

The Hills of Neskowin Owner's Association
Fines Resolution
Exhibit II

LIST OF RULES AND REGULATIONS

The included list of Rules and Regulations (R&R) is not comprehensive but an explanation of specific CC&Rs and Bylaws. CC&R or Bylaw violations not listed or specified within the R&R will result in reasonable fines within the Schedule of Fines per violation, based on like fines for that section of the CC&R, Bylaw or R&R. The following list includes, but is not limited to:

A. **Animal Nuisance CC&R 5.21**: REASONABLY CONTROLLED ANIMALS/NUISANCE:

"5.21 Animals. No animals of any kind shall be raised, kept or permitted other than a reasonable number of domestic household pets which are not kept, bred or raised for commercial purposes and which are reasonably controlled so as not to be a nuisance to other Lots."

Tillamook County Animal Control laws (Ordinance #64) shall be followed on all HON HOA public areas with the following exception:

The main Common area located on upper Pacific Overlook Dr. can be an off leash play area. Dogs must remain under voice control and cannot leave the Common area to any public area, including the road. Pets must be put back on leash at any request.

All pet related violations, except those involving an attack, will receive one warning notification prior to the Fine Schedule being implemented.

The violations resulting in assessed fines listed are included but not limited to the following:

1. Pets roaming unattended.
2. Verified harm to another pet or person by any pet.
3. Leaving animal waste on any public or private area not the Owner's, including within 15 feet of the road.
4. Excessive barking that can be heard from another lot or from the common areas for longer than 15 minutes.
5. Failure to comply with Tillamook County Law.

Class C, per occurrence, except Rule A.2, Class A, per occurrence

B. **Short Term Rental CC&R 5.3**: SHORT TERM RENTALS.

"5.3 Rental of Homes. An Owner may rent or lease such Owner's Home or a portion thereof, provided that the following conditions are met: (a) The Owner or Owner's Rental Agency enter into a written rental or lease agreement with tenant specifying that (i) the tenant shall be subject to all provisions of the Codes, Covenants, and Restrictions, and (ii) a failure to comply with any provision 8 of the Codes, Covenants, and Restrictions shall constitute a default under the rental or lease agreement; (b) The period of the rental or lease is not less than 30 days; (c) The Owner or Owner's Rental Agency gives each tenant a copy of the Declaration, Bylaws, and Rules and Regulations; (d) The use of an Owner's home by family or friends for any length of time without profit is not considered a rental property and is not subject to rental restrictions."

The violations resulting in assessed fines listed are included but not limited to the following:

1. Any short-term rental less than 30 days.

Evidence presented should include documentation and may include:

- A. An Owner's residence is observed to have frequent, multiple groups of guests.
- B. Frequent rental cleaning services.
- C. Renter admittance.
- D. Other evidence that a home is being used as a short-term rental.

Tillamook County Community Development may be notified unless appropriate documentation is presented by the Owner.

Class A, accrues per daily occurrence.

C. Parking CC&R 5.6: VIOLATIONS TO BE SUBJECT TO FINE.

"5.6 Parking. Parking of commercial vehicles, boats, trailers, motorcycles, trucks, truck campers or other recreational vehicle or equipment shall not be allowed on any part of the Property or Common Area or Private Ways (unless approved by the Board as to the specific location within the Common Area and exact duration of stay), except only if or within the confines of an enclosed garage or screened area, the plans of which shall have been reviewed and approved by Design Review prior to construction, 9 and no portion of the same may project beyond the screened area. No vehicle owned, rented, borrowed or under the control of the occupant of the dwelling located on the Lot shall be allowed to be parked on the street/roadway area. Vehicles owned by others who are guests of the occupants of the dwelling may be parked on the driveway servicing the dwelling not to exceed fourteen (14) days or street adjacent thereto not to exceed seventy-two (72) hours. In no event shall any Owner park or store wrecked or partially demolished vehicles on his Lot for any period of more than two (2) days."

The violations resulting in assessed fines listed are included but not limited to the following:

1. Vehicles parked in violation of 5.6. not corrected immediately upon notification.
2. Homeowners parking their unscreened RVs on their property for over 24 hrs or on the road for over 6 hrs to load and unload. RVs parked on roadways during non-daylight hours.

Class B, accrue daily.

D. **DRC Stop Order CC&R 8.2:** NONQUALIFYING IMPROVEMENTS AND VIOLATION OF USE RESTRICTIONS.

The violations resulting in assessed fines listed are included but not limited to the following:

1. An Owner given a Stop Order toward a construction or renovation project that does not stop or restarts the project until the project is approved by the HOA Board.

Class B, accrues daily.

E. **Non-Payment: CCR 7.5, 8.3, 8.6, 8.7:** FINES FOR NON OR LATE PAYMENT.

Unless alternate payment arrangements have been agreed to by the HOA Board, fines and interest will be assessed for the following violations including, but not limited to:

1. Assessments are not received within thirty (30) days from the statement due date.
2. Fine payments are not received within fourteen (14) days from origination.

Additional notices are not required.

The annual assessment statement will provide the Schedule of Fines for late payments and is considered adequate notification.

Class B, per 30 days