

KUAU BAYVIEW RULES

In accordance with the [KB Bylaws ARTICLE IX: ASSOCIATION RULES](#)

Section 1. Power of Board of Directors. Each member recognizes the right of the Board of Directors from time to time to establish and amend such uniform rules and regulations as the Board of Directors may deem necessary for the management and control of the Corporation, including rules governing: (a) the improvement, maintenance, and use of Common Areas, Designated Areas, and Improvements and Facilities; (b) easements on or through the Subdivision; (c) the collection of refuse; and (d) other matters of common interest to the members. Each member agrees to obey all such rules and regulations as the same now are or may from time to time be amended, and see that the same are faithfully observed by the family, invitees, guests, employees, tenants, and vendees of the member. The rules and regulations shall uniformly apply to and be binding upon all occupants of the Lots.

The current Board believes in a policy of "Live and let live." If what you are doing doesn't bother anyone, then we don't care. We will not be policing the neighborhood; however, if someone who is adversely affected by a violation complains, then the Board may act to remedy the violation by following the established [Grievance Procedures](#). The goal will always be to find a solution that is most fair to all parties, especially the community as a whole. Please try to be responsible, reasonable, considerate, and kind.

The following rules derive from our own DCCRs, various County ordinances, and state law. They are to serve as guidelines for owners and renters with the goal of preserving the quality of life in and around Kuau Bayview. Rule violations may be handled by the Board either directly or through the Maui Humane Society, the Maui Police, or the County Request for Service (RFS) system, as appropriate. In instances where there is overlap, all methods of enforcement may be used to ensure compliance. We urge owners to be proactive.

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#	Fineable Offenses	Enforcement	Fine
1	Allowing noise made by you, your guests, tenants, clients, hired workers, or pets to disturb your neighbors (eg. loud motors, barking dogs, loud birds).	DCCR 10(b)(xiv) Humane Society	\$100 \$500
2	Habitually allowing your dog to run loose in the neighborhood.	Humane Society	\$50
3	Not picking up & disposing of your dog's droppings.	Humane Society	\$50
4	Habitually parking a boat on the street for more than 24 hours.	DCCR 10(e)	\$100
5	Conducting a business or activity on your premises which negatively impacts your neighbors. Conducting a home business is not a problem unless it infringes on the rights of those around you or brings traffic to KB.	DCCR 10(a)(i) County Zoning as R-1	\$100 \$1000
6	Doing anything that would result in lower property values for those around you (eg. noise, air, light, smell, or visual pollution).	DCCR 3(f) DCCR 4(a)	\$100
7	Dividing your house into self-contained, "illegal" suites for rental purposes. Be aware that this is a County Zoning violation under the jurisdiction of the County inspectors. Complainants should inform the Board and file an RFS with the County.	DCCR 10(a)(i) County Zoning as R-1	\$1000
8	Converting your garage to living space IF it results in your having to park vehicles on the street. If you can still park in your driveway, you may convert your garage to living space for personal use only, but <u>not</u> for use as a rental suite, which would then be a County zoning violation (see #7).	DCCR 10(b)(xvii)	\$100
9	Having unsightly items on your lot IF visible from the street or adjacent lots (such as motor boats, junk, items that should be in your garage). Air conditioning units and propane tanks must be aesthetically enclosed.	DCCR 10(e) DCCR 10(a)(iii)	\$100
10	Allowing your landscaping or the overall appearance of your property to fall below acceptable standards for a first-class residential development.	DCCR 10(d)(i)	\$100
11	Not maintaining the County planting strip and/or blocking the sidewalk with overgrown vegetation or other items such as skate board ramps.	DCCR 10(e) HRS 12.02	\$100 \$1000
12	Making alterations to your landscaping which result in your Lot draining onto an adjacent Lot, or causing erosion on adjacent properties.	DCCR 10(a)(vii)	\$100
13	Making exterior changes to your house or Lot without prior approval of the Design Committee (includes changing the paint color if the new color differs substantially from the old color).	DCCR 10(a)(i) DCCR 10(f)(i)	\$100
14	Not complying with the original design submitted and approved by the Design Committee.	DCCR 10(f)(i) A	\$100
15	Erecting a fence of an unapproved material, or having the fence structural supports showing on the outside of the fence facing the neighbor.	DCCR 10(b)(xvii)	\$100
16	Building a wall of CMU cinder blocks (CMU=Concrete Masonry Unit) without facing it with blue rock or colored plaster. Split face is OK.	Design Committee Rules	\$100
17	Planting a tree that has intrusive roots (eg. ficus, Royal Poinciana, monkeypod, koa, wiliwili, Jacaranda, shower, thorn). In most cases it must be removed before it causes damage to pipes and cement slabs.	County Arborist	\$100
18	Entering the Retention Basin without prior written permission from the Board and a signed liability waiver. Any desired alterations to the Retention Basin vegetation or anything else must be submitted in writing to the Board and appropriate action will be taken by the assigned caretakers.	HOA Insurance Policy	\$1000
19	Dumping green waste or trash (including animal feces) into the Retention Basin; damaging, tampering with, or removing any HOA property (eg. fences, gates, drainage channels, irrigation equipment, bins, pails, boxes, hoses, pipes, boards, rocks, tools, brooms, shovels, dollies, signs, walls, locks, chains, cameras, etc); damaging or cutting the vegetation therein without Board permission. Violators will be charged for all repair/replacement costs in addition to the \$1000 fines. Please just stay out and don't touch.	DCCR 3 (a)	\$1000
20	Parking in front of a mailbox. Postal carriers will not deliver your mail if cars are parked blocking access to your mailbox. FYI only.	US Postal Service	\$0

* Please refer to the [complete DCCR document](#) available on the Kuau Bayview website for full text.