

Goals & Objectives

Gates on MIRCC roadways accomplish these goals for the Community:

- Comply with the terms of temporary easement agreements
- Provide a means for all Owners of properties of Mt. Index Riversites, their guests, and commercial users with a business need for access to pass through MIRCC gates and access respective property
- Provide the community with a mechanism to minimize unwanted, motorized visitors/solicitors on MIRCC roads

Definitions

Management & Oversight

Role	Definition	Function
Gate Committee	To be the same as or include members of the Road Committee for the section of MIRCC road where the gate is installed	Oversee the enforcement of MIRCC Gate Policies & Procedures, provide support at gates via contact phone numbers, have the ability to provide Keypad Codes to Owners and their Guests
Gate Committee Chair	The Chair of the respective Road Committee, as noted above	Maintain records of Gate use and distribute reports to MIRCC Board of any misuse
MIRCC Board of Directors	Currently elected and active members of the MIRCC Board	Distribute Gate policies and procedures to community members; introduce new owners to the same
Executive Board	The elected President, Vice President, Treasurer, and Secretary of the MIRCC Board of Directors	Review and approve or reject with BOD approval discretionary requests for exceptions to the MIRCC Gate Policies & Procedures

MIRCC Gates

Gate Name	Location
Green Gate	Between US-2 and Canyon Falls Bridge; providing access to MIRCC roadways for Owners of properties in the Snohomish County Assessor's Plat inclusive of Block B, C, or E of Mt. Index Riversites
Yellow Gate	At the guard shack located at .6 miles past US-2 on Mt. Index Road; providing access to MIRCC roadways for Owners of properties in the Snohomish County Assessor's Plat inclusive of Blocks A, D, and H, Bridal Veil Falls Park, and other surrounding parcels

Sunset Falls Gate	This gate is not operational and functions to close the road to all vehicle traffic before the Sunset Falls slide area (except PUD, Frontier, and emergency vehicles) until funding is available for road maintenance and safety mitigation measures are proposed to and adopted by the Board.
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Residential Users

Role	Definition
Owner	An individual who is named as the owner of a MIRCC tax parcel on Snohomish County records.
Owner Household Member	An individual associated with the household of an owner, such as spouses, significant others, children, and parents.
Tenant	An individual with an obligation to pay or care for an owner’s property for a duration of time with the owner’s permission in writing, such as a lease.
Rental Property Guest	An individual with a short-term contract to stay in an owner’s property for which occupancy and other rental property taxes are paid.
Guest	An individual granted permission by an owner to visit their property within MIRCC.
Visitor	An unannounced visitor to MIRCC without knowledge by an Owner that they wish to visit their property.

Commercial Users

Role	Definition
First Responder	A representative of a public agency with emergency health and safety responsibilities without property ownership in MIRCC.
Vendor	A representative of a utility company, delivery company, septic system pump company, or other service provider of a commercial nature without property ownership in MIRCC.
Commercial Owner	A commercial business owner who also is named as the owner of a MIRCC tax parcel on Snohomish County records.
Commercial Business User	An individual associated with a business, such as an employee, owned by a Commercial Owner with need to visit the owner’s property for commercial purposes.

Definitions from MIRCC Bylaws, with Amendments adopted 10/3/15:

Term	Definition
Property	2.2 "Property" or "Properties" shall mean and refer to that certain real property whose access is gained by MIRCC Roads, and such improvements and additions thereto as may hereafter be brought within the jurisdiction of the Community.

MIRCC Roads	2.4 "MIRCC Roads" shall mean and refer to all the private roads and bridges owned, managed, maintained and repaired by MIRCC for the purpose of maintaining access to all Properties.
Property Owner, or "Owner"	2.5 "Property Owner" shall mean and refer to anyone who owns Property or Properties accessed by use of MIRCC Roads. All notices and mailings required to be sent to a Property Owner shall be sent to the address of the property owner and/or taxpayer on record with the Snohomish County Assessor's office, or as may be designated.
Property Owner in good standing, or "Owner in good standing"	2.6 "Property Owner in good standing" is one who has paid the Road Maintenance fee for the preceding year by the invoice due date of May 31 st of the current fiscal year.
Community	2.8 "The Community" shall mean all Property or Properties which share access to the public highway over MIRCC Roads.

MIRCC Gate Access Devices:

Type	Definition
Remote Clicker	A keyfob-type small, remote clicker with a radio frequency signal sent from it to the electronic reader on the Gate to open it, much as a garage door opener.
Keypad Code	A numeric code input into the keypad at the entrance and exit of a MIRCC Gate. All Keypad Codes are temporary and may be used for various circumstances (e.g., emergency responders, vendors, commercial use, family use).

Policies & Procedures

Residential Usage

- 1) All Owners are eligible for up to 2 Remote Clickers to open and close MIRCC Gates *that provide access to roadways for which they are assessed.*
 - a) The first Remote Clicker is free to Owners who have not yet received a Gate Access Device.
 - b) Clickers are subject to Owners’ acceptance of the Residential Terms & Conditions
 - c) A second clicker is available for a \$50 deposit, refundable at the time of return.
 - d) Additional Remote Clickers are available to Owners and their Owner Household Members at the discretion of the Executive Board.
 - e) Remote Clicker deposits are paid to MIRCC.

- 2) Owners may also receive a Keypad Code that is to be used as a unique code tied to that Owner.

- a) Use of the Keypad Code is temporary and subject to the Residential Terms & Conditions.
 - b) If an Owner violates the terms of use, the Keypad Code may be suspended.
 - c) Keypad Codes are considered a secondary means of access and are available to Owners on a discretionary basis by the Gate Committee. All requests should be made 48 hours in advance and sent to mircc@mountindexriversites.com.
- 3) Owner Household Members may access MIRCC roads in the same way as Owners themselves, with Owner permission.
 - 4) Tenants, Guests, Rental Property Guests, and Visitors may use any Gate Access Device granted to them by Owners. Use of Gate Access Devices are subject to the Residential Terms & Conditions.

Commercial Usage

- 1) First Responder Emergency Services are provided a Keypad Code for commercial use and may be granted Remote Clickers by the MIRCC Gate Committee for access to MIRCC roads.
- 2) Vendors may be provided a Keypad Code by the MIRCC Gate Committee.
- 3) Commercial Owners are eligible for the same Gate Access Devices as Residential Owners. A Keypad Code for commercial use is available to Commercial Owners upon request to mircc@mountindexriversites.com and is subject to Commercial Terms & Conditions.
- 4) Commercial Business Users may access MIRCC roads with a Keypad Code provided by a Commercial Owner.

Oversight & Service Level Agreement

- 1) MIRCC Gate Policies & Procedures must be approved and accepted by the MIRCC Board of Directors and published to the MIRCC website.
- 2) It is the job of the MIRCC Gate Committee to keep Policies & Procedures up to date
 - a) Policies & Procedure changes must be brought in a motion to a MIRCC BOD meeting.
 - b) Changes approved via motion will be posted to the MIRCC website.
 - c) Newly approved and posted Policies & Procedures will supersede prior documents of its kind.
- 3) Phone numbers for MIRCC Gate contacts must be posted at the gate, easily visible from a vehicle approaching the gate.
- 4) Gate Committee will respond to phone calls or email within 24 hours of receiving a message.
- 5) MIRCC Gate contacts must be able to verify eligibility of a Visitor to enter MIRCC roads and have a Keypad Code available for immediate use.
 - a) MIRCC Gate contact will make every effort to inform Owner of Visitor's inability to pass through the Gate.

- b) If the Owner can be contacted, they must verify Visitor's permission to visit their property.
 - c) A generic Keypad Code may be provided and will expire on the same date of issue.
- 6) Proper gate function is the responsibility of the MIRCC Gate Committee.
- a) Appropriate backup power is provided for power outages.
 - b) Regular maintenance and upgrades are provided for proper gate function.
- 7) Keypad Codes may be issued directly to Owners with 48-hour advance notice.

Terms & Conditions – Residential

1. Owners may be granted an Access Device (Remote Clickers or Keypad Code) provided by MIRCC, subject to the following agreement:

I understand and agree that permission to use MIRCC private roads is granted subject to all of the following conditions:

- *I am the owner of property in Mt. Index Riversites.*
- *I understand that I am responsible to pay for any past due, present and future road and bridge assessments as determined by the MIRCC Board of Directors, in a timely manner.*
- *I agree to indemnify, defend and hold harmless MIRCC, its board members and owners of the property the private road crosses for any loss or injury related to use of the road.*
- *I am a licensed driver with appropriate liability insurance to operate street-legal motor vehicles.*
- *I will use the road in a cautious and courteous manner, respect the 15 mph speed limit, and be considerate of private property.*
- *I will only share my access Device with family members and invited guests, and will ensure that they also agree to these terms of use.*
- *Deposits are refundable but lost/stolen devices will only be replaced at owner's expense.*

- a. Only Owner Household Members, Tenants, Guests, and Visitors may visit MIRCC with Owner permission
- b. Use of an Access Device does not imply permission to use or access other MIRCC properties not associated with the Owner
- c. Distribution of Remote Clickers or Keypad Codes to unknown Visitors without express Owner consent is a violation of the MIRCC Gate Policies & Procedures and subject to criminal prosecution
 - i. The MIRCC Gate Committee reserves the right to ask Owners about suspected misuse of Gate Access Devices
 - ii. The MIRCC Gate Committee may terminate Gate Access Devices if it can be proven that access has been compromised
 - iii. Every attempt will be made to notify Owners by phone, email, or mail with confirmed receipt 48 hours in advance of their Gate Access Device(s) being terminated

- iv. After Gate Access Devices are terminated, Owners may be issued a second Gate Access Device. If the second Gate Access Device is compromised, the Owner must apply for a Keypad Code that routinely expires until further notice.
2. The MIRCC Gate is the property of MIRCC. Vandalism, theft, or other criminal activity directed at the MIRCC Gate will be charged to Visitors, Guests, Tenants, or ultimately Owners related to these residential users, and subject to criminal prosecution.

Terms & Conditions – Commercial

- 1) Vendors and Commercial Owners with a commercial necessity to drive over MIRCC roads to perform their business activities may be granted Remote Clickers or a Keypad Code provided by MIRCC. Commercial use is subject to the following agreement:

I understand and agree that permission to use the private MIRCC road is granted subject to all of the following conditions:

- *I am a Commercial user with a business need to access properties in Mt. Index Riversites.*
 - *I am a Vendor with no MIRCC property ownership or I am a Commercial Owner and I understand that I am responsible to pay for any past due, present and future road and bridge assessments as determined by the MIRCC Board of Directors, in a timely manner.*
 - *I agree to indemnify, defend and hold harmless MIRCC, its board members and owners of the property the private road crosses for any loss or injury related to use of the road.*
 - *I am a licensed driver with appropriate liability insurance to operate street-legal motor vehicles.*
 - *I will use the road in a cautious and courteous manner, respect the 15 mph speed limit, and be considerate of private property.*
 - *I will only share my Access Device with other Commercial users of the same business, and will ensure that they also agree to these terms of use.*
 - *Deposits are refundable but lost/stolen devices will only be replaced at owner's expense.*
- a. Only Commercial Users with permission to perform business services at Commercial Owner property or Rental Property Guests with permission to visit Commercial Owner property may visit MIRCC
 - b. Use of an Access Device does not imply permission to use or access other MIRCC properties not associated with the Owner
 - c. Distribution of Remote Clickers or Keypad Codes to unknown Visitors without express Commercial Owner or Owner consent is a violation of the MIRCC Gate Policies & Procedures and subject to criminal prosecution
 - v. The MIRCC Gate Committee reserves the right to ask Owners about suspected misuse of Gate Access Devices
 - vi. The MIRCC Gate Committee may terminate Gate Access Devices if it can be proven that access has been compromised

- vii. Every attempt will be made to notify Owners by phone, email, or mail with confirmed receipt 48 hours in advance of their Gate Access Device(s) being terminated
- viii. After Gate Access Devices are terminated, Owners may be issued a second Gate Access Device. If the second Gate Access Device is compromised, the Owner must apply for a Keypad Code that routinely expires until further notice.