



ACC Rules and Regulations

The following West Eugene Village ACC Rules, Regulations, and Policies revise the version of the Rules and Regulations adopted by the Board of Directors in July 2011. This updated version is the result of a collaborative effort by the ACC and Board members during the summer and fall of 2014. As with the 2011 edition of the WEV HOA Rules and Regulations, the revision process included feedback and guidance from State, County and City statutes and WEV HOA Owners. This document includes Rules and Regulations for the following:

- Park, Playground, Open Space and Common Area Rules
- Parking and Vehicle Policy Rules and Regulations
- Home Maintenance Policy - Lawn/Yard Care
- Disputes between Neighbors Policy
- Rental Property Policy
- Due Process Policy: Fines and Fees

These amended Rules and Regulations were unanimously passed by the West Eugene Village Board of Directors on December 10, 2015.

Mary Abbott – President

Chuck Parnell – Vice President

Louis Dashofy – Secretary

Kari Reetz - Treasurer

Mary Faber – Member-at-Large



WEST EUGENE VILLAGE



Park, Playground, Open Space, and Common Area Rules and Regulations

The ACC is responsible for enforcing the Park, Playground, Open Space, and Common Area Rules and Regulations. When rules are not enforced by the ACC, they remain under the responsibility of the Board of Directors.

- A. In an emergency situation, the Police, Sheriff, or Fire Department should immediately be called to provide assistance.
- B. Other violations of park rules need to be reported to a member of the Board or ACC. Once the Board or the ACC become aware of an alleged violation, the ACC will initiate a process that follows the procedures detailed within the Due Process Policy.

1. Park, Playground And Open Space Areas

The following rules apply to all "open space" areas of the park. For purposes of these rules, "open space" areas include the lawn, landscaped areas and wetland area adjacent to the park.

2. Park, Playground, Open Space Hours

- a. The park is open from 8:00 a.m. to dusk.
- b. The ACC or Board of Directors can restrict access to the park, playground or open space area during regular open hours upon finding that such restriction is necessary for the preservation of the health, welfare and safety of the residents of West Eugene Village. Upon such a determination, the gates at park entry points may be closed, and appropriate signage will be posted, indicating the hour's access is prohibited.

3. Safety

Child safety in the park is paramount. Children ages 10 and under cannot be left unattended in or at any place for such period of time as may be likely to endanger the health or welfare of such child. The definition of "child safety" is determined by the parent or adult attending to the child in the park.

- a. The attending adult is responsible to ensure that climbing structures are being used safely.
- b. Attending adults are responsible for any child's actions that result in damage or injury.
- c. Should the attending adult believe that a child's well-being is threatened or in danger due to others in the park or by individuals outside the park observing children in the park, the attending adult is encouraged to call 911 in case of an emergency. In the case of general concern, the attending adult should contact a member of the Board, ACC, and/or file a complaint with the local police department

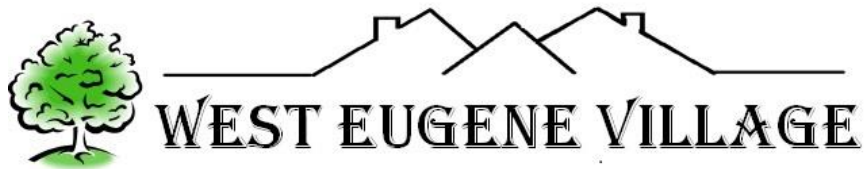
Adult safety in and around the park is also paramount. Neighbors who feel threatened by happenings in the park should call the police and file a report concerning illegal and threatening behavior taking place in our community/private park.

4. Park Property

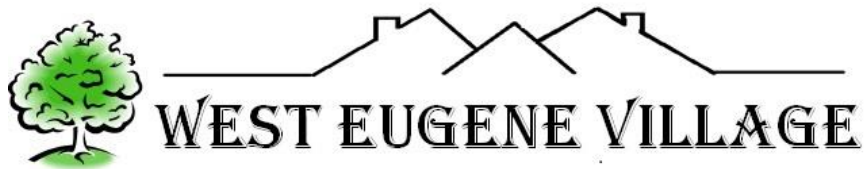
- a. Vandalism and/or graffiti in any form are violations of park rules.
- b. Ashes, cold coals or wood chips must be cleaned out of grills after use. No hot coals should be placed in the trash receptacles
- c. Sand should not be removed or contaminated in any manner.

5. Beverages, Food and Tobacco Products

- a. The consumption of alcohol is permissible within City and State regulations.
- b. No glass containers are allowed.



- c. Grilling or heating of food items over flames or coals must be done in a grill.
 - d. The sale of food is not permitted in the park, playground, or open space areas.
 - e. No smoking of any kind is allowed in the park.
 - f. Visitors are responsible for clean up and removal of waste products.
6. Parking And Traffic
- a. Visitors to the park, playground and open space area should not block access to the mailboxes, block driveways to adjacent homes or park in the no parking zone.
 - b. Drivers should exercise caution when traveling on Olympic Circle near the park as pedestrians may be entering the park from the street.
 - c. Reckless Driving is not permitted and is defined as a person operating a vehicle within the private property of West Eugene Village in a manner that endangers or would be likely to endanger the safety of any person or property. Examples include speeding, improper turning onto streets or driving on sidewalks. Reckless driving should be reported to the police.
7. General Activities
- a. Amplified sound systems must have the written permission of the ACC.
 - b. Picnic canopies are the only temporary structures allowed in the park.
 - c. Music producing equipment must be at a low enough volume so neighbors are not disturbed.
 - d. The park is for family use. No commercial or illegal activity is permitted.
 - e. No fireworks or firearms are allowed in the park.
8. Lost and Found
- a. Items left in the park should be given to a member of the ACC and residents can contact the ACC to check on lost items left in the park. Lost items will be held for at least 60 days and will then be donated to charity if appropriate.
9. Pets
- a. Only Service animals are allowed in the park.
10. Signage in common areas.
- a. With the exception of Lost Pet signs, all signage in the common areas must have prior approval by the Board. Residents and Owners wishing to post signs in the common area must get prior approval by the ACC or the Board. Lost Pet signs may only be placed in the common areas for a period not to exceed 7 (seven) days.



Parking and Vehicle Policy Rules and Regulations

The primary reason for Parking Rules and Regulations is to ensure the safe passage of emergency vehicles along the streets within West Eugene Village and to prevent vehicles from being parked in such a manner that obstructs driveways, sidewalks, walkways, entrances, and fire hydrants.

Responsibility for administering and enforcing the Parking and Vehicle Policy Rules and Regulations is that of the ACC. Rules are enforced by the ACC, but remain under the responsibility of the Board of Directors.

- A. In an emergency situation, the Police, Sheriff, or Fire Department should immediately be called to provide assistance with hazardous and dangerous situations.
- B. Other violations of Parking and Vehicle Policy Rules should be reported to a member of the Board or ACC. Once the Board or the ACC become aware of an alleged violation, the ACC will initiate a process that follows the procedures detailed within the Due Process Policy.
- C. Any exception to Parking and Vehicle Policy Rules and Regulations will need prior approval by the ACC.

Definitions and Terms:

1. "Coming and Going Rule" means bringing in a recreational vehicle into West Eugene Village to load and unload for vacations, holiday or sporting events from time to time for 48 hours or less.
2. "Inoperable vehicle" means a vehicle that does not or cannot move under its own power and is stored on the streets or in a driveway.
3. "Properties" refers to the West Eugene Village Homeowners Association.
4. "Recreational vehicle" means motor home, van or truck-camper, tent trailer, boat and trailer used for recreation or camping.
5. "Speeding" is driving in excess of fifteen (15) miles per hour, and includes reckless endangerment during the operation of a vehicle.
6. "Tow Away Zone" refers to that space adjacent to the curb of a street, pathway, or portion thereof, on which parking has been prohibited, and which is designated as a "Tow Away Zone" by signs and/or markings. The "No Parking" areas are part of the tow away zones.
7. "Motor Vehicle" or "Motorized Device" are considered synonymous and means every vehicle that is self-propelled.
8. "Guest parking" is considered temporary and should not last longer than 24 hours.
9. "Regular Family Use" use is considered to be vehicles that are operational, registered, and used regularly used by family members.

D. Parking Rules

1. Parking of boats, trailers, inoperable vehicles, motorcycles, or any other type of motor vehicles not operated in regular family use must be kept only within the confines of an enclosed garage.
2. Automobile parking in front of garages, in the driveways, on sidewalks or obstruction or barrier to any access which would interfere with any other member's use is strictly prohibited.
3. Parking Area or Zone means the side of the street that has a sidewalk. The "No Parking" is the side of the street that does not have a sidewalk.
4. Residents need to park in their garage and in their driveway. Street parking is only used when driveway parking is not available. Residents are allowed only one street parking space. Guests of residents may also use street parking on a temporary basis.



Parking and Vehicle Policy Rules and Regulations: page 1

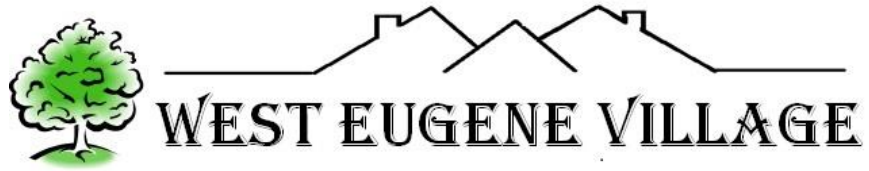
5. "Restricted parking areas" means all intersections, streets, sidewalks, fire hydrants and driveways. In cases of an emergency, construction or delivery vehicles may park briefly while loading or unloading passengers, cargo or materials. Parking within 15 feet of a fire hydrant or within 10 feet of a stop sign is prohibited.
6. Parking on sidewalks and curbs is not permitted.
7. Parking is permitted for recreational vehicles subject to the "Coming and Going Rule."

E. Reckless Driving and Endangerment

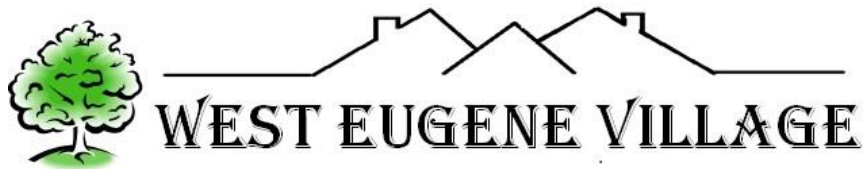
1. Vehicular traffic on the Properties will be limited to fifteen (15) miles per hour as a safety precaution.
2. Operation of a vehicle in a reckless and endangering manner, such as excessive speed or erratic maneuvers, is not permitted.
3. Driving on sidewalks and curbs is not permitted.

F. Automotive Repair

1. Pursuant to CC&R's Section 9.2, no commercial activities may be carried on in a home which would include automotive service, repair or restoration of vehicles other than for the Owner/residents personal vehicle. Automotive repair is permitted if performed inside the Owner/residents garage and not in the driveway or streets.
2. Painting of vehicles within the properties is prohibited.
3. Exceptions to automotive repair restrictions include the permission of the resident to make repairs on the driveway that can be completed in one day from sun-up to sun-down. Prior to sun-down, the driveway area must be completely free of repair debris, tools, and 100% of the vehicle must be resting on the driveway.



Parking and Vehicle Policy Rules and Regulations: Page 2



Home Maintenance and Lawn/Yard Care Policy

Responsibility for administering and enforcing the Home Maintenance and Lawn/Yard Care Policy is the responsibility of the ACC. When rules are not enforced by the ACC, they remain under the responsibility of the Board of Directors. Once the Board or the ACC becomes aware of an alleged violation of the Home Maintenance and Lawn/Yard Care Policy, the ACC will initiate a process which follows the procedures detailed within the Due Process Policy.

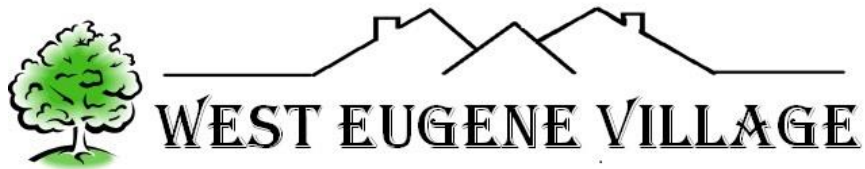
Each Owner and/or Renter is responsible for the normal upkeep of their yards, such as watering, weeding and mowing, crane fly control and the routine pruning and cutting of shrubs/trees and other flora to prevent any overgrowth onto pathways and common areas.

Definitions and Guidelines:

1. "Crane Fly" is a slender, two-winged fly with very long legs. It is similar in appearance to large mosquitoes but does not bite. They lay their larvae in grass and will destroy the yard if left untreated.
2. The "growing season" is defined as the period of year or season during which grass, shrubs, trees, flowers, etc., grow best. The growing season is typically March through October.
3. The "non-growing season" is defined as the period of time between the first frost of one winter and the last damaging frost of winter. The non growing season is typically November through February.
4. A "lawn" is defined as the area planted with grass which is maintained at a low, even height. At least 50% of the front yard must be lawn. The rest of the front yard can be made of up flower beds, a fountain or pond.
5. The "yard" is defined as the space or grounds surrounding a building. This means the visible area on a Lot, including, but not limited to, the foundation plantings, all grass areas, planting beds, trees, flowers, and the driveway area.
6. A "weed" is a plant that is not valued where it is growing. It usually has vigorous growth that tends to overgrow or choke out more desirable plants.

A. Lawn and Grass Care during the Growing Season

1. Lawns must be mowed on a regular basis with the lawn height not to exceed six inches. Owners who fail to maintain the front lawns of occupied or vacant homes will be given a seven (7) day warning. If after seven (7) days, if the yard/lawn is not brought up to standards, the Board of Directors will hire a lawn care service to mow and edge your front yard. A fee of \$70 (\$35 for mowing and a \$35 administrative fee) will be added to the owner's WEV association dues account. In addition, the City of Eugene requires that backyards must be maintained so that yard vegetation is not a fire hazard. Should excessive overgrowth in a backyard become visible from the street and deemed by the Board of Directors and the ACC to be a fire hazard to the WEV community, after notice the owner's name and address will be turned over to the City of Eugene and a complaint will be filed by the WEV administrator. The cost for this filing will be \$35 in administrative fees added to the owner's account.
2. No part of the lawn can run onto paved surfaces such as sidewalks, curbs and common areas.
3. Lawns/plants/shrubbery must be watered on a regular basis.
4. Weeds in lawn, gardens, sidewalks and driveways must be controlled.
5. Lawn debris, including lawn clippings must not be left along the curb, sidewalk or street, and tree and shrub trimmings must be removed from view from the front yard after the maintenance is performed.
6. Crane fly control must be performed at least twice yearly. Insecticide application is most effective between April 1 and April 15 and in October. "Crane Fly Kill" may be applied any time you see activity, but must be applied at least twice a year.
7. Regular fertilizing and moss control applications are recommended but not enforced.
8. All dead plants, shrubs and trees must be removed in a timely manner.



B. Trash Receptacles

1. All trash containers (including recycle and yard waste cans) must be hidden from general view except on trash pick-up day. If containers can be seen from the street, they are not out of view.

Home Maintenance and Lawn/Yard Care Policy: Page 1

2. After trash is picked up, containers must be placed out of sight until the next pick-up day.

C. Signage

1. No sign can be visible to the public view on or from any portion of a lot or home, except "Home/Lot for Sale/Lease or Rent" signs. Per Declaration Section 9.11, one sign is permitted per lot; not to exceed 18" X 24" in size.
2. Placards are admissible i.e. medical - oxygen in use, security/alarm service and FireMed. For exceptions, contact the ACC for Board approval.

D. Satellite Dishes/Antennas

1. Installation of satellite dishes (located at the rear of the home if possible) or security/alarm systems do not need to be pre-approved, but must be installed by a professional/licensed service company.
2. Exterior portable window air-conditioning or similar devices that protrude beyond the window casing must get approval in writing from the ACC prior to installation.

E. Pets

1. Only domestic household pets are allowed in West Eugene Village.
2. Pursuant to City of Eugene Animal Regulations, Chapter 4.330, all dogs must be leashed at all times unless within a fenced yard. Pet owners must pick up all animal waste in their yards and during walks in the neighborhood, and Residents must control odor and barking noise.

F. Exterior Changes

1. All changes to exterior of the residence such as security cameras, decks, patio covers, paintings, accessibility changes, tree removal of trees greater than eight inches in diameter, storage sheds, and flagpoles must be pre-approved in writing by the ACC.
2. Homeowners are responsible for obtaining the proper permits from the City of Eugene before initiating exterior changes.



Home Maintenance and Lawn/Yard Care Policy: Page 2



Disputes between Neighbors Policy

Be it resolved that the Board of Directors and the ACC will not become involved in any neighbor-to-neighbor disputes that do not fall within the guidelines set forth by the Declaration, Bylaws and Rules and Regulations of West Eugene Village. Also noted is that, in the resolution of disputes, West Eugene Village is governed in the following order by Federal Law, State Law, County and City Ordinances, Declarations and Bylaws, and the most current Rules, Regulations, and Resolutions passed since the adoption of the Declarations and Bylaws.

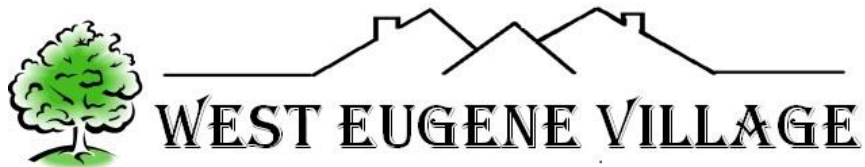
Any time there is an alleged violation of the Declarations, Bylaws or Rules, Regulations, or Resolutions reported by a resident, the following procedures will be followed:

- The neighbor will notify the Board of Directors or the Chair of the ACC if the violation is ACC related.
- The Board of Directors and/or the ACC will investigate the alleged violation and follow the procedures set out in the Due Process Policy to ensure due process for WEV residents.

This Resolution is in effect as of September 15, 2014 with a unanimous vote by the Board of Directors



WEST EUGENE VILLAGE



RENTAL PROPERTY POLICY

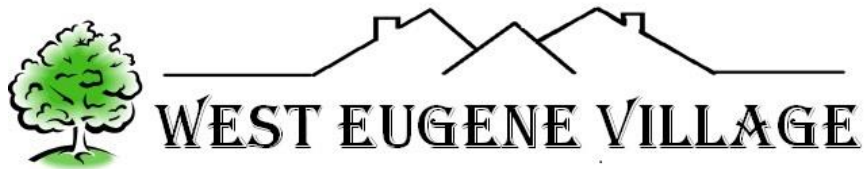
Responsibility for administering and enforcing the Rental Property Policy is that of the ACC. When rules are not enforced by the ACC, they remain under the responsibility of the Board of Directors. Once the Board or the ACC becomes aware of an alleged violation of the Rental Property Policy, the ACC will initiate a process that follows the procedures detailed in the Due Process Policy.

Owners are permitted to transition their home to a rental property as long as they and their renters comply with the provisions set forth in the Declaration of Conditions, Covenants and Restrictions of West Eugene Village Homeowners Association. For the benefit of all residents, the following information is provided:

Pursuant to the Declarations, Section 9.3," no Owner is permitted to lease his or her Home for transient or hotel purposes. No Owner may rent less than his or her entire Home. Any lease agreement is required to provide that the terms of the lease are subject in all respects to the provisions of this Declaration, the By-Laws and Rules and Regulations of the Association and the Oregon Landlord Tenant law, that any failure by the lessee to comply with the terms of such documents will be a default under the lease. The Board of Directors, at its sole discretion, may require termination of the tenancy in the event of any such breach by the tenant. All leases will be required to be in writing. Any such lessee will be entitled to the use and enjoyment of the Common Area, provided an Owner may not sever the right to the use and enjoyment of the Common Area from the right to occupy his Lot and the improvements thereon by means of lease or otherwise. For purposes of this Section, the term "lease" includes, without limitation, a month-to-month rental arrangement. Other than the foregoing, there is no restriction on the right of any Owner to lease his or her Home."

What this paragraph means is that an owner may rent his or her home as a single-family dwelling. The home may not be rented to a group of people as in a co-op, boarding home, with multiple-tenancy, as a hostel, or student housing. Owners are responsible for ensuring that the tenant receives and agrees to the CC&R's and that any lease or month-to-month rental agreement can be terminated for events that are not in compliance with the HOA Bylaws, Declarations or Rules & Regulations.

If you use a Management Company or Real Estate Agency to oversee the rental agreement, the Owner is still responsible for ensuring that the Management Company or Real Estate Agency understands the Bylaws, CC&Rs, and Rules and Regulations. This is especially important when it comes to parking, lawn/yard care and pet restrictions.



Due process for Owners Policy: Fines and Fees

Whereas, Article VIII of the Bylaws, Section 6 of the CC&Rs, and ORS 94.777 and 94.780 set forth conditions for compliance with established rules and regulations.

And whereas, the Board of Directors and the ACC are responsible for ensuring compliance of the established rules and regulations and failure to comply with the established rules and regulations are grounds for action.

And whereas, Owners have rights as well as responsibilities,

Therefore, be it resolved that the Board adopts the following policy defining the due process for owners that may potentially result in fines and fees levied for noncompliance of ACC Rules and Regulations. The Board may:

- Create an Owner Compliance Plan that specifies the consequences for noncompliance.
- Levy a fine up to \$50 for each offense with the discretion to levy up to \$50 daily fine until the compliance is achieved.
- Hire an outside contractor to bring the owner into compliance with rules and regulations.

Prior to the Board levying a fee or hiring an outside contractor, the following due process procedures must be followed.

1. A member of the ACC must make at least two documented attempts to contact the Owner through email, phone, and/or in person to discuss the violation. These include violations by any member of the Owner's household, an Owner's guest, contractor, invitee, and/or tenant. Should the alleged violation fail to be resolved;
2. The Owner must be advised in writing by the ACC of the alleged violation and of the potential penalty that could be imposed. The owner will be given seven (7) days to resolve the violation or create a written, signed plan that identifies the steps toward compliance.
3. Should the violation continue to be unresolved; the owner will be advised by the Board in writing by certified mail that the issue of Owner's violation has been placed on the WEV HOA Board agenda of a scheduled Board meeting of the WEV HOA.
4. During the discussion of the agenda item for the alleged violation, the owner has the right to speak in person, send a designee to speak for him or her, or submit a written statement. The Board will make a final decision regarding the violation and may levy a fine and/or hire a contractor to bring the owner's property into compliance with ACC Rules and Regulations.
5. The board may create an Owner Compliance Plan that addresses a specified area of non-compliance. Within this written Owner Compliance Plan the Board may state specific ACC actions that can be taken to immediately hire a contractor to bring the Owner into compliance. The Owner Compliance Plan must have a specific begin and end date. Upon expiration of the Owner Compliance Plan, the steps of due process must again be completed.



6. The Owner will be responsible for the payment of any fine or other penalty imposed by the Board. If any fine or contractor fee imposed on the Owner by the Board is not paid within thirty (30) days of the Owner receiving written notice of the penalty assessment, the penalty assessment will be added to the amount of the monthly assessments, known as the assessment of common expenses, that are charged to the Owner. This assessment will be enforced as an assessment in accordance with the CC&Rs and By-laws.

Due Process Policy was adopted by a unanimous vote of the Board of the Board of Directors on September 29, 2014.