

Cannery Loft Condominiums Owners Association, Inc.

Resolution Number 4— General Community Rules

WHEREAS various Articles, including Article 3, Section 3.7 Powers and Duties, and Article 7.5 Restrictions & Requirements Respecting Use of Condo Property, including Section (m), Association Rules and Regulations, of the Bylaws for Cannery Loft Condominiums Owners Association, a nonprofit corporation formed under the laws of the State of Oregon, provides for the Association to have authority to manage the affairs of the community and authorizes the Board of Directors of the Association to establish and promulgate rules and regulations;

AND WHEREAS, it is the intent of the Board of Directors of the Association to replace the entire document of the original “Cannery Lofts Condominiums Owners Association, Inc. Resolution Number 4 – General Community Rules” dated “4-5-07” with the entire text contained herein, as follows;

AND WHEREAS, it is the intent of the Association to have rules that provide for a good neighbor policy, maintenance of a clean, healthy, and attractive community, and promoting harmony;

AND WHEREAS, we are living in close association with our fellow residents and common courtesy dictates that our actions not infringe on the rights of other residents. These Rules are designed to ensure that each of us achieves the maximum enjoyment of our homes. Every member of the community – whether owner, tenant or guest – must abide by the standards of the community and comply strictly with these Rules to promote a “good neighbor” atmosphere. Each owner is fully responsible for the compliance of their family members, guests, tenants and other occupants of the unit while they are within Cannery Lofts boundaries.

NOW THEREFORE, BE IT RESOLVED THAT within the Cannery Loft community it is expected that owners will be responsible citizens who will take pride in their community and in being good neighbors. The following rules are intended to be merely a beginning to the courteousness expected here:

BALCONIES¹

- A. Balconies are limited common areas. Owners are responsible for keeping balconies clean and free of debris.
- B. Nothing shall be hung on or from the railings that may detract from the appearance of the building or create a hazard or maintenance problem. Garments, rugs, laundry, bedding, storage containers, equipment or other similar items may not be hung in or from the windows or decks or along outside walls. Signs, posters, reflective surfaces, cardboard or similar materials are also not allowed.
- C. Bird feeders or other items that attract animals or birds are not allowed.
- D. Rugs, carpets and mops shall not be beaten or shaken on balconies. No dirt or rubbish shall be swept or thrown from balconies.
- E. Waterproof containers shall be placed under all flowerpots to prevent seepage and fouling of other units.
- F. The following items are allowed to be kept and used on balconies:
 - a. outdoor furniture such as tables and chairs;
 - b. gas and non-smoke producing barbecues (propane & wood pellet fuels only);
 - c. plants with waterproof drip pans;
 - d. seasonal and decorator items;
 - e. awnings, umbrellas, shades or other balcony equipment if secured to prevent movement from wind or other forces.
- G. The Board will consider written requests for other items to be allowed.

COMMON AREAS²

- A. Common areas and limited common areas must be kept in good order and free of rubbish, trash, garbage, recycling materials or other waste except in sanitary containers in the designated areas.
- B. No changes or modifications (e.g., including painting, repairs, structural modifications and replacements) to common areas are permitted without Board approval.
- C. No personal items are to be placed on the floors or walls of the common areas. Personal property may not be stored or placed in any common area unless approved by the Board.
- D. If common areas are left in an untidy or unsanitary manner, the Association will charge a cleanup fee to the owner of the unit who created the problem.
- E. Exterior antennas or satellite dishes shall not be permitted except with the approval of the Board of Directors.
- F. Fire doors shall be kept closed at all times. Do not prop fire doors open for any reason.
- G. Notices shall be posted only on the lobby bulletin board of each building.

¹ BALCONIES -- See also: Bylaws, Article 7, Maintenance and Use of Condo Property; Sec 7.5(c): Offensive or unlawful activities; and Sec 7.5(f): Windows, Decks and Outside Walls.

² COMMON AREAS -- See also: Bylaws, Article 7, Maintenance and Use of Condo Property; Sec 7.1(b): Maintenance and Repair; and Sec 7.5(b): Use of Common Elements.

- H. Owners and residents may not add or remove vegetation from any part of the premises.
- I. Running and playing are prohibited on the stairways or in or about the corridors, lobbies or elevators.

FIRE

- A. Fire on balconies is allowed only for cooking and barbecuing (not ambiance, heat, etc.). Fire pits are not allowed.
- B. Cooking and barbecuing on decks must be continually monitored; fires must never be left alone.
- C. Fire on the balconies is a very serious life and safety issue. Owners are asked to exercise extreme caution. See the Enforcement Policy (Addendum Number 3 at the end of this Resolution) regarding a specific fine for this violation.

GARBAGE & RECYCLING³

- A. All refuse and waste material shall be wrapped and contained securely in plastic or paper bags before placing in the trash chute. Odorous or rotting materials shall be totally sealed prior to disposal and placed directly in the trash room.
- B. Materials suitable for recycling shall be properly sorted and placed in correct recycling bins. No recyclable material should be placed in the trash chute.
- C. Hazardous and volatile materials shall not be placed in the trash chute, bins or recycling area. Such materials should be disposed of in accordance with state and local laws.
- D. Do not place oversized items or trash bags in chute that may block the trash chute.
- E. Bringing garbage from another residence is not permitted.

GENERAL OCCUPANCY⁴

- A. Residential units are to be used solely for residential purposes. Owners may have a home office provided that they do not receive commercial traffic (customers) that may affect building security and quiet enjoyment by other residents.
 - a. A home office may generate no additional traffic in the building, generate no disruption or disturbance, cause no additional wear to the property and imply no liability for the Association.
 - b. Signs may not be displayed from any residential unit. A sign is defined as any advertisement, banner, license, placard, poster, board or similar messaging device.
- B. No owner may make any structural alterations in or to his Unit, or alter the exterior design or color of any part of the Owner's Unit normally visible from the exterior thereof without the prior written approval of the Board of Directors.

³ GARBAGE & RECYCLING -- See also: Bylaws, Article 7, Maintenance and Use of Condo Property; Sec 7.5(i): Trash.

⁴ GENERAL OCCUPANCY – See also: Bylaws, Article 7, Maintenance and Use of Condo Property; Sec 7.2(a): Additions, Alterations and Improvements; and Sec 7.5(a): Use of Units.

- C. Commercial units may be used for any retail, commercial or professional purposes permitted by applicable zoning regulations; provided, however, that Commercial units may not be used for sales of pornographic or erotic videos, adult literature, objects or similar merchandise, used as a gym, nightclub, bar or any other facility providing nighttime entertainment.
 - a. Signs may not be attached to the outside of the building or displayed to public view except approved signs pertaining to the commercial units.

KEYS

- A. Unit owners are strongly advised to provide the Property Management Company with a key to their unit(s).
- B. Keys will be kept secure, and used in the event of emergencies (e.g., water leaks, fire) that must be addressed to protect adjacent owners' property.
- C. Keys may also be used for scheduled non-emergency Board-approved repair work inside the units. Unit owners will be notified in advance so they can be present if they wish.
- D. Owners are advised that the Association has an easement to enter units to make Board-determined repairs. The property manager will make every effort to enlist the assistance of all owners when scheduling repairs. In the case of an owner who does not work with the property manager to arrange access to his/her unit within a reasonable amount of time, the following steps may be taken:
 - (1) notification to the unit owner of the time and date that the unit will be accessed;
 - (2) certified letter to the unit owner with the same information; and
 - (3) management entrance to the unit to fix the problem.
- E. Per Association Bylaws, any damage resulting from an adjacent unit will result in liability of the offending unit. By allowing Property Management to keep keys, if an emergency occurs, property damage can be limited by faster access to a unit that is not occupied.
- F. Landlords are responsible to obtain common areas keys from renters before the renter moves out.

NOISE⁵

- A. All occupants are entitled to the peaceful enjoyment of their unit.
- B. In general, noise shall not be audible from any unit or balcony.
- C. Loud playing of radios, televisions, musical instruments, boisterous talking, or other excessive noise is not allowed.
- D. Noise is regulated by local governmental agencies, and all excessive noise is prohibited. If noise emanating from any unit is disturbing others, the person(s) affected should contact the noisy neighbor directly. If the situation cannot be resolved neighbor-to-neighbor, the

⁵ NOISE -- See also: Bylaws, Article 7, Maintenance and Use of Condo Property; Sec 7.5(c): Offensive or unlawful activities.

person(s) affected should phone the Astoria Police Department non-emergency dispatch @ 503-325-4411 for assistance and/or to file a complaint.

- E. Because noise related matters are subjective, it is difficult for the Association to become involved. However, the Board of Directors may become involved in a noise related matter if it creates a problem for the community at large.

PARKING⁶

- A. Parking spaces are general common elements assigned to either residential or commercial use.
 - a. Covered area parking is reserved and assigned to commercial use only. Residential owners and guests are prohibited from using the covered spaces. This is a city zoning law.
 - b. Commercial owners are requested to instruct their tenants and employees to park in remote areas of the parking lot or on the public street.
- B. Parking is permitted only in marked designated spaces. All other areas must be kept open for fire access and safety. Vehicles may not be parked or stopped in any way that blocks traffic flow through the parking lot or access to the buildings.
- C. Backing vehicles into parking spaces is not allowed, as this can cause damage to the landscaping.
- D. Only wheeled motorized vehicles shall be parked or kept in parking spaces. Parking stalls shall not be used for storage of household goods, auto accessories, bicycles or any other items, either on a temporary or permanent basis.
- E. Owners must maintain vehicles in working order to not allow the leakage of oil, brake fluids, etc. to stain the concrete floor or the asphalt parking area. The property manager shall alert owners to the need for remedial action, and owners may be required to cover the costs of cleaning or repairs.
- F. Non-operative vehicles are not allowed to be parked on the premises. Vehicle maintenance or repairs involving motor oils, fuels, or other lubricants are not permitted. No major vehicle repair is permitted in the parking area. Vehicles in disrepair shall not remain on the Association premises for a period in excess of 48 hours
- G. In general, working vehicles should not be stored on the premises for long periods of time. However, if a unit owner or tenant finds it necessary to leave a vehicle for over 30 days, the owner must notify the property manager for approval. Vehicles left for long periods of time must be parked in a remote section of the parking lot.
- H. The speed limit for the entire parking lot is 10 MPH.
- I. RVs and boats must be parked and stored off premise. Sleeping or camping in RVs is not allowed on premises.
- J. Vehicles in violation of these rules will be subject to tow at the owner's expense seven days after one warning notice.

⁶ PARKING -- See also: Bylaws, Article 7, Maintenance and Use of Condo Property; Sec 7.5(g): Parking of Vehicles.

PERSONAL BEHAVIOR

- A. Board members, managers, vendors and contractors are expected to always act in a courteous and respectful manner. Attachment Number One at the end of this document describes these expectations in detail.
- B. Owners, tenants and guests are expected to always act in a courteous and respectful manner. Attachment Number Two at the end of this document describes these expectations in detail.

PETS⁷

- A. Pets must be carried or kept on a leash while outside a unit (i.e., in elevators, corridors, parking lot and grounds of the Association). Pets may not be permitted to run at large, nor be tied to outside walkway railings.
- B. The accompanying person must have proper equipment to immediately pick up and dispose of excrement. Disposal must be in a tightly enclosed plastic bag and disposed of as garbage.
- C. Pets are not permitted to be a nuisance to neighbors or the community. If a pet is disturbing a neighbor(s), the neighbor(s) may petition the Association to require the pet to be removed from the Association. Any pet causing a nuisance or unreasonable disturbance, including noise audible to other units, must be removed from the premises upon written notice from the Board.
- D. Any owner of a pet that causes damage to Association property will be held responsible for all costs incurred in rectifying the damage.
- E. No animals shall be kept, bred or raised for commercial purposes.
- F. Exotic and dangerous animals are not permitted. Any questionable breed or species may be brought to the Board for determination through the complaint process.
- G. The Board may limit the number of pets per unit.

RECREATIONAL EQUIPMENT

- A. Sporting or exercise equipment may not be used in any upstairs unit or on the adjacent balcony or deck, including bikes (stationary or otherwise), treadmills, trampolines, free weights, weight machines, elliptical fitness machines, stair machines, and the like.
- B. Use of skateboards, scooters, roller skates, roller blades, bicycles and other similar devices and conveyances with or without motors are not allowed on the Cannery Loft premises. However, bikes may be ridden to the road or river walk path.
- C. Toys and recreation equipment that generate noise or possible hazards are not permitted to be used on Cannery Lofts premises. These include but are not limited to basketballs, baseballs, remotely controlled planes and cars, etc.

⁷ PETS - See also: Bylaws, Article 7, Maintenance and Use of Condo Property; Sec 7.5(d): Animals.

RENTING, LEASING OR SELLING⁸

- A. Owners planning to rent, lease or sell must notify the Board in a timely fashion.
- B. Units must be leased or rented for a minimum of 30 days continuous occupancy. Cannery Lofts zoning does not allow rentals of less than 30 days. It is a violation of City of Astoria zoning regulations to allow weekend, vacation, or other short-term rentals.
- C. Landlords shall:
 - a. provide a copy of each lease or rental agreement, including the tenant's name and contact information, to the property manager;
 - b. provide the Bylaws and House Rules to renters;
 - c. provide renters with contact information for the owner of the unit, the property manager and Board members.
- D. Debris or damage resulting from moving household items in or out of units is a very serious issue regarding the quality and livability of the premises. See the Enforcement Policy (Addendum Number 3 at the end of this Resolution) regarding a specific fine for damaging, defacing or littering.
 - a. Landlords are responsible to see that move in/move out fees are paid before a renter moves in or out.
- E. All fines and penalties assessed for violations of the Rules by renters will be assessed against the unit owner.

SEASONAL DECORATIONS⁹

- A. The purpose of this policy is to provide a welcoming environment for all residents, visitors and the general public.
- B. Decoration shall not pose a safety and/or fire risk.
- C. Decorations shall not restrict ease of entrance or exit from any buildings, elevator lobbies, stairway towers, etc.
- D. Decorations shall not be offensive, racial in nature or political in theme.
- E. Seasonal decorations are permitted 30 days before the holiday and shall be removed within 30 days after the season has concluded.
- F. The Board of Directors reserves the right to ask for modifications and possible removal of any seasonal decorations it determines violates these guidelines.

⁸ RENTING, LEASING OR SELLING – See also: Bylaws, Article 7, Maintenance and Use of Condo Property; Sec 7.6 Leasing and Rental of Residential Units.

⁹ SEASONAL DECORATIONS – See also: Bylaws, Article 7, Maintenance and Use of Condo Property; Sec 7.5(e): Exterior Lighting or Noisemaking Devices and Antennas.

Cannery Loft Condominiums Owners Association, Inc.
Resolution Number 4 - Board/Property Manager Expectations
Addendum Number One

WHEREAS, the Board of Directors has established certain criteria to govern our Community to insure the peaceful coexistence of the residents.

NOW THEREFORE, BE IT RESOLVED THAT, the Board has established clear Policy to govern the conduct of its members and our property Management Company and all vendors and contractors providing services to this community:

- **HOA Dues Payments.** The Directors serving on the Board of the Cannery Loft Condominiums Owners Association must always be current in the payment of any HOA dues, assessments, fees, fines or other charges for which they are responsible. In no event, will a Director be allowed to exceed a period of ninety days in arrears and maintain voting status on the Board. In the event that a Director is ninety days or more in arrears, he/she shall relinquish all voting rights as a Board member and shall not be allowed to make motions or second motions before the Board.
- **Director Behavior at Meetings/Social Events.** All Directors when conducting Association business or representing the Association at a social function shall always be courteous and respectful of all owners and others regardless of the circumstances. All Directors shall be respectful and courteous towards other Directors at any Association meeting and/or social event.
- **Directors shall prioritize the Association Business.** Directors shall place Association welfare as a priority over their own benefits and/or desires. In no way shall a Director support any motion, action or program that would benefit them and not the best interest of the Association as a whole.
- **Management Company and Vendor Behavior.** It is expected that all owners will be treated with respect and fairness in all requests and business dealings at all times by our property management company owners and employees. The same behavior is expected of all vendors and contractors when on Association property. It is expected that all requests by owners will be responded to in a timely manner by our property management company representatives. It is also expected that all vendors, contractors and property management employees will exercise care to not to carelessly or intentionally damage and/or destroy Association real and/or personal property.

Cannery Loft Condominiums Owners Association, Inc.
Resolution Number 4 - Owner, Tenants, Guest Expectations
Addendum Number Two

WHEREAS, the Board of Directors has established certain criteria to govern our Community to insure the peaceful coexistence of the residents.

WHEREAS, the Board of Directors has established clear policy to govern the conduct of its members and our property Management Company and all vendors and contractors providing services to this community.

NOW THEREFORE, BE IT RESOLVED THAT, the Board has established clear Policy to govern the conduct of its owners, tenants and all guests when living at our community or visiting our community and/or attending any and all business and/or social events involving the Cannery Loft Condominiums Owners Association:

- **Public Behavior.** All owners, tenants and their guests are expected to always be courteous and respectful of all owners and others regardless of the circumstances. All owners and tenants shall be respectful and courteous towards others at any Association meetings and/or social events. In the event an owner, guest or tenant seriously violates this policy, he/she will be asked to leave the meeting or event. All owners, tenants and their guests are expected to always be courteous and respectful of all employees of any vendors and/or contractors providing services to our community regardless of the circumstances.
- **Personal Behavior.** All owners, tenants and their guests are expected to always control their behavior in individual and/or interpersonal circumstances. No loud arguing, public drunkenness, illegal drug use, production and/or distribution, antagonistic and/or aggressive actions that can be witnessed or heard by others will be tolerated.
- **Enforcement Policy.** The Board has adopted an Enforcement Policy if needed to address policy violations. Please see the Enforcement Policy (**Addendum Number 3 at the end of this Resolution**) regarding a specific fine for this violation.

Cannery Loft Condominiums Owners Association, Inc.
Resolution Number 4 – Enforcement Policy
Addendum Number Three

WHEREAS various Articles, including Article 7 Restrictions & Requirements Respecting Use of Condo Property, including Section 7.8, Abatement of Adjoining Violations, of the Bylaws for Cannery Loft Condominiums Owners Association, a nonprofit corporation formed under the laws of the State of Oregon, provides for the Association to have authority to manage the affairs of the community and authorizes the Board of Directors of the Association to establish and promulgate rules and regulations;

AND WHEREAS, it is the intent of the Association to have rules that provide for a good neighbor policy, maintenance of a clean, healthy, and attractive community, and promoting harmony;

AND WHEREAS, it is the intent of the Association to fairly and uniformly enforce the rules and regulations that govern a good neighbor policy and the maintenance of our community;

AND WHEREAS, unit owners are responsible for the conduct of all members of their family or household and for the conduct of their tenants and guests. Each unit owner is financially responsible for any damage done to condominium property of Cannery Lofts or of other unit owners by all the members of their family or household, their tenants and their guests. A unit owner may be penalized for violation of the rules. Penalties assessed against the unit and the unit owner shall be collectible as delinquent assessments;

NOW THEREFORE, BE IT RESOLVED THAT within the Cannery Loft community it is expected that owners will be responsible citizens who will take pride in their community and in being good neighbors. The following Enforcement Policy is intended to ensure that the standards stated by our Bylaws, Declarations and Resolutions are upheld.

ENFORCEMENT POLICY

- The Board is responsible for enforcing these rules.
- Owners who fail to follow these or other rules or regulations the Association may adopt from time to time may expect to receive communications from the Association. To help minimize problems and allow for a timely resolution of rules-related matters, owners who receive notices should respond within the time specified in the notice, even if the owner disputes the violation.
- The Board has adopted the following Enforcement policy:
 - A. Cannery Lofts is committed to ensuring a pleasant, peaceful and respectful environment.
 - B. All residents are encouraged, whenever possible, to work out minor irritations or disagreements (e.g., noise) among themselves.
 - C. If a resident has a complaint about a rules violation that cannot be resolved neighbor-to-neighbor, it should be brought to the attention of the property manager.
 - a. The complaint must be in writing; use the property manager company's complaint form on the CAP website: <http://www.capartners.net/resources/concern-form/>
 - b. Anonymous and verbal complaints will not be acted upon.

- c. Complaints about violations of House Rules must identify the party (i.e., name, unit number) responsible for the offending behavior.
- D. Complaints about violations by tenants will be addressed to the owner of the unit. Landlords are responsible for their tenants' behavior.
- E. After notification of a complaint, the property manager will telephone the unit owner to attempt to resolve the complaint. The property manager may also send a letter notifying the unit owner stating the complaint, the applicable Regulation, and how to remedy the situation.
- F. Owners receiving a notice of a complaint should respond immediately. It is in the best interest of all that complaints be handled and resolved in the shortest possible period of time.
- G. If the property manager is unsuccessful in resolving a complaint, he/she will bring it to the attention of the Board.
 - a. The Board will act in a timely manner.
 - b. Owners are entitled to present to the Board any evidence or explanation supporting their point of view on a complaint or violation; indeed, owners are encouraged to do so.
- H. After hearing from the property manager and the owner (if the owner chooses to be heard), the Board may:
 - a. dismiss the complaint; or
 - b. alter the suggested remedy after consideration of the specific circumstances; or
 - c. require the owner to remedy the situation as originally stated.
- I. FINE – Level 1: If the infraction is not cured, an enforcement fine of \$10 per day will be levied, starting the day of notice. The daily fine will continue to accrue until the infraction is cured. The fine will be listed on the owner's monthly dues statement, and will be subject to interest if not paid.
- J. FINE – Level 2: Serious violations of safety and livability must be remedied immediately. An automatic \$250 fine will accrue.

The following are examples of such violations:

 - a. Visible flames coming from an unattended barbecue or any other apparatus on a deck which creates a fire hazard.
 - b. Damage or debris remaining after a move-in or move-out.
 - c. Violation of the expectations of courteous and respectful personal and public behavior.
 - d. Any other violation that seriously impairs the life and/or safety of residents, or the harmonious atmosphere and physical condition of the property.
- K. Once an enforcement fine attains the sum of \$150, legal action against the subject property to collect the amount may begin. The owner shall be responsible for all collection costs, filing and attorney's fees associated with the lien.