

# Hidden Hamlet

## Policies, Services Available, and General Information

The following Policies have been adopted by the Board of Directors of Hidden Hamlet Association, Inc. and apply to every parcel of property in Hidden Hamlet.

### A. Snowmobile, Mini-Bike, Trail Bike, Motorcycle.

1. The STATE OF MICHIGAN'S LAW AND SAFETY CODE requirements for recreational vehicles are to be followed at all times.
2. The Hidden Hamlet roads will be used as access routes to designated areas only, between the hours of 8 AM and 11 PM, and not as a track or speedway.
3. The use or crossing of any property lot, with or without a chalet, is prohibited.
4. A maximum speed of 25 miles per hour is to be observed on Hamlet roads and headlights are to be on whenever machines are in operation.
5. Underage child operators are to be supervised by adults and abide by all state laws.

### B. Short-Term Rentals.

1. Every property in Hidden Hamlet is subject to deed restrictions that require the property to be used only for single family residential purposes, and prohibit commercial or business use. These deed restrictions were in place from the founding of Hidden Hamlet in 1961, formed part of our decisions to invest in Hidden Hamlet, and serve to protect the value of our property.
2. Any chalet held and advertised exclusively for weekend or short-term rental will be deemed to be commercial activity in violation of the deed restrictions.
3. **Weekend or short-term rentals shall not exceed, in any calendar year, the time spent in occupancy by the owner in the same year. Periods when the chalet is vacant do not count as "occupancy" by the owner.**
4. The owner will be responsible to enforce compliance with the applicable rules and policies by the short-term renters. The owner must provide a list of guidelines to renters regarding snowmobiles, trash and pets, including the following:
  - Renters must respect the peace and privacy of neighbors. Refrain from playing music or loud talking outside after 11:00 p.m.

- Occupancy must not exceed the number of sleeping accommodations.
- Snowmobiles may be used only on roads or designated trails and only between the hours of 8:00 a.m. and 11:00 p.m., at a maximum speed of 25 miles per hour.
- Pets must be supervised when outdoors and leashed when off the premises.
- Trash pickup is Monday. Trash must be placed in plastic bags and sealed in the provided 96-gallon garbage can, with the lid secured against intrusion by animals.

5. All owners that offer their chalets for short-term rental must:

- a. Provide the President of the Board, in writing, the address of the chalet; and the address, telephone number(s) and email address of at least one contact that will be available at all times in case of emergency or complaint regarding the chalet during any period of short-term rental.
- b. Maintain and be prepared to produce on request a log showing, for each calendar year, the specific days and number of days the chalet was rented to third parties, and the specific days and number of days the chalet was occupied by the owner.

6. Any written lease of a single family residence for a term longer than two months will not be considered commercial activity, providing the tenant has agreed to abide by all Hidden Hamlet restrictions and policies. Rentals for shorter periods will be considered short-term rentals subject to the policies set forth above.

**C. Storage in Yard or Roadside.** Storage is prohibited, including boats, trailers and recreational vehicles when not in season, inoperable and/or unlicensed cars, trucks, or trailers, and dog houses.

**D. Animals.**

1. For health and peace reasons, animal pets are not to have free reign in the Hamlet. All pets should be supervised when outdoors and leashed when off the owner's property. The owner's yard should be the pet's bathroom. Owners should pick up after their dogs.
2. Outdoor feeding of pets and other animals is prohibited.

**E. Rubbish.**

1. The Association has provided each chalet a standardized 96-gallon wheeled garbage can. All garbage is to be put in plastic bags and sealed in the provided

garbage can with the lid secured to prevent intrusion by animals. Owners must promptly pick up trash that escapes from the can by animals or otherwise.

2. Pickup is on TUESDAY. Regular weekly garbage/trash pick-up service has been contracted for each chalet for a total of 52 pick-ups per year. The charge by GFL to Hidden Hamlet applies whether or not there is garbage or trash to be removed from the premises. Pick up is limited to ONE standard 96-gallon can per chalet per week. Owners that generate trash exceeding the one standard 96-gallon can in any week must make arrangements for removal of the excess at the chalet owner's expense, or must take the excess to the Emmet County solid waste transfer station or a county recycling station.
  3. Full time residents – please place the 96-gallon garbage can in the driveway at the road on pickup days. Make sure the can has a secured lid.
  4. Part time residents who will be leaving before garbage pick up – please place the 96-gallon garbage can in the driveway, visible from the road. Make sure the can has a secured lid. If the garbage is missed, put it in a more visible spot next time and call GFL to let them know about the problem. 231-597-0200.
  5. Garbage can enclosures are not allowed, and must be removed.
  6. Only the one standard 96-gallon wheeled garbage can may be stored where it is visible from the road at any time. The 96-gallon can should be stored near the chalet except when it is out by the road for pick up. If the owner retains any additional garbage or trash cans, they must be stored where they are not visible from the road.
- F. Snow Removal.** Arrangements have been made for driveways to be plowed on Thursday or Friday as needed. Owners must mark the desired area that they want plowed. It is very important that the entrance, drive and yard are marked because it eliminates property damage and assures the plowing of the driveway. If the driveway is not marked the responsibility for damages falls on the homeowner.
- G. Fire Protection.** Pleasantview Township partners with the city of Harbor Springs, Little Traverse Township and West Traverse Township for fire protection.
- H. For Sale and other Signs.** No "For Sale," business or political sign may be placed or maintained on any property i.e., chalet or lot, in any way, shape or form.
- I. Building and Use Restrictions.**
1. **Land Use and Building Type.** Property in Hidden Hamlet shall be used for single family residential purposes only. No commercial activity or business shall be permitted on any lot. No more than one dwelling shall be constructed on any one lot. No residence shall be inhabited prior to its exterior finishing, and no property owner shall park, erect or inhabit any house trailer, tent, shack, or temporary

structure of said parcel in the above described subdivision. No noxious or offensive activity or pursuit shall be carried on upon said parcel, nor anything be done thereon which may be, or may become an annoyance or nuisance to neighboring lands.

**2. Architectural Control.**

- a. No building shall be erected or placed on any property, or any structural improvement made to any existing building, until the construction plans, specifications and a plan showing the location of the structure have been approved by the following:
  - i. Hidden Hamlet Architectural Control Committee.
  - ii. Pleasantview Township Zoning/Building Permit Board.
  - iii. Emmet County Building Department.
- b. Siding materials and colors on existing buildings may be changed only with prior approval of the Hidden Hamlet Architectural Control Committee.

**3. Building Location.** No building shall be located nearer than 30 feet to any front lot line, 35 feet to any rear lot line or nearer than 10 feet to any side lot line. A corner lot has two “front” lot lines, one on each street, and two “side” lot lines, but no “rear” lot line. Township Zoning setbacks will apply if they require a greater setback.

**4. Architectural Control Committee.** The Architectural Control Committee is composed of the Vice-President and TWO Board Members of the Association designated by the Board. None of the members of the Committee, nor its designated representative shall be entitled to any compensation for services performed pursuant to this covenant.

**5. Architectural Control Committee Procedure.**

- a. An application must be obtained from, and returned to, the President or Vice President of Hidden Hamlet Association **before** building a new structure or making any structural expansion or modification to an existing building in Hidden Hamlet.
- b. Approval by the Architectural Control Committee is required before any construction begins.

**6. Building Restrictions.**

- 1. No modular home will be approved.

2. Buildings, excepting concrete slab floors, must have conventional foundations of poured concrete or concrete blocks.
3. Roofs must be asphalt, wood, metal, fiberglass or a generally acceptable finished roofing material. Roll roofing, tar paper or building paper are not permitted on the finished exterior of any building.
4. Fences are prohibited.
5. Vinyl, aluminum or other artificial exterior siding is prohibited.
6. Security lights shall be placed and illuminated so as to cause no annoyance to adjoining property owners. Outdoor lighting should be incandescent or 2700K. "Daylight" or 3000K exterior lighting is strongly discouraged.
7. Contractors, sub-contractors or building trades persons shall use either a dumpster, truck or a trash trailer while constructing new dwellings or remodeling. All construction waste material shall be removed from site on a weekly basis.
8. Contractors are required to comply with the Association By-Laws. No work shall be performed before 8:00 a.m. nor later than 9:00 p.m. In addition no work will be allowed on Sunday nor on Holidays.
9. As much as possible, the building to be constructed shall be in harmony with the architectural thesis existing in the Hidden Hamlet area.
10. While no minimum building square footage is required, applicants are encouraged to consider potential resale value by constructing a building that include a minimum of three bedrooms, one and one half or two baths and a rustic exterior treatment.
11. The site plan should be designed to protect as many trees on the lot as possible, protect the water system and ensure that septic tank effluent will be kept from adjacent property. **A septic tank permit is required by law from the Emmet County Health Department prior to starting installation.** A permit is needed when locating the house and driveway, or to provide space for snow plowing or the accumulation of plowed snow. The septic tank location should be established in a convenient location for servicing and "pump out" when needed. And the off street parking should include space for two cars, minimum.
12. Carports are not permitted.

13. It is suggested that no more than three exterior colors be used when picking a color scheme, and that they vary from colors already used on neighboring buildings located on adjacent lots.
  14. Owners may use any qualified licensed builder of their choice to construct a home in Hidden Hamlet.
7. **Accessory Structures.** Accessory structures such as storage sheds and storage buildings are permitted within Hidden Hamlet subject to the requirements of the Pleasantview Township ordinances, approval by Hidden Hamlet's Architectural Control Committee, and the following Hidden Hamlet restrictions.
- a. **Before** construction or installation begins, the owner must:
    - 1) Consult Township ordinances regarding accessory structures.
    - 2) Obtain an approved permit from the Township.
    - 3) Submit a copy of the approved Township permit to Hidden Hamlet Association President or Vice President for consideration by the Architectural Control Committee in accord with the procedures set out above. **Architectural Control Committee approval is required before any construction or installation begins.**
  - b. ONE accessory structure per assessable property unit will be allowed.
  - c. An accessory structure shall not exceed 100 square feet.
  - d. Accessory structure materials, design, and color shall match the residence.
  - e. Setback Requirements shall be satisfied. See Part I 3 above and Township zoning ordinance.
  - f. Pole barn style construction will not be permitted; solid floor is required; skirting is recommended.
  - g. Accessory structures must be enclosed on all sides; canopies, lean-to's, tents, tarps and other forms of temporary shelter or storage structures are not permitted.
  - h. Doors and windows must be closed and secure when not in use.
  - i. Accessory structures may not be designed or used to shelter pets or animals at any time.

8. **Enforcement of Building and Use Restrictions.** Enforcement of the building and use restrictions shall be by proceedings in accord with Section 10 of the Bylaws, or by proceedings at law or in equity against any persons violating or attempting to violate any covenant or any building and use restriction, including but not limited to the covenants prohibiting commercial use and requiring approval of the Architectural Control Committee. Legal expenses including attorney fees, court costs, etc. incurred by Hidden Hamlet Association, Inc., shall be reimbursed by the member who is in violation as established in a court of law.

## J. Water System.

### 1. General.

- a. The membership dues of Hidden Hamlet Association, Inc. provide water to the subdivision. The Association is responsible for the maintenance and operation of the Pump stations and the main distribution lines.
- b. The main distribution water supply network runs underground through all the pump stations in a circular pattern throughout Hidden Hamlet. A shut off valve is located at the edge of each lot near the road. There is a vertical piece of pipe exiting from the top of the valve and protruding out of the ground for access to the valve.

2. Water System Improvement Fund. In 1980, the membership authorized the creation of a \$50,000 Water System Improvement Fund to be utilized in correcting any problems in the water system. Costs for the maintenance of the water system are assessed against each lot. Operating costs are assessed against chalets. For specific information please refer to the proposed yearly budget which is published with the dues statement in August of every year. Monies left over at the end of the fiscal year in the "Fixed Expense" account may be placed in the Water System Improvement Fund (WSIF).

### 3. Responsibilities.

- a. Hidden Hamlet Association, Inc. is responsible for the maintenance and operation of all pumping stations and main distribution water lines up to the shut off valve.
- b. Property owners are responsible for accessibility to the shut off valve and the water lines to their Chalet. Owners should maintain the location of the vertical shut off valve access pipe and be sure it is capped.

**Note.** Normally there is a shut off valve in each Chalet. It is suggested that owners know the location of this valve and its use. If there is no shut off valve in your Chalet it is suggested that you have one installed.

- c. Water sampling is done in accordance with the State Department of Health guidelines.
  - d. Maintenance. A contract for Water Management is issued by the board of directors annually.
  - d. Tap-in Fees. Tap-in fees for the water system are to be paid at the time of the sale of the lot by the owner.
4. Broken Water Line. In the event a water line pipe breaks (or for some other reason leaks) and the pipe breakage (or leakage) is located along the pipe connecting a member's residence to the main supply line, then the following procedure shall be followed:
- a. The member, if the member is the first person to discover such leak or breakage, shall immediately notify the Association's President. If the Association is the first to learn of the water leak, then the Association shall notify the member as soon as it has become aware of the problem. Phone calls are permissible for either of these communications.
  - b. If the Association is unable to contact the member, or if the member is unwilling or unable to take immediate action to have the leak repaired, then the Association is authorized to hire a contractor to dig the ground, to inspect the damage and to make any necessary repairs. This work will be done at the member's sole expense. Otherwise, the Association shall locate three licensed contractors able to properly repair the broken pipe, leak, and any other damage. The names and addresses of each contractor shall be communicated to the member (in writing or by phone). Within five (5) days thereafter, the member shall elect which one of the three contractors will perform the work and will then hire such contractor to immediately complete the work. All of the work shall be at the member's sole expense.
  - c. If the member does not hire one of the three contractors within such five (5) day time period, or if he does and the contractor fails to promptly complete the work (as decided by the Association) then the Association may proceed to have the work done and all charges for the work will be billed to the member and shall be the member's sole expense. If the Association is required to pay for the contractor's work, then the Association will bill the member and such bill must be paid within 30 days. If the bill is not paid within 30 days, then the Board may, in its discretion, refer the member to the Determination Committee in accord with Section 10 of Article XI of the By-laws for a determination of whether the member should remain in good standing.

**K. Meetings.** The annual membership meeting is set by the Board of Directors and found in the index under Meetings and Events, posted on the Hidden Hamlet Website.

## **L. Dues and Assessments.**

1. Fiscal year runs from July 1 through June 30.
2. When water line is tapped, a property owner moves from "lot owner" to "chalet owner". Dues will be prorated.
3. Association dues are billed August 1 annually and payment must be received no later than October 1 of the same year without a penalty for delinquency being incurred. On October 5, or the first business day thereafter, the unpaid property owner's invoice will be considered delinquent and a late fee of \$50 will be added to the amount due. If payment of the Association annual dues and the \$50 late fee is not received within 90 days of October 1, an additional \$100 late fee will be added to the amount due. If payment of the Association Annual Dues and the \$50 late fee is not received within 90 days, an additional \$100 late fee will be added for a total late fee of \$250.
4. The Board may from time to time approve assessments to be used for capital improvements or maintenance as determined by the Board. Payment of any assessment is due on or before the date approved by the Board, and nonpayment will result in late fees and penalties in accord with the previous paragraph.
5. Dues and assessments will be imposed on each lot as shown in the original plat or master deed, with appropriate reductions as may be determined by the Board for lots that have not been built upon. In its discretion, the Board may grant a waiver from dues and assessments on any lot that that the owner does not consider buildable, upon written request to the Board by the lot owner. If a chalet is later built upon any lot that has been given a waiver, the cost of hookup to the water system will be at the normal hookup fees and a \$10,000 fee in lieu of accrued dues and assessments.
5. When a member has accrued \$250 in late fees and has not paid the annual dues, assessments or late fees, the Board, in its discretion, may refer the matter to the Determination Committee for determination of whether the member should be deemed a member not in good standing, in accord Article XI, Section 10 of the Association Bylaws. The Board may also, in its discretion, turn the account over to a collection agency for collection of said debt. **The property owner will be responsible for all additional expenses incurred by the Association to collect the debt.** These include but are not limited to legal and lien fees, mail expenses, telephone and secretarial costs.

## **M. Sale of Property.**

1. **Notice by Seller.** The seller of a chalet/lot must contact Hidden Hamlet Association, Inc. The information required is date of sale and name of buyer.

2. **Transfer Fee.** The new owner shall pay to the Hidden Hamlet Association, Inc. an owner transfer fee in the amount of \$200.00, which shall be paid in 30 days of the lot ownership transfer date.

## **N. Responsibilities of Officers and Board of Directors**

### **1. President.**

- a. Shall call and conducts meetings of the Board of Directors and the membership.
- b. Shall, after discussion with the Executive Committee or the full Board of Directors, enter into contracts for:
  - 1) Snow plowing -- will be done as needed. Snow removal will be done on either Thursday or Friday depending on conditions.
  - 2) Area management
  - 3) Bookkeeping
  - 4) Weed mowing -- during the summer as determined by the Board of Directors and the Area Manager
  - 5) Well maintenance and water samples
- c. Shall maintain a president's book with the minutes of the meetings, contracts and correspondence pertinent to the organization.
- d. Shall appoint a nominating committee to prepare a slate of officers for the annual meeting.

### **2. Vice President:**

- a. Shall assist the President with all duties in preparation for holding the office of president.
- b. Shall serve as a member of the Architectural Control Committee.

### **3. President and Board of Directors:**

- a. Approve the budget for the year and set the amount of the annual assessment.
- b. Authorize maintenance of the road signs and well houses.

- c. Delegate the responsibility of keeping water system records.
- d. Select or continue the services of the Association's legal advisor.
- e. Authorizes an audit of the treasurer's and/or bookkeeper's books.
- f. Conduct any and all other business relating to Hidden Hamlet.

**4. Secretary:**

- a. Shall take minutes of all meetings, annual and board, and prepare them for distributing to the membership in good time.
- b. Shall maintain a record of all minutes and other records of the association.
- c. Shall notify board members of meetings.
- d. Shall maintain the mailing list of the association.
- e. Shall send notice of the annual meeting and other association events.
- f. Shall notify our web designer of all meetings, minutes, ownership changes and directory changes.

**Treasurer:**

- a. Is responsible for the financial well-being of the association.
- b. Prepares the budget.
- c. Oversees day to day accountings, approves/disapproves items for payment by the accountant/bookkeeper, and has primary communications with the bookkeeper.

**Bookkeeper:**

- 1. Shall maintain a proper set of books of the transactions of the association.
- 2. Sends statements for annual assessments to the members.
- 3. Prepares the Michigan Annual Report.

**Expenses:**

- 1. All expenses incurred by the officers or board members on behalf of the association shall be reimbursed. i.e. telephone, postage, copies. etc.

2. Receipts for such expenses should be presented to the treasurer or bookkeeper for payment.

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