to determine the original elevation of the grade at the midpoint of the lot; thus we have to presume that the original roof was constructed at the maximum allowable height.

4. Waivers to the above 1, 2 and 3:

Exceptions to the above policy can be considered, in unusual circumstances, using the Association’s appeal process set forth in these bylaws.

The maximum height of the structure and the construction plans (including setbacks from property lines) must also be approved by the City of Tacoma.