

MARINA RIVERHOUSE HOMEOWNERS ASSOCIATION

RULES AND REGULATIONS

These Rules and Regulations, as well as the Restated Bylaws, are derived from experience and common sense. They are based on cost, safety, or equity considerations while trying to protect the rights of all owners.

1. OWNER, RESIDENT AND GUEST BEHAVIOR

Please treat your neighbors as you wish to be treated. Any actions that disrupt the other homeowners of this Association will not be tolerated. As owner, you are responsible for your dependents, renters and other residents, as well as any guests visiting or staying with you.

2. NOISE

Noise within the complex must be kept to a considerate and appropriate level. There is a neighborhood quiet time of 10 pm – 8 am that is enforced by Marina Riverhouse HOA

3. TRASH

One trash container and two recycling containers per building are provided by the HOA. Recycling materials are to be placed in the appropriate containers, the containers placed on the curb each Wednesday night for pickup on Thursday morning, and then removed from the curb by Thursday night. Trash is to be placed in the green container, the container placed on the curb each Thursday night for pickup on Friday morning, and then removed from the curb by Friday night. Please coordinate this with your next-door neighbor so that neither one of you is left with the full responsibility of these duties.

4. PETS

Pets are allowed but they must be kept on a leash when outside the confines of the owner's unit, cannot disturb other owners with loud or excessive barking or other noises, and the owner must abide by the "poop-scoop" law, which applies within our Association just as it does throughout Portland. Pet owners need to be responsible for their pets and insure that they are at no time infringing on the rights of other homeowners.

5. PARKING AREAS

A maximum of two vehicles (trucks and cars only - no motorcycles, boats, campers, trailers, etc., except with written consent by HOA Board) are allowed in each carport. The third parking space between buildings is for guests only. All vehicles must be operable and currently licensed. Any vehicle, which does not comply with these rules and regulations is subject to tow at owner's expense. Be aware that these are not storage units.

6. COMMON AREAS

- A. **Definition of Common Areas.** The common areas of the Association are owned and maintained by the Association, and access is shared with the other owners. In our specific Association, the common areas include all lawn and landscaped areas, guest parking areas, southern riverbank property below all units, and outdoor stair access to the riverbank.
- B. **Definition of Limited Common Areas.** Limited common areas are owned by the Association, but maintenance is not necessarily the responsibility of the Association, and access is not necessarily shared with other owners. In our specific Association, the limited common elements include decks, front porch stoops, outdoor stairs, carports and south bank level decks. The non-accessible areas are lower levels and patios of lower levels.

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C. Activities Not Permitted In Common Areas. Certain activities are not consistent with the condominium style of community living. No noxious or offensive activity should be carried on in any common area, or limited common area, nor should anything be done therein which may be or become an annoyance or nuisance to other owners. The following activities are not permitted in the common areas:

i) Car repairs: Car repairs are not allowed in carports or other parking areas. If oil is inadvertently deposited on carport floors, it must be removed by unit owner using environmentally friendly methods (absorbent material such as kitty litter, for example), and should not be washed into the drains or down the riverbank.

ii) Dumping Hazardous Waste/Polluting the River: Do not put anything down outdoor drains or down the riverbank that you would not drink. Paint, oil, even kitchen grease and household detergents are hazardous, and should not be placed into the drains, sewers, or river. Fines for violating this start at \$10,000, and the violator will be held responsible for the fine. In addition, keep all outdoor drains and parking and driveway spaces clean and free from general debris. Do not force leaves or debris down drains.

iii) Feeding Wild Animals: Oregon Fish & Wildlife discourages feeding waterfowl and wild animals. To inhibit the feral animal and homeless populations from making their homes on our property, do not leave food outside, and make sure garbage storage areas are secure.

Note: The above list is not all inclusive or intended to cover every possible application of the guidelines. They are areas in which problems have occurred in the past.

D. Items in Common Areas. The exterior appearance of our Association must be kept in a manner appropriate to maintain and preserve its status as a first-class residential Condominium Association, and certain items cannot be kept in the limited common areas:

- Fencing or screening of any sort
- Jungle gyms, swings, children's toys
- Basketball hoops
- Flammable or toxic materials
- Debris, garbage outside of provided containers
- Tools, equipment or building materials not owned by HOA
- Furniture not designed for outdoor use
- Planters or containers with dead plants
- Appliances

All items stored in carport (including recycling and trash containers) should be positioned neatly next to the concrete carport wall (nearest the street), and cannot exceed the height of the wall. Nothing may be stored between or in front of the car area, or alongside or under the north side of the buildings.

Flowers and plants may be maintained in containers on the front stoop area. Written approval must be obtained for all plantings, hanging baskets and the like in any of the common areas.

South bank common areas are to be kept neat and free of all personal clutter.

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7. REPAIRS OR CHANGES TO COMMON ELEMENTS

The Association has responsibility for all common elements, including decks, outdoor stairs, front porches and carports. Owners may not make any changes to the common elements or maintain, decorate, alter or repair any part of the common elements without the prior consent, in writing from the Board and other owners affected. This means that even though owners can make improvements and changes to their units, if those changes involve any wiring, plumbing, structural elements, etc. specific procedures must be carefully followed. For the most part, owners cannot make any repairs on or changes to exteriors of the buildings, landscaping or to limited common elements. Strict compliance with the proper process is essential so that the Board can ensure that rules are followed and safety and structural standards are maintained. These issues may directly affect maintenance costs as well as the Association's liability and other insurance. The Board policy is not to object to decorative hangings if non-damaging fasteners are used.

8. CHANGES TO EXTERIOR APPEARANCE OF A UNIT

The Oregon Revised Statute 100.535(3) provides that a unit owner may not change the exterior appearance of a unit without permission of the Association Board of Directors. This would apply to changes in windows, doors (including screens), patios, decks, and balconies, which an owner may want to make. The following are exceptions to this rule:

- Finished lower units (third-level build-outs) are to be maintained by the owner.
- Patios installed on a south bank common area of any finished lower unit are to be maintained by the owner.
- Owners may choose their front door materials and style.

In all cases, however, proposed changes must be submitted to the Board in writing so they can insure that standards are maintained and property values are upheld.

9. ATTACHMENTS TO SIDING OR OTHER EXTERIOR SURFACES

No owner is allowed to alter, fasten or attach anything to any exterior surface (common elements) that includes the drywall in all alcoves, railings, roofs, gutters, concrete or asphalt surface, trim, and exterior siding. They may not lean anything against any common element or take any action which could lead to the deterioration of it and thus raise costs to all owners.

10. HOLIDAY AND/OR SEASONAL DECORATIONS

Seasonal decorations are subject to the same restrictions that normally exist. Nothing may be attached to siding or other common elements or places within the general common areas. Free-standing decorations may be placed on decks, balconies and patios, but for the Christmas season, may not be displayed prior to November 15th and are to be removed by January 15th. The Board policy is to not object to wreaths and lighting on porches, decks, patios and balconies if non-damaging fasteners are used.

11. NOTIFICATION OF CHANGE IN OCCUPANTS

The MRH HOA Bylaws requires the immediate notification of the HOA of the name(s) and address of any purchaser, mortgagee, lessee or tenant upon closing. Any changes or additions to the occupants of a unit shall also be communicated to the Board. Additionally, owners are required to notify the Board of Directors of any intended sale of a unit two weeks before closing.

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12. SIGNS

One approved real estate sign is allowed in front of the unit that is for sale. No other signs may be displayed in the common area or visible in the interior of any unit. Directional signs for open houses are permitted only during hours of the open house and must be displayed in a manner that does not harm the common area. Any damage done to landscaping or common elements by anyone who disregards this rule will be repaired and charged to the homeowner of that unit. All signs posted, without consent of the board, will result in a fine.

13. MOVING VANS & HEAVY EQUIPMENT TRUCKS

No moving vans over 30 feet in length or heavy equipment trucks are permitted to drive into the driveways or parking areas. On several occasions, significant damage has been done to the landscaping and light fixtures as the result of careless large delivery trucks. Heavy equipment trucks have exacerbated dangerous erosion under our driveways, carports and parking areas. Damage caused by violating this rule will be assessed to the homeowner responsible.

14. BARBECUE GRILL

Barbecue grills are permitted on decks. Homeowners must insure they are properly stored, covered and maintained. Any damage done to deck surface or siding will be charged to the homeowner. Turkey fryers, open flame pits or any other unsafe cooking surface are not permitted. Dumping spent charcoal or other items of debris in the common area is expressly forbidden.

15. FINING SCHEDULE

Failure of any owner to properly maintain any area of their responsibility as set forth by the Association Bylaws and these Rules and Regulations will warrant immediate Management response. Management shall have the authority to impose a fine and take whatever steps necessary for compliance and to recover costs.

The owner shall receive a letter of warning, and will have ten days to respond, or request a hearing at the next Board Meeting to present their cause. They may contact any Board Member by letter or personal phone call. If there is no response from the owner, Management shall determine the next step. If Management finds there is no just cause the fine shall be imposed by Management.

There shall be certain considerations taken for nonresponse in ten days i.e. out of town, illness, etc.

The schedule shall be as follows:

The owner shall receive a letter of warning.

The owner shall respond to letter in writing or phone within ten days of the mailing of the letter.

With response from the owner, the Board shall determine the next step.

Should fines be levied, they shall increase on a thirty-day basis, from the mailing of the letter, in \$100.00 dollar increments. The first fine being \$100.00.

If the Board has to take action to rectify the offense, the owner shall incur the cost and the fine.

If costs and fines go unpaid, there shall then be a lien placed on the unit.