



# **Starlight Pines Homeowners Association**

## **Properties Rules**

### **FIREWISE AND HEALTHY FOREST PROGRAM FOR STARLIGHT PINES**

Approved by the SPHOA Board of Directors, January 14, 2006  
First Recorded with the Coconino County Recorder on September 7, 2006,  
Document No. 3401407

### ***Declaration of Covenants, Conditions, & Restrictions (CC&Rs)***

**Article IV, Section 4.3 The Properties Rules.** *By a majority vote of the Board, the Association may, from time to time and subject to the provisions of this Declaration, adopt, amend, and repeal rules and regulations to be known as the "Properties Rules." The Properties Rules may restrict and govern the use of any area by any owner, by the family of such owner, or by any invitee, licensee or lessee of such owner; provided, however, that the Properties Rules may not discriminate among owners and shall not be inconsistent with this Declaration, the Articles or Bylaws of the Association. A copy of the Properties Rules as they may from time to time be adopted, amended or repealed, shall be mailed or otherwise delivered to each owner and may be recorded. Upon recordation, said Rules shall have the same force and effect as if they were set forth in and were a part of the Declaration.*



## Starlight Pines Homeowners Association

SPHOA  
HC31 • Box 1216  
Happy Jack, AZ 86024

Phone 928-477-2802  
Fax 928-477-2296

February 13, 2006

All Starlight Pines Property Owners

**Subject: FIREWISE AND HEALTHY FOREST PROGRAM FOR STARLIGHT PINES**

Dear Association Members:

At the January meeting of the Homeowner's Association, the policy for a FIREWISE AND HEALTHY FOREST PROGRAM FOR STARLIGHT PINES was unanimously approved by the Board of Directors. Preceding this approval, the policy was posted for all property owners to review. It was discussed at Study Sessions in October, November, and December 2005. All property owners were urged to be aware of this policy and to offer input. A legal opinion of this policy was obtained and found to be supported by the CC&Rs of the Association.

On the inside of this mailer you will find the following:

1. A History of Fire Safety Efforts in the Starlight Pines Community.
2. The FIREWISE AND HEALTHY FOREST PROGRAM FOR STARLIGHT PINES.  
This contains Requirements and Deadlines to be met by all Property Owners, and a schedule of fines that will occur for non-compliance.
3. Definitions and Guidelines for the Firewise and Healthy Forest Program.
4. A Lot Inspection Form for your individual lot with present condition and comments from members of the Fire Safety Education Committee.

As you should be aware, we are heading into a severe drought and wildfire season. **All of our properties are at risk.** We ask that you take time to read the attached material very carefully and thoughtfully. If you have any questions, please call a member of the Fire Safety Education Committee. They are there to help you with advice, names of contractors, and other available resources.

We are all in this drought and wildfire danger together. We know that we can count on your help and your compliance with this Policy.

Sincerely,

Perry Arnold, President  
Starlight Pines HOA Board of Directors

Fire Safety Education Committee:

Dave & Deon Anderson (477-3335), Steve Koch, Linda Liesch (477-3108),  
Susie Lutz (477-2044), Duane Swanson (477-2631), Paula Yeary (477-3052).

# HISTORY

## Fire Safety Education Committee History of Fire Safety Efforts In the Starlight Pines Community

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- 1998** State Land Dept. "SIPS" program initiated after the Forest Stewardship Plan for Starlight Pines was written. SIPS program was administered by Lou Hoover and was for thinning and chipping of participating lots, and also in the Greenbelts. Owners were rebated majority of the cost.
- 2001** Greenbelt Committee was formed for the purpose of cleaning up and thinning of the six miles of greenbelts in Starlight Pines.
- 2002** Rodeo-Chediski Fire burned almost 500,000 acres in the Rim area. Smoke visible for almost 3 weeks at SP. "Springer" fire - 6 mi. south of SP - stopped at controlled burn area.
- Greenbelt clean up began with small West Greenbelt. Also, Starlight Pines Firehouse lot and adjacent lot owned by HOA was thinned and cleaned by small group of volunteers.
- 2002** Fire Safety Education Committee was formed with three members.
- 2003** April: the first Fire Safety Seminar for area property owners was held at the BRFD Sta. 2 at SP. Attendance was 172. Seminar was planned by FSEC. Speakers from BRFD, USFS, and Insurance.
- Primary area problems: bark-beetle infestation and drought.
- 2003** FSEC began "drive-around" checks of all property in SP. Letters were sent to owners of properties with obvious bark-beetle infestation, requesting removal of diseased trees. Follow-up letters were sent and enforcement procedure by Prop. Rules Comm. was approved by the HOA Board. FSEC had 6 members.
- 2004** April: the second Fire Safety Seminar was held at BRFD new Station 1. Attendance was 212. Speaker was Jim Paxon. Again, the seminar was planned by FSEC.
- 2004** June: The Blue Ridge Community Firewise Partnership (BRCFP) was organized. Volunteers are from 15 area subdivisions and advisors from the USFS and BRFD. FSEC has 3 members serving on the BRCFP. Primary purpose of this group is education of all property owners in the Greater Blue Ridge Area (2,500 lots). This is done through educational mailings (four completed as of 7/05).
- 2005** April: the third Fire Safety Seminar was held at BRFD Sta. 1 with approx. 130 in attendance. Speaker was Dep. Super. Coco. NF
- 2005** August: FLEP (Forest Land Enhancement Program), a grant program, in effect. Ten SP owners signed up.
- 2005** October: CC&Rs Policy Proposals re mandatory cleanup of lots.

**POLICY**

To: Starlight Pines Property Owners  
 From: Starlight Pines HOA Board of Directors  
 Date: 01-14-06  
 Subject: **FIREWISE AND HEALTHY FOREST PROGRAM FOR STARLIGHT PINES**

In order for any policy relating to Fire Safety in Starlight Pines to be effective, the wholehearted commitment of the Board of Directors of the Home Owners' Association and of all Property Owners is essential for the protection of the owners' safety and investments.

Preparation now is essential. When the crisis arrives, it is too late.

This Policy Proposal for a Firewise and Healthy Forest Program is based on Starlight Pines CC&R's:

**Sect. 3.8.1 Maintenance by Owner:**

Each Owner of a Lot within the Properties shall keep his Lot free of trash and other unsightly material.

**Sect. 3.9 and 11.4 Nuisances:**

No rubbish or debris of any kind shall be placed or permitted to accumulate upon or adjacent to any property within the Properties . . . unsightly . . . or DETRIMENTAL to any other property in the vicinity thereof or to its occupants. . . . The Board in its sole discretion shall have the right to determine the existence of any such nuisance.

**Sect. 3.16 Disease and Insects:**

No owner shall permit any thing or condition to exist upon any property within the Properties which shall induce, breed, or harbor infectious plant diseases or noxious insect.

The following policy, as it relates to the above-mentioned CC&R's, is a requirement for all property owners of Starlight Pines.

**FIREWISE AND HEALTHY FOREST POLICY FOR STARLIGHT PINES PROPERTIES**

**Requirements:**

1. All dead-and-down trees and brush (laying on the ground) must be removed from all lots in the development for fuel reduction purposes. Minimal dead-and-down, for decorative or habitat purposes, will be allowed if placed away from live trees or structures. Firewood must be stored a minimum of 30 feet away from structures. Area around allowed dead and down and firewood must be clear of any receptive fuels.  
Deadline: January 1, 2007
2. All dead standing pine trees or pine trees dying from bark beetle infestation must be cut and removed from the property. One dead tree may be left for habitat if at a safe distance from structures.  
Deadline: January 1, 2007

# POLICY & PROCEDURES

3. All dead branches on remaining pine and juniper trees must be removed to 6 (six) feet from the ground, or to a maximum of 1/2 the height of the tree. Trees under 10 feet in height are exempted from this regulation. Live branches may be removed to that height in winter months (when the sap is down).  
Deadline: January 1, 2007
4. Thinning of remaining trees (especially pine trees) and brush must be done. All thinned material must be removed from property. Guidelines will be provided. Call the FSEC to schedule a walk of your lot with you.  
Deadline: January 1, 2008
5. Raking of property and trimming of tall dead grass should be done to remove a major source of forest floor fuel. At a minimum, a 30-foot area must be raked and trimmed around any structure, including propane tanks.  
Deadline: January 1, 2008
6. Ongoing maintenance of these requirements will be a necessary responsibility for all property owners.
7. If this policy has not been complied with and the property is sold, notice of non-compliance of known problems may result in money being withheld at closing to effect the clean-up.

## Procedure:

1. Visual pre-inspection of each lot will be made by FSEC, with a standard form filled out for each property.
2. Notification of condition of property as of March 2006, will be made by a separate mailing to owners in March, 2006. A deadline of January 1, 2007 will be set for compliance with the initial clean-up.
3. Upon request, members of the Fire Safety Education Committee will walk individual properties with the owners and explain clean-up necessary for owners to be in compliance.
4. Follow-up inspections will be made when property is reported to be cleaned, and all property will be re-inspected no later than January 1, 2007. Visual inspections of all property will be made periodically thereafter.
5. If the property owner is making a good effort to comply with the policy, but has not yet reached full compliance, an extension may be granted on an individual-request basis.
6. Non-compliance complaints will be forwarded to and handled by the Property Rules Committee. Violation fines will be levied by the board. After notice and an opportunity to be heard, the first fine shall be \$250.00 for failing to comply. Thereafter, a fine of \$100.00 shall be imposed for every month that the Owner is not in compliance.

# GUIDELINES

## Guidelines:

1. Visit your property. If you have not seen it in a while, you may be amazed at the need for creating a healthy lot.
2. Count your trees! You will be amazed how many hundreds of trees are on your property. Our climate may support 100 to 200 trees per acre (higher than the 50 per acre that were present before fire suppression became the "norm" in the forests). The number of healthy trees will be dependent on the level of moisture received each year.
3. Thinning of trees is essential to help remaining trees survive. Many lots have "dog hair" thickets of small trees which should be removed so that larger trees near them will be healthy. Leaving space between tree tops helps prevent crown fires. It also allows rain to reach the ground, providing moisture for the trees and grasses, and permits sunlight to encourage growth.
4. Topography of property can increase your vulnerability to wildfire. If your lot is on a slope, especially a south or southwest facing slope, you are in greater danger from wildfire.
5. Raking of your lot removes dangerous fuel. Many lots have 6 to 12 inches of needles piled up. In a wildfire, 4 to 6 inches of receptive fuels, including pine needles, leaves, and grasses will produce a flame height up to 8 feet or more. Ideally, you will want to rake your entire property to prevent this. Do this gradually, starting at structures and working out from there. Rake every Spring after the initial raking; allowing the one-year of needle-cast to remain on the ground through the winter provides insulation and nutrients during the cold weather.
6. Contrary to some widely-held opinions, large amounts of needles do NOT help the ground to retain moisture. Instead, they allow rain to flow across the top, preventing water from reaching the tree roots, which are surface feeders.
7. Propane tanks should not be screened (per Coconino County).
8. Firewood, lumber, or other combustibles should not be stored under or on decks, but should be stored at least 30 feet from structures.

# DEFINITIONS

## Definitions:

**FSEC** The Fire Safety Education Committee.

**BRFD** Blue Ridge Fire Department &

**USFS** United State Forest Service:

Advisory partners in striving for a Firewise & Healthy Forest

**SP** Starlight Pines

## Bark Beetles:

Opportunistic insects which kill pine trees during times of drought.

## Defensible Space:

The area around houses or structures, 30 to 50 feet in width, that can be defended against wildfire by prior preparation. This includes removal of all ground fuels, laddering and/or removal of trees, use of gravel or mowed grass around structures, low-combustion plantings, cleaned roofs and decks, etc.

## Receptive fuel bed:

Combustible materials occurring naturally in a forest setting that can provide fuel for a fire. This includes dead-and-down trees and branches, pine needles, dead leaves, firewood stacks, animal hair, etc. This material may be on the forest floor, on or under decks, on roofs, etc.

## Thinning of trees:

Cutting down and removing trees to reduce the number of trees in a given space.

Reason: Our forest receives inadequate moisture to support the number of trees that are present. Trees compete for the available moisture, resulting in spindly and misshapen forms. Removal of excess trees makes possible increased growth and health in the remaining trees.

## Triage:

Process used by the Fire Department to prioritize which property can be saved during a wildfire. The Fire Dept. will not commit personnel or lives to attempt to save property that is clearly not salvageable.

## Firewise and Healthy Forest Program for Starlight Pines Lot Inspection Form

Date \_\_\_\_\_ Lot# \_\_\_\_\_ Street \_\_\_\_\_ Owner \_\_\_\_\_

### Requirements to be complete by January 1, 2007:

1. All dead-and-down trees and brush (dead laying on the ground) must be removed from all lots in the development for fuel reduction purposes. Minimal dead & down, for decorative or habitat purposes, will be allowed if placed away from live trees or structures. Firewood must be stored a minimum of 30 feet away from structures. Area around allowed dead and down and firewood must be clear of any receptive fuels.

Compliance  
YES NO

☐ ☐

Comments \_\_\_\_\_

YES NO

2. All dead standing pine trees or pine trees dying from bark beetle infestation must be cut and removed from the property. One dead tree may be left for habitat if a safe distance from structures.

☐ ☐

Comments \_\_\_\_\_

YES NO

3. All dead branches on remaining pine & juniper trees must be removed to a height of 6 ft. from the ground, or to a maximum of ½ the height of the tree. Trees under 10 feet in height are exempted from this regulation. Live branches may be removed to that height in winter months ( when the sap is down ).

☐ ☐

Comments \_\_\_\_\_

### Requirements to be completed by January 1, 2008:

4. Thinning of remaining trees (especially pine trees) and brush must be done. All thinned material must be removed from property. Guidelines will be provided. Call the FSEC to schedule a walk of your lot with you.

YES NO

☐ ☐

Comments \_\_\_\_\_

YES NO

5. Raking of property and trimming of tall dead grass should be done to remove a major source of forest floor fuel. At a minimum, a 30 foot area must be raked and trimmed around any structure, including propane tanks.

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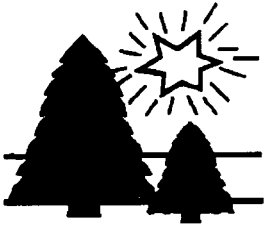
Comments \_\_\_\_\_

Please contact any member of the Fire Safety Education Committee to walk your lot with you or answer any questions you might have.

Signed (Committee Member) \_\_\_\_\_ Phone # \_\_\_\_\_

Printed name of member \_\_\_\_\_





**STARLIGHT PINES**

**Homeowners Association**

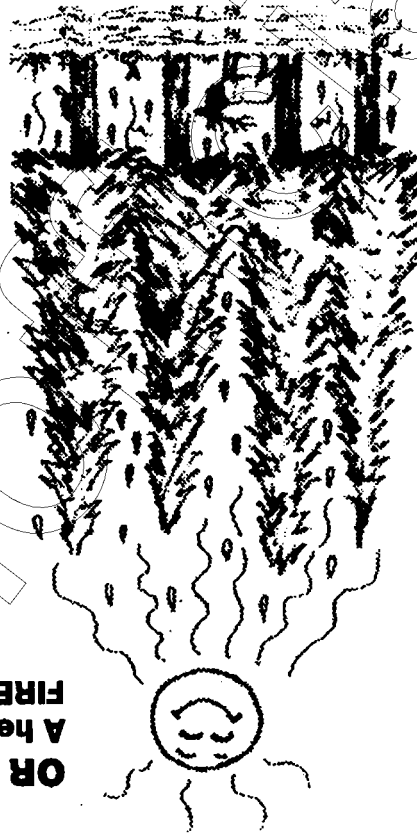
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**IMPORTANT  
POLICY  
INFORMATION  
ABOUT YOUR  
STARLIGHT PINES  
PROPERTY...**

***PLEASE READ AND SAVE***

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**OR THIS?**  
A healthy, vibrant,  
FIREWISE property.



**THIS?**  
A sick, choking,  
fire-prone property.