

## **Bella Beach HOA Community Rules – Accepted Spring 2019; Revised Summer 2021**

1. Quiet hours are from 10:00 p.m. to 8:00 a.m.
2. Hot tub and fire pit usage is not allowed during quiet hours (currently 10pm-8am). **Use during quiet hours is a violation and subject to a fine.**
3. Reasonable noise levels must be maintained at all times.
4. Parking – The parking of RV's, trailers, campers, boats, motorcycles, etc. is not allowed in Bella Beach at any time. Parking is limited to the number of automobiles that can be parked on site, plus one on the street, if needed. Parking should not block any pathways or alley ways at any time. Fire lanes must remain open at all times – a 20-foot clearance must be maintained on all roads at all times. Do not park within 10 feet of a fire hydrant.
5. No organized gatherings, weddings, receptions or reunions are allowed in any of the parks or common areas. An organized gathering is more than 20 people with catered food and/or rented tables, chairs, tents and/or amplified music. Group fires are prohibited in the common areas.
6. Pet rules – Pets must be on a leash in all public areas of Bella Beach. Owners are responsible for picking up after their pets. There is a 2-dog limit per home. Dogs should never be left unattended in cars.
7. Beach rules – Beach access is via the stairs only. Again, clean up after your pet, and yourself. If you take it to the beach, take it back with you. Help protect erosion by not climbing or digging on the seawall. Watch out for rolling logs and sneaker waves. Be aware of tide changes. Beach fires should **always** be extinguished with water, not buried with sand.
8. Garbage is to be picked up regularly. Trash cans should be kept out of public view as much as possible. "Out of public view" means (1) enclosed within a fence, building, or other suitable screen, or (2) at least 50 feet from the road, neatly stored against a fence of building, and visible only through a small arc of view by a passerby. (adopted 3/6/21). "Reasonable period of time" for garbage cans to remain beside the road means not more than one day before or one day after pickup. (adopted 3/6/21)
9. The State prohibits fireworks on the beach. Only Oregon legal fireworks are permitted in the Bella Beach neighborhood.
10. Cannabis in any form may not be used in public areas. Smoke from marijuana consumed on private property or in private homes may not affect adjacent public or private property. Marijuana consumed in view of the public is considered public consumption. Rental agencies and homeowners may contractually impose more stringent restrictions on marijuana and smoking, including prohibiting it altogether.

Growth or cultivation of Cannabis plants on private property in the HOA cannot be in plain view, i.e. the plants may not be visible from any reasonable vantage point including upper floor windows and elevated decks. Cultivation or growth is not permitted in common or public areas.

11. Occupancy is limited to the number specified on the Lincoln County vacation rental dwelling license.
12. Rental Owners are required to post emergency contact information on the outside of homes. Evacuation information, in case of a Tsunami, along with other pertinent information, should be posted in all homes.
13. The following information is for those who have or are thinking of creating fire pits and have BBQ's available for use on their properties. This comes via a "fact sheet" provided by the Depoe Bay Fire District.

It is against the law to conduct any open burning that:

- a. **Unreasonably interferes with enjoyment of life or property**
- b. **Creates a public or private nuisance**
- c. **Is a hazard to public safety**
- d. **Results in smoke that substantially impairs visibility on a roadway**

Recreational/Warming Fires – Recreational/Warming fires include the burning of materials other than rubbish where fuel being burned is not contained in an incinerator or other approved container and with a total fuel area of 3 feet or less in diameter and 2 feet or less in height. **Recreational and warming fires shall not be conducted within 25 feet of any structure or combustible material.** Maintain a 10-foot fuel break around the fire. This includes beach fires.

Barbecue pits in open locations shall be constructed of approved noncombustible materials. Barbecue pits outside of buildings shall not be located within 25 feet of combustible walls or roofs or other combustible material.

Ember producing grills on wooden decks should be of extra concern to owners.

14. "For Sale" Signs – As per the CC&Rs, one (1) "For Sale" sign is permitted in the front yard or in a window. All signs must meet Bella Beach HOA specifications as defined below.
  - a. Yard Sign Specifications: 24 inches in length by 9 inches in height, with top of sign 24" off grade. Materials may be of wood vinyl or high-density urethane. A "flyer box" is allowed to be attached to one of the sign support posts.
  - b. Window Sign Specifications: 36" in length by 24" in height.

- c. Sign Placement: Yard signs must be placed on the property for sale. Signs may not be placed in any of the Bella Beach common areas. Signs may not be placed at the entrance to Bella Beach.
- d. One additional "Open House" sign is allowed for the duration of the open house only.
- e. Signs not meeting Bella Beach specifications will be removed and the realtor and homeowner notified. Confiscated signs will be held for pickup by the realtor for five days. After that they will be recycled.
- f. Repeat violations will be subject to confiscation and a \$250 per occurrence fine to the homeowner.

15. "For Rent" Signs – As per the CC&R's, permanent "For Rent" signs are not allowed in Bella Beach.

This includes any sign that includes 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 **small, tasteful** "house name" or "**cottage**" signs that do not indicate that the property is available for rent. **This rule also is not intended to preclude unobtrusive placards mounted in windows or elsewhere on or near a home whose primary purpose is to comply with the Lincoln County Vacation Rental Dwelling Ordinance. A Homeowner may be required to remove or revise a sign meeting the above definition of a "for rent" sign that is found by the Architectural Review Committee to be obtrusive or objectionable. Homeowners failing to comply with a take down date specified by the Architectural Review Committee may be assessed a \$50 per day fine.**

**Small signs currently posted by Meredith Lodging and Bella Beach Vacation Rentals which meet the above definition of for "rent signs" which fulfill requirements of the Lincoln County Ordinance have been pre-approved.**

Temporary "For Rent" signs are allowed by the CC&Rs. A temporary sign is defined as meeting the following requirements:

- Transportable (i.e. not attached to a house, post, railing or other permanent structure. "A-frame" display signs are an example of a transportable sign.)
- Limited Display Time (Temporary signs may not be displayed for more than 7 consecutive days and may not be left out overnight.)
- Temporary signs may not be placed in any of the common areas or at the entrance to Bella Beach.

All temporary signs must be approved by the Architecture Review Committee. Unapproved temporary signs are subject to the same fines as permanent signs. 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.