



KOHALA RANCH COMMUNITY ASSOCIATION

HANDBOOK AND RANCH RULES

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KOHALA RANCH COMMUNITY ASSOCIATION

TABLE OF CONTENTS

**HANDBOOK
INTERFACING WITH SECURITY**

Owners/residents	3
Visitors	3
Social events	3
Construction workers, service providers, vendors	4
Buyers and potential buyers	4
Property in Escrow	4
Summary of barcode stickers and visitor passes	4
Owner's responsibility for their contractors and visitors	5
Emergencies - (Security can be reached at 880-1088)	5
Other notifications to Security	5
Mail	6
Other deliveries	6
Newspapers	6

RANCH RULES

General health and safety	7
Operation of vehicles	7
Noise	8
Animal control	9
Lighting	9
Other nuisances	9
Respecting property	10
Use of Common areas	10
Schedule of Penalties	11
General principle	11
Specific offenses	11



KOHALA RANCH COMMUNITY ASSOCIATION

HANDBOOK INTERFACING WITH SECURITY

There are two entrances to Kohala Ranch, and a third that may be used in special circumstances. The makai, or lower, gate is manned full time. Cameras at the upper and lower gates automatically record information on entering and departing vehicles, and the Security staff maintains an incident log.

Questions, suggestions or complaints regarding security and access policies or behavior of security staff may be addressed to the Security Committee. Ask Security (808-880-1088) or see the Association website for current contact information.

Owners/residents

Owners and residents have the right to enter Kohala Ranch and access their residences at any time. If they do not have a barcode, Security will verify their identity and provide a barcode application.

Visitors

Owners are to notify Security of any expected visitors by calling the lower gate (880-1088) and providing the name, date, approximate time, entry gate, and length of visit for each visitor. If feasible, it's best if this is done prior to the day of arrival. A barcode or gate pass will be then prepared in advance of the visitor's arrival, in order to expedite entry at the gate that was specified. If there has not been sufficient time for a barcode or pass to be prepared, the visitor may be asked to pull out of the line of traffic until this can be accomplished.

As the upper gate is not manned, barcodes and multi-day passes are only issued from the lower gate. Visitors at the upper gate must use the callbox or their cellphone to call Security at the lower gate and request entry. If a visitor arrives without prior notice, Security will attempt to contact the host for authorization to allow entry. If this is not successful, the visitor will be turned away.

Social events

The rules are the same for party guests as for other visitors, except that if there will be fifty or more outsiders entering the Ranch to attend, the host must notify both the Managing Agent and Security at least seven days prior to the event and provide details of beginning and ending times, and number of anticipated outside guests and total guests. For such parties, the host will be billed by the Managing Agent for one or more extra security guards during the event, as determined by the Managing Agent and the Security Supervisor. At least three days prior to the event, the host must provide Security with a list of outside guests and vendors.



KOHALA RANCH COMMUNITY ASSOCIATION

Construction & Other Service Providers

No unauthorized construction workers, service providers or vendors will be granted access to the Ranch. Regular service providers are issued a barcode sticker. The owner must submit the Service Provider Form to Security to authorize access, even if the contractor is also working at another site. The form can be downloaded from the KRCA website or obtained at the entry stations, and must be resubmitted annually for as long as the work continues.

If an owner cancels the services of a contractor or regular service provider, the owner must notify Security so the staff will know that access to your lot is no longer authorized.

Note that construction work will not be permitted after hours or on any of the holidays listed in the Design Guidelines and on the Association website www.kohalaranchhawaii.com.

Access for oversized vehicles delivering heavy construction equipment or large materials such as roof trusses requires special access arrangements, and Security must be notified at least three days in advance. Make sure your contractor is aware of this.

Buyers and potential buyers

Prospective buyers may be admitted to the Ranch to look at a specific property if the owner of that property gives advance authorization naming at least one person in each car, or if the owner is home when the party arrives, and gives his or her approval. Potential buyers may also be admitted if accompanied by a licensed real estate agent.

An owner wishing to have an Open House must give advance notice to Security of the date and hours, and provide Security with maps and directions to provide to visitors. One-day passes will be issued. Other than this, security personnel will not distribute or disseminate any sales or marketing materials regarding Kohala Ranch or any other property.

Property in Escrow

Many people may need access to a property in escrow for maintenance, inspections, appraisals, etc. The owner may designate a real estate agent as an Owner's Agent to authorize access for personnel specifically connected with sale of the property. In this case, the owner will provide Security with all the contact information for the designated agent.

Summary of barcode stickers and visitor passes

An authorized visitor, guest, vendor, service provider, etc.

- needing access for one day or less will be issued a One-Day Pass



KOHALA RANCH COMMUNITY ASSOCIATION

- needing access for up to seven days will be issued a Multi-Day Pass
- needing access for more than seven days will be issued a barcode sticker

Owner's responsibility for their contractors and visitors

Owners should be aware that they are ultimately responsible for the conduct of their contractors and others they or their renters authorize to visit them. Abuse of KRCA rules and regulations by such outsiders could result in the contractor or guest being banned from the Ranch, and/or the imposition of fines or other penalties upon the owner. Owners should ensure that their contractors have received the "Contractor's Courtesies" sheet, which is available at the entry stations and on the KRCA website.

Emergencies-(Security can be reached at 880-1088)

Emergency and government personnel with a legitimate purpose at Kohala Ranch will be granted access without a pass, and the entry will be logged. In addition, the public may be granted use of Kohala Ranch Road as a detour or escape route if civil defense or other appropriate government officials request it. In this case, the gates will be held open and passes will not be required. The Security Supervisor will arrange for the upper gate to be manned if such public use is required outside of the hours that it is normally staffed.

If you have an emergency, you should call 911 or the appropriate emergency service and then inform Security. Guards will not leave the vicinity of the entry stations to render assistance, but in the case of an unwanted intrusion, may be able to help trace a vehicle through entry and exit records.

Home security alarms are normally connected directly to the alarm system provider. If the system is compromised, the provider will be signaled, and will then contact the owner or the owner's designated on-island agent, and call emergency services if needed. Again, Security will not leave their posts, but should be kept informed.

Other notifications to Security

You should notify Security of hazardous or suspicious circumstances, a dead animal on the road, a continuing disturbance, or any other situation requiring intervention in the interests of the community. They will log the event and take whatever action they deem appropriate.

If the problem is a recurring one, or was not satisfactorily resolved, it may be reported to the Managing Agent.



KOHALA RANCH COMMUNITY ASSOCIATION

Mail

The USPS delivers mail to the residents' mailboxes in the lower gazebo parking lot. Packages too large for the addressee's mailbox will be deposited in one of the parcel receptacles, and the key will be placed in the person's box. If a package is too large even for the parcel receptacles, it may be left at the makai security station, provided it does not need to be signed for. In this case, notification will be left in the addressee's mailbox, and Security will also attempt to notify the addressee. For security reasons, owners and residents are not permitted inside the security station.

Security WILL NOT sign for any mail requiring a signature from the addressee or recipient.

Storage space is limited, so if a resident is planning on being away from the Ranch for more than seven days, they must have their mail held at the Post Office.

Other deliveries

Post Office Special Delivery items and non-USPS deliveries will be directed to individual homes. Security may accept the packages if space permits and no signatures are required. Security will notify the resident. The item must be picked up within seven days.

Newspapers

Local newspapers are currently dropped at the driveway entry of residents' properties in the Heathers only. Local newspapers for Meadows and Summit residents, and Mainland papers for all residents, will be dropped in a receptacle at the lower gazebo area. Once a week, Security will inspect the newspaper receptacle and dispose of uncollected papers dated more than three days prior to the inspection date. Until the receptacle is operational, Security will accept papers that would otherwise be deposited there.

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RANCH RULES

The "Ranch Rules" are designed to ensure that the comfort, tranquility, safety, and quiet enjoyment of one's home on Kohala Ranch is maintained. This requires that owners, their family members, guests, renters, employees, contractors, suppliers and service providers follow these rules.

These rules are not all-inclusive. Additional rules of conduct may be described in the Design Guidelines or other Association documents. Definitions of terms used herein shall be the same as in the CC&Rs, or as implied by context.



KOHALA RANCH COMMUNITY ASSOCIATION

All persons, while at Kohala Ranch, shall adhere to all applicable county, state and federal laws and regulations, as well as to the requirements of all KRCA documents. Failure to do so may result in action by the Association, in addition to any responses from public agencies.

Beyond that, no one shall engage in any action at Kohala Ranch that unreasonably disturbs the peace or that may result in bodily harm or property damage or loss.

General health and safety

The dropping or throwing of lighted cigarettes or other burning material anywhere on the Ranch is an especially serious offense because of risk of fire!

No outdoors burning shall be allowed except in a BBQ, screened fireplace or well-secured torch or lantern. Under windy conditions, outdoor burning of solid fuels is not allowed. Fire containers must be placed so that they are not near flammable materials so that nearby materials will not be ignited if they are blown or knocked over.

Flammable, explosive, or corrosive materials must be stored safely.

Owners are urged to eliminate unnecessary fuel loads from dead trees or other sources. To protect their own homes, owners are advised to prevent the spread of fire by breaking up fuel pathways from weed to shrub to tree to house. This can be done by clearing, separating, pruning, and use of terraces, walls, paths, fire retardant plants, etc. Owners may reference www.firewise.org for more information.

No fireworks of any kind may be set off at the Ranch.

No discharge of firearms, including air/BB/pellet guns, shall be allowed except in an emergency to protect life, euthanize an acutely suffering animal, or to protect property from serious imminent damage by wild animals. Such discharges shall be reported to the security staff prior to, or as soon as possible following, the event.

Bows and arrows and other weapons that could be dangerous at a distance must not be used without written permission from the Board.

Operation of vehicles

Drivers shall not exceed the posted speed limit, or such lesser speed as is consistent with the ambient conditions, and shall observe at Kohala Ranch all the laws that apply on public roads.



KOHALA RANCH COMMUNITY ASSOCIATION

Driving of on-road or off-road vehicles on private lots must be with permission of the lot owner and done in a manner that does not disturb the natural landscape, create a fire hazard, dust, or undue noise that would disturb the peace of neighbors. Drivers of such vehicles in the common areas must be of legal age to drive in Hawaii.

Drivers should be aware that free-range livestock may be encountered throughout most of the Ranch, and that black cows and horses are especially difficult to see at night. Drivers should be alert for these and other animals at all times. If any animal is struck by a vehicle, the driver must notify Security immediately (880-1088). Owners are responsible for all damages and compensation due the owner of the animal whether caused by the owner, family, guests or service workers.

Noise

Electronic: No radio, TV receiver, musical instrument, or other machine or device for producing, reproducing or amplifying the human voice, music or any other sound, shall be operated in such a manner as to disturb the peace, quiet, and comfort of any reasonable person residing or working in the area. Exceptions may be made for occasional social events, as long as the noise does not become unreasonable and stops by 10 P.M. If the neighbors feel this exception is being abused or there is disagreement over the definition of "occasional" or "unreasonable", the Board shall make the determination after considering such evidence as it deems appropriate.

Motor vehicles: All motor vehicles shall have appropriate mufflers in good repair, and shall not add to ambient noise any more than necessary.

Equipment: Construction, gardening, recreational and other equipment that makes noise audible from off the property should be operated only during the working hours specified in the Design Guidelines.

Coqui frogs: Because coqui frogs have such an adverse effect on the peace and tranquility, homeowners must not import the frogs or their eggs when they bring in plant materials. It is their responsibility to purchase only from a certified coqui-free nursery or to closely inspect and, if necessary, treat any plant or ancillary materials.

Barking dogs: Persistently barking dogs are a nuisance. Lot owners who fail to keep their dog's barking under control will be reported to the police.

Owners shall eliminate all mosquito breeding areas on their property. This is an issue of both health and comfort. Pet water bowls, livestock troughs, and plants like bromeliads and banana trees that pool water between their leaves should be monitored.



KOHALA RANCH COMMUNITY ASSOCIATION

Animal control

All dogs must be on a leash and under control by the owner when in the common areas. Workers must follow rules spelled out in the Design Guidelines with respect to bringing pets into the Ranch.

Dead birds should be reported to the security staff, as they may indicate the presence of a communicable disease. The owner should wait for instructions before handling the bird.

Feral pigs can be dangerous and should not be approached. They can also damage landscaping, and it is recommended that owners install pig-proof fencing around their homes to prevent this. An owner who is having a problem with feral pigs should not attempt to kill them, as this could endanger people or pets, but the Property Supervisor can provide information on trapping services.

Feeding of feral animals in the common areas is prohibited.

Lighting

Except in emergencies or during special events, outdoor lights must be subdued. They must be shielded so that the outline of the bulb or other emission source cannot be seen from off the property. Translucent (but not transparent) shielding will suffice only for very low intensity lights that are not a nuisance to the neighbors. This includes entry post lights.

Tennis court lights and upward-shining lights shall not be illuminated between 10:00 p.m. and sunrise. When there is a question as to whether such lights are too bright, the Board shall be the arbiter.

Other nuisances

Littering is not allowed.

No signs may be posted on a lot other than tasteful identifiers (address, lot number, house name), properly-spaced warning signs regarding electrical fencing, appropriate construction signs, for-sale signs that meet the requirements of the Design Guidelines, and temporary event signs. Short-term event signs may enjoy a great deal of latitude, but other signs must be professionally produced. Construction, sales and event signs must be promptly removed when they are no longer applicable. All permanent signs must be adequately maintained.

Holiday decorations may be displayed from five weeks prior to the holiday to two weeks after.



KOHALA RANCH COMMUNITY ASSOCIATION

Garage doorways that afford a clear view from the road or from frequented areas of neighboring lots must be kept closed when not in use. Other than for loading and unloading, vehicles shall not be parked in common areas where they are likely to be seen from off the lot.

Boats, motor craft, motor homes, or any other recreational vehicle, must be screened from view from the common areas and other lots.

Dumpsters or other trash receptacles may be put out for collection after sundown on the preceding day but must be removed on collection day.

Other unsightly situations must not be allowed to develop or exist on a lot, except on a temporary basis, as needed for normal work or improvement activities. The grounds and all Improvements are to be maintained in good condition.

Respecting property

No one may drive on another's lot without permission of the owner or resident of that lot.

No one may remove trees, plants, rock or other materials from another's lot without permission of the owner, or from a Common Area without permission of the Board.

No one may enter upon another's lot and trim or prune any trees or plants without the owner's permission, or upon the Common Areas without the Board's permission.

No one may obstruct any waterway or dispose of rock, greenwaste, or any other materials into the gulches or Common Areas or onto another person's property.

The owner of a lot has a responsibility to prevent dust from blowing from that lot in quantities that create a significant nuisance for other owners or residents.

Use of Common Areas

Owners and their guests may park on the road shoulders for the duration of a social event, not to exceed eight hours, or longer with permission of the Board. Workers may park at a work site, but not on the shoulders, during working hours. Otherwise, non-emergency parking on the shoulders is not allowed.

If emergency parking is required, and may continue for more than four hours, the security staff must be informed.

Vehicles not owned by the Association may not be parked in a gazebo parking lot for more than twelve hours without permission from Security staff.



KOHALA RANCH COMMUNITY ASSOCIATION

Nonagricultural, commercial activities that unduly affect the quiet enjoyment of the owners or are not consistent with County law are not permitted on the Ranch.

SCHEDULE OF PENALTIES

It is the responsibility of each owner to know what the Association's rules and policies are, and to ensure that their visitors are made aware of the ones that apply to them. Ignorance of the requirements will not shield the transgressor from application of the following remedies.

Unless the Board finds that there are extenuating circumstances, penalties will be imposed as shown below, and this will not preclude the imposition of penalties by a civil authority, or legal action by any injured party.

In general, a first offense will result in a warning but, except where explicitly required below, this is at the discretion of the Board, and if the breach is great, or health and safety are concerned, this courtesy may not be extended. Where increasing monetary penalties are indicated, a warning will not be counted as a first offense.

Where a warning *is* required, it does not have to be repeated for each offense within a six-month period of the last warning or corrective action. A good-faith attempt by the transgressor should be made to ensure that any warning is duly received, and a reasonable time limit for response and/or compliance should be included.

The Board reserves the right to increase fines at its discretion for repeated offences.

General principle

Property owners are ultimately responsible for any property damage on the Ranch caused by their renters, guests, employees, suppliers, etc. Where property damage occurs, the appropriate owner shall make restitution.

Offenses by non-owners may result in their being refused further entry, either for a certain period or permanently, depending on the severity of the offense, in addition to action being taken against the host. The Board reserves the right to restrict further access to the Ranch for serious traffic violations. If legal action is required to enforce any Association rule or requirement, the costs will be borne by the responsible party.

Specific offenses

Littering (non-burning): \$50 for first offense, increasing by \$50 for each subsequent offense.



KOHALA RANCH COMMUNITY ASSOCIATION

Littering (burning): \$500 for first offense, increasing by \$1000 for each subsequent offense. Cigarette butts will be assumed to have burning when discarded, if there is no good evidence to the contrary.

Unsafe driving (excessive speeding, wrong side of road, passing where prohibited unsafe vehicle, etc.): up to \$500 for first offense, increasing by up to \$500 for each subsequent offense.

Illegal burning: \$500 for first offense, increasing by \$1000 for each subsequent offense.

Lighting of fireworks (especially aerals): up to \$250 for first offense, increasing by up to \$500 for each subsequent offense, plus restitution and surcharge if a fire results.

Improper storage of hazardous materials: up to \$250 a day after a warning.

Prohibited use of weapons: up to \$250 increasing by up to \$500 for each subsequent offense.

Failure to observe the animal restraint rules after at least one warning: \$25per day, even if the incident lasts less than a day. This amount may be increased, after a warning, by up to \$50 per instance if the animal causes significant problems.

Parking violations: \$25 per day after a warning. Warning should include a date on which the vehicle may be towed at the owner's expense. Penalty may be increased to as much as \$50 per day if the problem persists for five days or recurs within a three-month period. Under normal circumstances, a disabled vehicle will be exempt if the owner or driver is making a good faith attempt to expeditiously remedy the situation.

Illegal dumping: up to \$250, increasing by up to \$500 for each subsequent offense. In addition, the offender must remove and properly dispose of the material.

Driving on someone else's lot without permission: \$50 increasing by \$25 for each subsequent offense. \$1000 to \$5000, plus restitution, if the catalytic converter starts a fire.

Improper commercial use of property: Up to \$1000 per day after a warning, doubling after each subsequent week, if continuous, or upon the third incident within a six-month period.

Owners have the right to request a hearing before a panel designated by the Board to review and/or dispute levied penalties.