

Chapter 5

FENCES\*

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\***Note**--All fees and charges are subject to change by the Board of Directors without notice.  
All rules and regulations are subject to the enforcement policy in Section 1-1.

WOODBIDGE VILLAGE ASSOCIATION CODE

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### Section 5-1. Perimeter Wall and Wrought Iron Fence Policy.

The Board of Directors, after reviewing appropriate provisions of the Master Declaration and Supplementary Declarations for Woodbridge, hereby adopts the following policy with respect to the maintenance of those specific perimeter walls and fences, including wooden fences and wrought iron fences, delineated on Exhibit E to the Master Declaration and Supplementary Declarations for tracts within Woodbridge. Those walls and fences are depicted on the map in section 5-3. All other walls and fences, except for those on community facilities owned by the Woodbridge Village Association, are the sole responsibility of the individual owner or the appropriate Maintenance Association.

(1) Pursuant to Article VII, Repair and Maintenance, Section 1(g) of the Master Declaration, Section 3 of Article VII, the cost of wall and fence maintenance shall be divided as follows: The interior portions of the walls and fences shall be maintained by the owner, and the exterior portions of the walls and fences shall be maintained by the Association. The exterior is defined as the side of such walls or fences fronting on a public right-of-way or community facility.

- a. Stucco Wall Policy. Foliage and vines will be planted, where possible, to grow on and cover the exterior of walls. Walls will be painted only when they can not be cleaned or do not match the color of the adjacent walls. Missing stucco from the wall will be repaired as required, but vertical or horizontal cracks will not usually be repaired. If necessary, a cosmetic application of stucco may be completed by the Association to enhance the appearance.
- b. Wood Fence Policy. Foliage and vines will be planted, where possible, to grow on all fences fronting on Association maintained areas, except in special circumstances. Wood fences will be painted on the exterior portion only if they become unsightly.
- c. Wrought Iron Fence Policy. The same policy principle shall be applied to wrought iron fences. The term "wrought iron fencing" herein includes all metal tubular fences. The costs of maintenance thereof shall be divided equally between the owner and the Association. However, because of the open nature of such fencing and the fact that maintenance can only be economically performed on all sides at the same time, the following procedures will apply to such fence maintenance:

The Association will maintain all sides of a wrought iron fence, with the owner being required to pay one-half of the costs involved; provided, however, that the Association shall give notice to the owners of such fences periodically that they have the option to maintain the wrought iron fence at their total expense, and the Association will not assess them for one-half the cost of maintenance of said wrought iron fence. The owner will be given prior notice when maintenance is about to be undertaken by the Association, and if owner directed maintenance is not accomplished prior to the time set for the Association's activities, the Association will proceed to maintain one hundred (100) percent of the wrought iron fence and assess the owner/Maintenance Association fifty (50) percent of that cost pursuant to Section 8 of Article III of the Master Declaration, as a special assessment.

- (2) With respect to actual future replacement of the walls, wooden fences, and wrought iron fences, provided some third party is not responsible for the replacement of those walls and fences, the owner will be responsible for one hundred (100) percent of the replacement costs.
- (3) The Association's staff is further directed to notify the owners of the affected fences at the inception of this policy and that the Association should periodically notify the owners of these affected walls and fences by notices at closes of escrow, and by periodic notices in *Reflections*.
- (4) The Association shall hereafter develop and perform a regular maintenance program for those walls and fences covered by this policy. Future budgets shall contain provisions for the implementation of this policy.
- (5) The fence along Warner, although not designated as an Exhibit "E" fence, will continue to be treated as an Exhibit "E" fence for purposes of exterior fence maintenance and appearance, and that the individual owners whose lots back up to Warner will be responsible for the structural repairs and replacement of their individual fences along Warner, in accordance with the requirements of the Woodbridge Architectural Standards. (Appended 12-6-95)
- (6) The Association will continue to notify Woodbridge homeowners three times a year in the *Reflections* newsletter of this WVA Fence Policy. (Appended 12-6-95)

#### Section 5-2 Fence Standards.

All developer-installed wood fences must be retained, unless prior approval is received in writing from the Woodbridge Architectural Committee, to change materials, color, or type of fence.

- (1) *Existing Fence Standards.* Relationship of a fence to the terrain, buildings, and neighborhood is very important. If a fence relates to a building, it must harmonize with it.
  - a. Fences that are visual extensions of a building should relate to its colors and architectural style.
  - b. Fencing finished on one side must have the finished side facing out.
  - c. All fence tops must be level. If there are horizontal trim pieces at top and/or bottom, they too must be level. If the ground slopes, the fence must be stepped in no more than eight-foot sections.
  - d. Vertical members (posts and boards) must be plumb and, generally, the post tops and vertical boards must be in line.
  - e. All fence materials must be structurally solid and not warped or sagging. Support posts must be stable and secure.
  - f. Vertical boards must be securely fastened to the top and bottom horizontal rails and/or posts.
  - g. All fences must be free from dry rot, termite infestation, or any other type of physical or visual damage.
- (2) *Maintenance of Wood Fences.* All fences shall be kept in good order and repair by the respective owner(s), or if applicable, their Maintenance Associations. The appearance of the fence, in the opinion of the Woodbridge Village Association, must not be detracting to adjoining properties and shall be consistent with all maintenance and wood fence standards. Such maintenance includes, but is not limited to, the following:

- a. Repainting, restaining, and renovating, on a periodic basis or as needed, exterior surfaces which are significantly different from the approved appearance due to weathering, fading, peeling, cracking, blistering, staining, mildewing, spalling or otherwise deteriorated.
  - b. Replacement of missing elements or repair of exterior damage or deterioration to fences.
  - c. Replacement or repair of fences which are no longer substantially stable, level or plumb.
- (3) *Replacement Fence Standards.* All wooden fences require periodic repair or replacement due to many factors. Below is a list of approved materials to be used, provided all changes from the existing fence have prior written approval from the Woodbridge Village Association's Architectural Committee. (Please note: All inch measurements are nominal.)
- a. Wood:
    1. Wood. Redwood or chemically treated cedar (either by pressure or emersion).
    2. Posts. Must be a minimum of four (4) by four (4) inches square.
    3. Horizontal Rails (or Stringers). Must be minimum of two (2) by three (3) inches, and no longer than eight (8) feet.
    4. Top and/or Bottom Trim Pieces. Must be a minimum of two (2) by six (6) inches.
    5. Horizontal Trim Pieces. Must be one (1) by four (4) inches.
    6. Vertical Boards. Must be tongue and groove, or square sided. All fences over three (3) feet in height must use one-by-six boards. Fences under three (3) feet in height may use one-by-four boards.
    7. Fasteners. All nails, staples, screws, and bolts used on wood fences must be of a rust-proof material.
  - b. Stucco/Block Walls:
    1. Block walls, stuccoed on the exterior side, may be acceptable replacement for wood fences, with prior approval of the Woodbridge Village Association Architectural Committee.
    2. Block wall must be the same height as the wood fence being replaced.
    3. Walls must be color-coated or painted to match the existing stucco wall standards.