

Perimeter Walls and Fences in Hamilton Field

Committee Creation - In May 2021 the Hamilton Field Board of Directors authorized Paul Herrera to form a committee to study, review, and report on guidelines and HOA policies for each neighborhood's perimeter walls and fences. The association had monitored perimeter walls facing our public streets (CFD Walls) but the association had not monitored perimeter walls and fences facing trails and open space. This committee came up with a suggested policy for walls and fences that includes walls and fences facing Aberdeen Road (AKA Todd Road) and the levee trail.

Specific Issues -Over time perimeter walls and fences require maintenance, upkeep, and replacement. Each neighborhood has its own design standards. Walls and fences have a variety of styles, heights, and looks in Hamilton Field. Some owners have modified their wall or fence facing open space without architectural review from the association. Those changes have resulted in structural and aesthetic inconsistencies within neighborhoods. This document provides guidance for homeowners and Architectural Review Committees.

Policy Source

- Davis-Stirling, Common Interest Act of 1985 (California Civil Code, beginning with Section 4000)
- Hamilton Field Homeowners Association's CC&Rs (including Sections 7 & 8)

ARTICLE 7 - General Use Restrictions

ARTICLE 8 - Architectural Review (Residential Lots Only).

Architectural Review Committees have the authority to review, approve and/or deny owner changes to walls and fences within their neighborhood.

HOA Policy for owner changes to walls and fences:

- Visible changes to perimeter walls and fences require approval in advance by the neighborhood's Architectural Review Committee.

Who owns our perimeter walls? Who is responsible?

Hamilton Field neighborhoods did not have a wall conveyance completed between each neighborhood developer and the Homeowner's Association as is typical in a new development. The result is neither our HOA or the City of Novato have any clearly defined legal or maintenance responsibilities for any wall in Hamilton. **Therefore each homeowner is responsible for maintenance and possible replacement of their portion of a wall.** The association has completed, and will continue to do so to a reasonable extent, minor repairs and painting of exterior walls as approved by the board. The association expects homeowners to do their part in ensuring that their wall is maintained.

Perimeter walls were not designed to retain soil or other material or have penetrations for owner use. Owners placing soil and other material against their wall are likely to damage their wall over the long term. Walls are easily damaged by trees, tree roots, and vines. Objects attached to walls may cause damage as well. Owners should monitor their landscaping to ensure there is no negative effect on their wall. Owners are responsible for trimming their landscaping that extends beyond their wall. Trees or other features causing damage on the owner side of the wall should be immediately removed. Owners may contact the City of Novato's Public Works Department if city landscaping/trees are causing damage. The City of Novato has removed trees at an owner's request if they agree. **Owners are financially responsible for damage to their wall caused by their landscaping or other use of their perimeter wall.**

Hideaway Walls

Hideaway is part of a Landscape and Lighting District and the walls are the responsibility of the City of Novato.

Hamilton Park Walls

Hamilton Park's HOA is responsible for their walls.