

DRAFT FOR COMMENT
Proposed Rules for Bella Beach
September 18, 2006

Rules for Homeowners:

Emergency Contact Information:

All HOA members are required to maintain current emergency contact information on file with the HOA. This information will be used for notification purposes in the event of an emergency or other property-related issue.

Required Information:

- Bella Beach Lot Number
- Bella Beach Street Address
- Owner's Name
- Owner's Mailing Address
- Owner's Telephone Number

Optional Information:

- Owner's Email Address
- Alternate Phone number(s)

HOA members may choose to list their rental/property management company as their preferred emergency contact.

Owners may also 'opt-in' to having some or all of their contact information available in a password-protect section of the www.BellaBeach.org site. This section will be available only to other HOA members.

HOA members will have 30 days from the time the Board approves the rule (and distributes the form) to submit their emergency contact information.

Failure to submit emergency contact information after the 30 day period will result in a \$xx per month fine. Failure to keep the information up to date (i.e. if there is a problem and the information provided is no longer valid) will result in a \$xx fine.

Rules for Homeowners Who Rent Their Homes:

1. The Occupancy Rule: Homeowner's who rent their properties shall designate the maximum occupancy for their rental home. The sleeping or nighttime occupancy of rental homes shall be limited to the number of persons that has been designated by the homeowner. That number will become the legal maximum number of overnight guests for the home. In any event, the maximum number that can be in any home is the number of bedrooms times three (for example, a three bedroom home could designate its occupancy to be not more than 9 persons). However, a homeowner may designate a larger number upon the approval of the Board of Directors of BBHOA. Homeowners at their option may also designate a daytime occupancy maximum number that is larger than the sleeping or nighttime occupancy number to allow for larger limited-in-time gatherings in their home. E.g. – if the sleeping capacity is 9 persons and the gathering capacity is 12 persons, then if there were 13 or more persons in the home, it would be a violation of the rule.
2. Homeowners can designate their home to be “pet friendly” and allow up to 2 dogs on their property
3. Automobiles are limited to 3 automobiles per property. Only one of the three allowed automobiles may be parked on the street. Primary parking areas are off-street (driveways, garages and alleyways). This rule applies to renters, temporary visitors, and guests of renters.

Rules for Management Companies:

1. Home owners must use a property management company which has been approved by the HOA board of directors. If a homeowner continues to use a management company that has not been approved after 30 days written notice the homeowner will be assessed a fine of \$500 per month.
2. Management companies who manage rental properties within Bella Beach must do the following to be approved:
 - a. Submit an application for approval that includes:
 - b. A copy of any required local business license, a “certificate of good standing” from the Oregon Corporation Division, and its federal tax identification number.
 - c. Provide a telephone number that will be answered 24/7.
 - d. Provide a list of all BB properties being managed; the list would include the property name, address and lot number.
 - e. Provide proof of liability insurance in the amount of \$1 million dollars with BBHOA listed as an additional insured.
 - f. Sign an agreement with the BBHOA in which it promises to:
 - i. Incorporate BBHOA rules for renters as a part of the rental agreement with renters.
 - ii. Agree to enforce the violation penalties imposed on rule violators.
 - iii. Agree to collect rule violation penalties from any renter who has violated BBHOA rules.
 - iv. Insure that there is a sign posted in the rental property which sets forth BBHOA rules for renters together with the fine schedule.
 - v. The rental agreement allows the management company and the BBHOA designated security company to enter the rented premises for the purpose of monitoring and enforcing the occupancy and pet rules.
3. The BBHOA will attempt to process property applications within 30 days of receipt.
4. Homeowners may rent their own properties without using a management company, but they and their renters are subject to the same rules as management companies all other renters.

Rules for renters:

Bella Beach is an attractive residential community designed and developed by Casey Roloff. Bella Beach features charming Oregon coast homes in a traditional neighborhood. Set in a native spruce and pine forest that meets the ocean shore, Bella Beach is one of the most beautiful communities on the Oregon coast.

Bella Beach is unique not only in design, but also in the fact that homeowners can rent their homes to the general public.

As a rental guest it is important to remember that you are coming into a community where people live and visit because of its charming atmosphere.

There is a mix of people at Bella Beach. Some live here all year round, some use Bella Beach as a weekend retreat, and others place their homes into the rental market.

Bella Beach is not a resort or a motel. It is not a place for boisterous parties or large gatherings. We have quiet hours (10 PM to 10 AM) and other rules, which are listed below, and they are enforced.

We want all of our guests to have a pleasant and enjoyable stay. We know you will like your housing and the atmosphere of Bella Beach. We want you to leave having had a peaceful, enjoyable stay.

1. Maintain quiet hours between 10 PM and 10 AM
2. Maintain reasonable noise levels at all times
3. Hot tubs are to be used only between the hours of 10 AM and 10 PM.
4. Keep your dog on a leash in all outdoor areas
5. Pick up after your dog
6. In pet friendly rentals, no more than 2 dogs are allowed.
7. The home you are renting has a maximum occupancy. Do not exceed this number.
8. Do not have more than 3 automobiles parked at any rented home. Of the three automobiles only one automobile may be parked on any of the Bella Beach neighborhood streets (primary parking is in the garages, driveways and alleyways).
9. RV's, trailers, campers, and boats are not allowed to be parked in Bella Beach at any time.
10. Do not block access to trails on the Bella Beach property.
11. Do not park within 10 feet of any fire hydrant.
12. Do not block any fire lane (a 20 foot clearance must be maintained on all roads at all times)
13. No weddings, receptions, or reunions allowed in the common areas
14. No organized gatherings allowed in any common area.

An organized gathering is:

1. where there are more than 20 people in attendance, and/or
2. there is catered food and/or

3. there are rented tables, chairs or tents and/or
4. amplified music

Parking:

Owners and guests are required to park first in garages, driveways, alleyways. If necessary, overflow parking can occur on the streets of Bella Beach per rule No. 8.

Fine Schedule:

1. Noise violation for making a disturbance during quiet time hours – 10 PM to 10 AM - \$250
2. Using a hot tub after 10 PM - \$250
3. Noise violation for making a disturbance at any time that disturbs the peace and quiet of Bella Beach \$250
4. Violation of the pet policy for the home you are renting - \$250 per day or night per pet.
5. Not picking up after your dog - \$250
6. Leaving a barking dog in a home or in an automobile - \$250
7. Not having your dog on a leash in the common areas - \$250
8. Having more guests than the designated maximum - \$500 per person per day or night.
9. Having more than three vehicles per home - \$250 per vehicle per day or night
10. Parking in front of a fire hydrant, blocking a fire lane, parking in front of walkway entrances - \$250 plus towing expenses.
11. Parking an RV, trailer, camper, boat, and any vehicle that is not an automobile - \$250 per day or night.
12. All fines double on the second offense.

Rules for Signs:

“For Sale” Signs:

1. As per the CC&Rs, one ‘For Sale’ sign is permitted in the front yard or in a window. All signs must meet Bella Beach HOA specifications as defined below.
2. One additional ‘Open House’ sign is allowed for the duration of the open house only.
3. Signs are not allowed in common areas or at the entry to Bella Beach.
4. ‘For Sale’ Yard Sign Specifications:
 - i. Length: 24 inches
 - ii. Height: 9 inches
 - iii. Top of sign: 24 inches off grade
 - iv. Materials: Wood, vinyl or high-density urethane
 - v. A “flyer box” is allowed to be attached to one of the sign support posts
4. ‘For Sale’ Window Sign Specifications:
 - i. Length: 36 inches
 - ii. Height: 24 inches
5. From time of board approval, realtors and owners will have 30 days to comply before enforcement of new rule begins. After initial 30 day period, signs not meeting Bella Beach specifications will be removed and the realtor and homeowner notified. Confiscated signs will be held for pickup by realtor for seven days. After that time, they will be recycled.
6. Once the rule is in effect (after initial 30 day period), home owners or realtors placing new signs that do not meet Bella Beach specifications will be notified. If infracting signs are not removed or replaced within 72 hours, they will be confiscated by HOA management. Confiscated signs will be held for pickup by realtor for seven days. After that time, they will be recycled.
7. Repeat violations will be subject to confiscation and a \$250 per occurrence fine to the homeowner.

“For Rent” Signs:

As per the CC&Rs, one rental sign is allowed per property.

Signs advertising rental availability of a property in Bella Beach must meet the following requirements:

- Size may not exceed 144 sq. inches.
- Sign may be affixed to house or railing.
- Designs must be submitted to Architecture Review Committee for approval.
- Sign must list a phone number that is answered 24x7.

This includes any signs that include one or more of the following:

- The name of a property management company
- A website address or phone number
- Wording indicating that the property is available for rent or lease

This rule is not intended to restrict “house name” signs that do not indicate the property is available for rent.

Homeowners with existing rental signs on their property will have 30 days from the date of board approval of this rule to submit the designs to the Architecture Review Committee.

The Architecture Review Committee will attempt to review and approve or reject sign designs within 21 days. A rejection will include information on the corrective steps necessary for reconsideration at a later date.

Existing rejected signs will need to be removed pending corrective action and approval by the Architecture Review Committee. Failure to remove rejected sign within 5 days will result in a \$50 per day fine.

New signs, placed after this rule is in effect, which are in violation of the rule will result in homeowner notification with 5 days to remove. After that time, a \$50 per day fine will apply.

Rules for Satellite Dishes and Other Antennas:

1. Satellite dishes with a diameter of one meter or larger require the approval of the Home Owners Association prior to installation. The concern of the Association is to minimize the aesthetic impact of the dish on the neighborhood. FCC regulations have nullified HOA conditions placed on smaller satellite dishes and other communications antennas. However, owners are asked to voluntarily place dishes and antennas in inconspicuous locations, in order to minimize the negative impact on the neighborhood. Bella Beach is appreciative of residents who voluntarily follow these guidelines:

- i. Painting the dish a dark gray color does not affect the reception and renders the dish inconspicuous.
- ii. Dish should not be visible from front of house.
- iii. Dish should not be placed so that top edge is higher than top of house.
- iv. Dish should be attached to main structure of house or garage (Not on a pole, post, fence, etc.).