

**RULES  
AND  
REGULATIONS  
OF  
SALEMTOWNE CIVIC  
ASSOCIATION**

**DRAFT**

**This draft version contains comments in text-boxes that highlight the revisions. Comments will be removed when the document is finalized.**

**9/20/19** –Comments were received that identified minor errors, which have been noted and edited using the “Track Changes” feature to identify the edits. This version is reposted so others need not note the same errors.

**Association members are invited to send written comments about this document to the Office prior to the October 4<sup>th</sup> Board Meeting.**

**NOTE:** Detailed rules for Golf play, use of the Swimming Pool, and for use of the Greenhouse are posted at those facilities and available on the website. Summary information of interest to all residents is contained herein.

The note above regarding other rule will stay when the comments are removed.  
 The organization of the entire document has been changed.  
 As can be noted in the Table of Contents, the document is now organized with an Introduction and four Articles, each addressing a distinct topic.

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**ARTICLE I. INTRODUCTION**

These Rules and Regulations<sup>1</sup> have been developed over many years, often in response to situations where Association policy was unclear. As such, they are the accumulated wisdom and practice of multiple community members and leaders.

**A. AUTHORITY**

Where appropriate, authority for each section is cited from the Bylaws or Declaration.

Article III of the Bylaws of Salemtowne Civic Association authorizes the Board of Directors to adopt rules and regulations covering matters set forth in the Bylaws and for use of Common Property, to enforce these rules, and to establish penalties and levy fines for violations of Association Rules and Regulations.

**B. ANNUAL REVIEW AND PUBLICATION**

The Rules and Regulations shall be reviewed annually to ensure that the rules are current; a new edition shall be published and distributed if required due to amendments.

<sup>1</sup> Simply expressed: though often used interchangeably, rules are instructions and procedures, with some flexibility; regulations are formal requirements that carry lawful authority and rigidity.

### C. AMENDMENTS

This amendment process provides opportunity for review of amendments. This revision was motivated by complaints that changes occurred quickly and without sufficient consideration or input from the community.

The Board of Directors may enact an amendment to the Rules and Regulations as they recognize the need. The process for considering and approving an amendment is as follows:

1. The first reading of a proposed amendment shall occur at a regularly scheduled Board meeting.
2. If approved, the proposed amendment shall be published as a Notice of Amendment in the next edition of the Newsletter.
3. The second reading of the proposed amendment shall be at the meeting 15 days following publication. At that meeting the Board of Directors shall receive comments from members on the proposed amendment. The Board may adopt, modify, or table the proposed amendment.
4. If approved, the amendment shall be published in the next edition of the Salemtowne News that members may include the change in their copy of the Rules and Regulations. The version published on the website shall be revised to reflect the amendment.

This section was adopted by the Board in response to a specific situation. The language was reviewed by our attorney.

### D. ACCOMMODATION OF PERSONS WITH DISABILITIES

Upon request and presentation of necessary evidence demonstrating an accommodation is appropriate, the Association shall make a reasonable accommodation to allow residents with a disability as defined in the Fair Housing Act, to fully use and enjoy the common property and facilities.

Requests for accommodations shall be made to the Board of Directors, shall clearly define the accommodation requested, and shall provide sufficient information to facilitate a decision.

The Association shall grant accommodations in writing, with approval recorded in the Minutes of the Board of Directors. The writing shall define the scope of the accommodation. The writing may also include other terms relevant to the accommodation, such as proper care of the common property and facilities and a process for resolving disputes or complaints arising from the accommodation.

### E. EXCEPTIONS / WAIVERS

As these rules may not address all possible situations, the Board of Directors may grant an exception or waiver of a rule. Requests shall demonstrate a clear justification for an exception to or waiver of a specific rule. Any exception to or waiver of a rule shall apply only to the specific circumstance and duration for which it is granted. As each situation is unique, granting an exception or waiver does not obligate the Board of Directors to grant a

waiver of the same rule in the future. If the justification warrants, the Board may instead amend or otherwise modify the rule.

## **ARTICLE II. COMMUNITY AGE QUALIFICATION**

This language is quoted directly from the Declaration and federal law. It is included so the information would be more readily available and so procedures meet the legal requirements.

Occupancy of lots and units within Salem townne is governed by Article I of the Declaration of Covenants, Conditions and Restrictions (CCR).

Further, the federal Housing for Older Persons Act (HOPA) of 1995, which amended the Fair Housing Act, provides for communities that provide housing for those 55 years of age or older. That act specifies age requirements and mandates procedures for verification. (24 CFR 100.300-308)

### **A. AGE REQUIREMENT**

As defined by CCR Article I, Sections 1 and 2, the age qualifications for Salem townne residency are as follows:

1. All units shall be occupied by at least one person fifty-five (55) years or older.
2. No person below eighteen (18) years of age shall reside in any unit at Salem townne nor shall any such person be a guest in a unit at Salem townne for a period exceeding 45 days in any twelve consecutive months.
3. Resident members who are under the age of fifty-five (55) at the time they become widowed from a spouse fifty-five (55) years of age or older may continue to reside in a unit.
4. Heirs or devisees who are not resident members must be fifty-five (55) years of age or older to reside in the unit they have inherited.

### **B. VERIFICATION OF AGE REQUIREMENT**

As defined CCR Article 1 and in HOPA, the Association must verify compliance with the age requirement by reviewing real estate transactions, by affidavits, and by periodic surveys. Therefore:

#### **1. Registration of New Residents**

Upon execution of any purchase agreement, lease agreement, or rental agreement, all persons intending to reside at any lot or unit within Salem townne shall register at the Association Office and provide reliable documentation of age.

The Association Office shall retain photocopies of presented documents as a record of qualification as required by 24 CFR 100.307 (d). Age verification documents shall be retained as confidential records and not disclosed except as required by law.

## **2. Notification of Moving**

All owners shall notify the Association Office upon the relocation of any resident. That notice shall identify the person or persons moving and the identity of all persons that remain as residents and their ages.

## **3. Periodic Updates of Age Verification**

At least every two years the Association shall update the information initially supplied by residents through a survey or other means as required by 24 CFR 100.307 (c).

# **ARTICLE III. ASSOCIATION ADMINISTRATION**

## **A. DIRECTORS & OFFICERS**

### **1. Association Board of Directors**

The Board of Directors shall be comprised of five (5) resident members of the Association, elected at the Annual Meeting. (*Bylaws, Article III, Sec. 2*).

Each Director shall serve a term of three years and shall be limited to two consecutive terms.

#### **a. Authority & Duties**

The Board of Directors of the Association shall act on behalf of the Association except as limited by the Declaration and the Bylaws. In the performance of their duties, officers and members of the Board of Directors shall exercise the care required of fiduciaries.

Each Director shall serve as liaison to such clubs and Committees as assigned annually by the Board. The Chair shall serve as liaison to the Condominium Associations.

Each Director shall perform other duties as defined in the Board of Directors Manual.

#### **b. Nominations**

The Board of Directors shall appoint a Nominating Committee to seek suitable candidates and to oversee the election of Board Members at the Annual Meeting. The Committee shall strive to nominate at least twice the number of candidates as vacancies.

### **2. Association Officers**

The previous version of this section included procedural information in with the descriptions of the Association Officers. Procedural information has been moved to a separate section titled "Administrative Procedures."

#### **a. Selection of Officers**

The Board of Directors shall elect one of its members as Chairperson of the Board of Directors and appoint other officers of the Association as the Board of Directors deems appropriate at the first meeting of the Board of Directors after October 1, each year. (*Bylaws, Article III, Sec. 4, Part b*)

**b. Duties of Officers**

Each officer shall discharge such duties necessary and proper for the administration and operation of the Association.

**(1) Chair**

The Chair shall plan the agenda and preside at all meetings of the Board of Directors and the Association. The Chair also shall ensure that in all aspects the Declaration, Bylaws, Rules and Regulations, and all orders and resolutions of the Board of Directors, are followed. The Chairperson shall coordinate all communications with the Association's attorney and shall represent, or delegate representation of, the Association at public forums.

**(2) Vice-Chair**

The Vice-Chair shall act in the place of the Chair in the event of absence, inability or refusal to act. The Vice-Chair responsibilities include executing major projects and providing oversight on conformance to rules of public agencies.

**(3) Secretary**

The Secretary shall be responsible for recording all votes and decisions of the Board of Directors, ensure the keeping of minutes at all meetings and proceedings, and maintaining all records and files of the Association. The Secretary oversees updating and distribution of the Salem towne Directory, the Rules and Regulations, and the *Salem towne News*. The Office Manager is under the direction of the Secretary.

**(4) Treasurer**

The Treasurer shall be responsible for receiving all monies of the Association, disbursing such funds as directed by the Board of Directors, keeping proper books of accounts, and serves as liaison to the Finance Committee. The Bookkeeper is under the direction of the Treasurer.

The Treasurer shall be responsible to ensure the audit or review of all accounts by a certified public accountant at the close of each fiscal year; shall coordinate the review and update of the Asset Reserve Study; and shall prepare the annual Association budget and financial statement to be presented to the membership.

**(5) Director of Operations**

The Director of Operations is responsible for operation and maintenance of all common property of the Association. The Grounds Superintendent and grounds crew are under the direction of the Director of Operations.

**3. Board of Directors Meetings**

Meetings of the Board of Directors are conducted according to the requirements of the Bylaws, Article III, Section 4.

Additional details from the Bylaws regarding Board meetings have been added.
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**a. Meeting Requirements**

1. Notice of Board of Directors' meetings shall be posted at least three days prior to the meeting. Notices shall be posted on the designated bulletin Board and on the webpage.

2. All meetings of the Board of Directors shall be open to owners, except meetings held in executive session as defined below.
3. A majority of the number of directors shall constitute a quorum for the transaction of business.

**b. Regular Board Meetings**

The Board of Directors meets on the first and third Friday at 9:00 a.m. at a pre-announced location.

**c. Special Board Meetings**

Special meetings of the Board of Directors shall be held when called by the Chair or by any two directors. Business transacted at a special meeting shall be confined to the purposes stated in the notice.

**d. Emergency Board Meetings**

Emergency meetings of the Board of Directors may be held without notice when called by the Chair or by any two directors. The Board of Directors must be able to point to the reason why the meeting could not be delayed. An actual emergency, dictated by unforeseen events, must exist and minutes must state the reason for the emergency. Any matter discussed at the emergency meeting shall be confined to the declared emergency.

Emergency meetings of the Board of Directors may be conducted by telephone or internet conference. Any decision made by telephone or internet conference shall be ratified as an action of the Board of Directors at the next Board of Directors meeting.

**e. Executive Session**

A meeting or part of a meeting of the Board of Directors may be closed for deliberation on certain matters.

This “Executive Session” may be held when called by the Chair or by any two directors for the following matters:

1. Consultation with legal counsel concerning the rights and duties of the Association regarding existing or potential litigation, or criminal matters;
2. Personnel matters, including salary negotiations and employee discipline; and
3. The negotiation of contracts with third parties.
4. Collection of unpaid assessments.

Except in the case of an emergency, the Board of Directors shall vote in an open meeting whether to meet in executive session.

If the Board of Directors votes to meet in executive session, the presiding officer shall state the general nature of the action to be considered and, as precisely as possible, when and under what circumstances the deliberations can be disclosed to owners.

No executive sessions may be held for the purpose of taking final action or making a final decision.

**f. Electronic Board Meetings**

~~The Salem towne Board of Directors meetings may be held by telephone or internet communication or by other means of communication provided that:~~

- ~~1. A quorum of directors is present in person, except for an emergency meeting.~~
- ~~2. The communications method allows all participating Board members to interact.~~
- ~~1. The communications method allows interested members to hear/observe as required for an open meeting.~~

The text above was derived from the August 2016 version of the Rules and Regulations. The text below conforms to the Bylaws and to ORS 94.640(10)(b).

Only emergency meetings of the Board of Directors may be conducted by telephonic or internet communications. Any decision made by such polling shall be ratified as an action of the Board of Directors at the next Board of Directors meeting.

#### **g. Social & Email Meetings**

The meeting and notice requirements for Board meetings may not be circumvented by chance or social meetings or by any other means. Electronic mail sent between and among directors may be used to disseminate information but shall not be used to for Board decisions, as doing so does so evades the notice and open meeting requirements.

## **B. COMMITTEES**

As with the Association Officers section, procedural information has been moved from committee descriptions and placed in the Administrative Procedures section.

The Board of Directors may appoint committees of members as needed to discharge the responsibilities of the Association set forth in the Bylaws. (*Bylaws, Article III, Sec. 1, Part o*)

**Ad hoc Committees** may be formed for a specific task or objective, and dissolved after the completion of the task or achievement of the objective.

**Standing Committees** may be formed as required with ongoing responsibilities for the conduct of an assigned aspect of Association responsibilities.

### **1. Authority of Committees**

All ad hoc and standing committees operate with the authority and responsibility delegated to them by the Board of Directors and shall regularly report to the Board of Directors on the conduct of their assigned responsibilities.

### **2. Organization & Operation of Committees**

- (a) Each committee shall act under the supervision of the Board of Directors and shall have a Board member as liaison. Allocation of the liaison assignments shall be determined annually.
- (b) The Board of Directors shall appoint the chairperson of each committee.

- (c) Each committee shall take minutes that record the ~~discussion and~~ decisions made at each meeting; minutes shall be submitted promptly to the Association Office for inclusion in the records of the Association.

Each committee is directed to provide an annual report. The Annual Report is addressed in more detail by section Article III.E.1. The intent is to make the Association Annual Report meaningful to the community and as a means to assess the effectiveness of each committee.

The content of the annual report for each standing committee has been outlined in the description of the committee to simplify reporting.

- (d) Each standing committee shall submit an annual report to the Board of Directors summarizing the activity of the committee in its area of responsibility. Committee reports shall be submitted by the end of the second week of January and will be included in the Salem Towne Annual Report. (See: Article III.E.1.)

### 3. **Standing Committees**

The following standing Committees have been established:

#### a. **Audio/Visual Services Committee**

The Audio/Visual Services (A/V) Committee is responsible for maintaining and operating the sound systems used in the Towne Hall and the Patio barbecue area, golf shop, and for the video projection equipment. As needed, the Committee shall provide training to committees and clubs on the proper use of that equipment.

Annually, the Committee shall report the number of times the AV equipment was used during the year and the number of people trained to use the equipment. The report should summarize any significant events that occurred during the year and any recommendations to improve the AV equipment.

#### b. **Community Safety Committee**

The Community Safety Committee is responsible for the Automatic Emergency Defibrillation devices, the Neighborhood Watch Team, and for the Community Emergency Response Team.

##### (1) **AED / CPR**

The Committee is responsible to ensure maintenance of the Automatic Emergency Defibrillation devices, for providing AED & CPR training for the community.

Annually, the Committee shall report the current status of the devices and the number of people trained to perform CPR and use the AED devices.

##### (2) **Neighborhood Watch**

The Neighborhood Watch works in cooperation with residents, Salem Police Department and the Polk County Sheriff's Department to maintain the safety of residents by operating a Neighborhood Watch program.

Annually, the Team shall report the number of team members, highlighting the number of new members, and a summary of risk issues identified and recommendations from law enforcement to improve community safety.

(3) CERT

The Community Emergency Response Team works with the Red Cross and local Emergency Management agencies to establish resources and plans in anticipation of natural or man-made disasters.

Annually, the Team shall report the number of team members, highlighting the number of new members, and the current status of emergency preparedness, with a summary of the plans and equipment that have been prepared. Additional needs and future preparation efforts should be described.

**c. Community Sale Committee**

The Community Sale Committee is responsible for organizing and promoting the annual community sale, which is held on the Saturday after the Labor Day holiday

Annually, the Committee shall report the participation at the community sale and a financial report of income and expenses; highlights that illustrate the event should be included.

**d. Decorating Committee**

The Decorating Committee is responsible for planning and installing decorations in and around community facilities on holidays and other special occasions.

Annually, the Committee shall report the occasions for which decorations were installed and the number of volunteers involved in the installation and removal of the decorations. The report should summarize any significant events and activities that occurred during the year.

**e. Finance Committee**

The Finance Committee is responsible for advising the Board of Directors on budget, asset replacement expenditures and funding, and other financial matters. The Committee shall consist of at least five (5) members.

The Committee shall assist the Treasurer in preparing the annual budget and ongoing review of Asset Replacement funding and expenditures.

The Committee shall regularly review transactions, check registries, account reconciliations, financial reports, and audit reports to independently ensure transparency and accountability in the handling of Association funds.

Annually, the Committee shall report a summary of its review activities to assure the membership that Association funds are well managed and that financial procedures are sufficient to prevent fraudulent activities. The report may contain recommendations to improve financial procedures and a plan for implementing those recommendations.

**f. Fitness Center Committee**

The Fitness Center Committee is responsible for monitoring and maintaining the Fitness Center and the fitness equipment. As needed, the Committee shall coordinate facility maintenance and recommendations with the Director of Operations. The Committee shall post a list of volunteers trained to assist Association members in the proper use of the fitness center and equipment.

Annually, the Committee shall report the number of times the Fitness Center was used during the year and the number of active volunteers; highlights that illustrate the use and value of the Fitness Center should be included.

**g. Friends of Salemtowne**

The Friends of Salemtowne Committee is responsible for the management of monetary donations to Salemtowne.

The Committee shall ensure that all donations are received, acknowledged, and accounted for according to the procedures in Article III.D.4 of these Rules and Regulations.

The Committee shall work with the Treasurer to ensure that donated funds are managed separate from other Association accounts and used in accordance with any dedication or designation associated with the donation.

Annually, the Committee shall report a statement showing the donations received, the expenditure of funds, and the balance of designated and non-designated funds in the Friends of Salemtowne account.

**h. Garden & Greenhouse Committee**

The Garden and Greenhouse Committee is responsible for the planning of garden areas within the common property, excluding trees, and for managing the use of space in the Greenhouse for the storage and propagation of plants.

The Committee shall recommend to the Board of Directors rules governing the use of the Greenhouse; approved rules shall be posted inside the Greenhouse.

Annually the Committee shall report a summary of the common-property garden projects accomplished along with information on future projects and volunteer opportunities. The Committee shall also report on the usage of the greenhouse. The report should summarize any significant events and activities that occurred during the year.

**i. Golf Committee**

The Golf Committee is responsible for the daily operation of the golf course and golf shop; and advises the Board of Directors on all golf related matters including the operation and maintenance of the golf course, golf play and golf memberships.

The Committee shall consist of seven (7) members: the current and past president of the Men's Golf Club, the current and past Captain of the Women's Golf Association, and three (3) community members appointed according to Golf Committee procedures.

The Committee shall maintain and update the "Salemtowne Golf Course Rules and Golf Etiquette" publication, which governs the golf course and golf play, and shall compile and distribute an annual combined SWGA/SMGC Golf Calendar.

The Committee shall serve as liaison between the Women's Golf Association, the Men's Golf Club, and the Board of Directors.

The Committee shall assist the Board of Directors in the enforcement of the Golf Course Rules and Regulations set forth in the publication of that name.

The Committee shall appoint and supervise the Greens Fee Supervisor, who monitors golf memberships and golf fees, and submits monthly Greens Fee Reports.

The Committee shall appoint and supervise the Tee Timer Supervisor, who coordinates the scheduling of golf play and events.

Annually, the Committee shall report the number of resident and non-resident golf memberships, the number of rounds of golf played by golf members and the number of rounds played on a per-round fee basis. The report should summarize any significant events, activities, or tournaments that occurred during the year.

**j. History Committee**

The History Committee is responsible for compiling historical information about Salemtowne and the surrounding community. The information may include narratives, artifacts, and photographs depicting the Wallace Family home and orchards and comparable information related to the development of Salemtowne. The Committee shall make historical information available to the members by creating presentations, scrapbooks, displays, and articles.

Annually, the committee shall report a summary of historical information available to the members; additions to the collection and plans for future updates should be highlighted.

**k. Landlord – Tenant Oversight Committee**

The Committee is responsible for the recording and tracking of all rental property, the maintenance of rental property standards and procedures, and the recommended resolution of landlord-tenant rule violations. (See: Article III.F.)

The Committee shall annually report the number of residences being rented, with comparison to previous years, the number of new renters and the number of long-term renters. Significant issues and suggested improvements to the process should be highlighted.

**l. Landscape & Architectural Review Committee (LARC)**

The Landscape and Architectural Review Committee (LARC) is responsible for the evaluation of applications for changes to the external appearance of residential properties according to the process and rules in Article V of these Rules and Regulations.

The Committee shall consist of at least three (3) persons.

The Committee shall advise the Board of Directors on architectural review policy and shall assist the Board in resolving landscape issues on private property.

Annually, the Committee shall report the number of change requests received and a summary of the types of changes accomplished during the year.

**m. Lapidary Committee**

The Lapidary Committee is responsible for the maintenance and safe operation of the equipment in the lapidary shop. The Committee shall provide equipment orientation for first-time users prior to using the equipment; as suitable, project advice and guidance shall be provided to encourage the hobby.

Annually, the Committee shall report the number of members trained to use the equipment and the number of times during the year that the lapidary shop was used.

**n. Library Committee**

The Library Committee is responsible for the maintenance and cataloging of reading material available to Association members in the Farmhouse. The Committee shall establish checkout procedures based on an “honor system.”

Annually, the Committee shall report the number of books on hand, by type, and the number of books checked out by members during the year.

**o. Lockup Committee**

The Lockup Committee is responsible for the opening and closing of the common grounds and buildings according to the Lockup Procedures. This Committee also observes and reports any problems or needed maintenance of the common property to the Director of Operations.

Annually, the Committee shall report the number of volunteers for the Annual Report. The report should summarize any significant events or issues that occurred during the year.

**p. Newsletter Committee**

The Newsletter Committee is responsible for publishing the monthly newsletter, titled as *Salemtowne News*. The newsletter provides Salemtowne residents with a calendar of events, committee, club, and activity information, and notices from the Board. Paid advertising offsets the production cost of the newsletter.

The Committee shall prescribe submission deadlines for each monthly newsletter sufficient to allow editing and printing in time for distribution during the last week of the month ahead of the date of the newsletter.

Annually, the Committee shall report the number of volunteers who gave of their time and effort in writing, publishing, and distributing the newsletter.

**q. Reservations Committee**

The Reservations Committee is responsible for coordinating the use of common areas and facilities by Association committees, clubs, activities, and by members for private events, according to the policies and procedures defined in Article IV.C.

The Committee shall consist of at least three (3) persons.

The Committee shall coordinate with the Office Manager to collect the established fees and deposits, and with the Website Committee, and the Newsletter Committee to maintain the reservations calendar and the community calendar.

Following events, the Committee shall inspect the facility to determine if deposits shall be returned or used for additional cleaning.

Annually, the Committee shall report the number of club events, activities, and private uses of each facility, along with a total of fees received.

**r. Storage Lot Committee**

The Storage Lot Committee is responsible for coordinating use of the vehicle storage area and the firewood storage area. (See: Article IV.B.8)

The Committee assigns spaces for vehicles and firewood in the storage area and is responsible for the enforcement of rules pertaining to the use of the storage area and for accurate record keeping of stored units.

Annually, the Committee shall report the total number of users by storage type (RV, vehicle, boat, firewood, etc.), highlighting the number of new users. The report may include items of interest to the membership and appropriate recommendations to improve the facility.

**s. Swimming Pool & Patio Committee**

The Swimming Pool and Patio Committee is responsible for the operation of the swimming pool, which includes limited routine pool maintenance, and for the setup and later storage of the pool and patio furniture each season.

The Committee shall annually recommend a swimming pool schedule and revised rules for adoption by the Board of Directors. The adopted schedule and rules shall be posted at the swimming pool.

Annually, the Committee shall report the usage of the swimming pool, noting the number of residents, the number of guests, and the number of guest children for each month of the swimming pool season. The report may include items of interest to the membership and appropriate recommendations to improve the facility.

**t. Tree Management Committee**

The Tree Management Committee is responsible for advising the Board of Directors on the appropriate maintenance of trees on the common property. (See: Article IV.A.6)

The Committee shall develop and maintain a “Tree Inventory and Plan” and shall provide criteria to evaluate the long-term health of each tree. The Plan shall guide the removal, planting, and trimming of all trees and shall provide information to promote community awareness of trees and tree issues.

The Committee shall evaluate requests from members for tree removal or tree trimming where a tree on common property affects their residence. Recommendations for approval or denial of such request shall be presented to the Board of Directors.

Annually, the Committee shall report a summary of tree maintenance activities conducted during the year and plans for the coming year. The report may highlight items of interest to the membership.

**u. Website Committee**

The Website Committee is responsible for the development and maintenance of the Salemtowne website. The Committee shall work with the Office Manager to ensure information presented on the web page is current and accurate.

Annually, the Committee shall report a summary of webpage activity and any plans for improving the webpage as a community resource.

**v. Wood Shop Committee**

The Wood Shop Committee is responsible for the maintenance and safe operation of equipment in the woodworking shop.

The Committee shall control access to the woodworking shop and ensure that only qualified members who have been properly trained to safely operate each tool and/or machine are granted access.

The Committee shall lock-out/tag-out any machine and/or tool that is not in good repair or is in any way lacking the necessary guards and/or safety devices.

Annually, the Committee shall report the number of qualified members trained to use the equipment and the number of times during the year that the woodworking shop was used.

## C. CLUBS & ACTIVITIES

### 1. Recognized Clubs

Salemtowne clubs are social organizations with emphasis on and activities related to a specific common interest. The Board of Directors shall recognize clubs based on submission of a club charter and the requirement to submit an annual report.

The Board of Directors shall ~~from~~ annually appoint from its members a liaison to each club.

Recognized clubs may collect funds to cover actual event costs and may maintain separate club financial accounts and balances.

Recognized clubs shall receive reasonable priority when reserving Common Facilities and shall have space in the *Salemtowne News* and Calendar to promote club meetings and events.

Recognized clubs shall have their charters and promotional information posted on the website and event information published in the newsletter.

#### a. Club Charter

The club charter requirement is for a one-page document that defines the function and organization of the club. This information will improve accountability and help promote the value of each club.

Each club shall prepare and annually update a club charter using the following template:

1. The name of the club.
2. The purpose of club. (*Typically, a social group with a common activity focus.*)
3. The club leadership. (*A listing of club officers.*)
4. The club's membership fee or dues, if any.
5. The procedures for handling and accounting for club funds.

#### b. Club Annual Report

Annually, the club shall submit a report for inclusion in the Association's Annual Report and for the benefit of the club members. The report shall include:

1. The current membership of the club, with the number of new members.
2. The current leadership of the club.
3. A summary of activities conducted by the club for the past year, with the number of participants.
4. A summary of activities planned for the next year.

5. The report may contain examples and highlights of interest to Association members and that promote participation in the club.

## **2. Regular Activities**

Any Salemtowne member may sponsor an activity that is open to all other members without requirements for organization as a club, subject to the following requirements.

- (a) Each activity must have a designated Sponsor or Host/Hostess who is the point of contact for the activity.
- (b) Activities may collect funds to cover actual event cost, but shall not maintain a financial account or ongoing cash balances.

Activities open to all members may reserve common areas and facilities without fee.

## **3. Informal Activities**

Any member may organize a casual social gathering using the common areas and facilities without a reservation provided the area is not otherwise occupied. Informal activities must yield to regular activities, club, and reservations when using common areas and facilities.

## **D. ADMINISTRATIVE PROCEDURES**

### **1. Association Business Office**

The Association office is open for business at times set by the Board of Directors. A Board member will be on duty each Monday morning.

The office will be closed on the following holidays: New Year's Day, Martin Luther King Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas.

### **2. Association Employees**

Residents shall treat all employees with proper respect and consideration. Poor service or discourtesy by employees should be reported to the Board of Directors. Discipline of employees is strictly reserved to the Board of Directors.

### **3. Availability of Books and Records**

As provided by Article II, section 4 of the Bylaws, the records of the Association shall be reasonably available to an owner or mortgagee of a lot.

Minutes of Board of Directors meetings and monthly Association financial reports will be posted on the bulletin board at the Farmhouse and on the Association web page. Other records reflecting Association business and authority will be available for inspection during regular office hours.

Copies of the Budget and Audit shall be available on the Association web page and shall be available to Association members at the office upon request.

#### 4. Donations to Salemtowne

This was previously listed in the description of the Friends of Salemtowne committee.

All donations to Salemtowne are processed through the Friends of Salemtowne (FOS) committee. A financial report will be published annually in the newsletter and included in the Annual Report.

##### a. Monetary Donations

Donations may be made by completing a “Friends of Salemtowne Monetary Donation” form and bringing the donation to the Office for the Friends of Salemtowne box. Donations may be designated for a specific purpose or undesignated.

##### b. Non-Monetary Donations

The donation of material, equipment, or other non-monetary items shall not be accepted.<sup>2</sup>

##### c. Memorials

Memorial donations shall be acknowledged by the Friends of Salemtowne Committee through an announcement in the *Salemtowne News* and entry in the Book of Records, which is kept in the Farmhouse.

**This section will be revised before the document is finalized based on the work of the Garden Committee that has been assigned to address the issue of memorials.**

Memorial plaques shall . . . (PENDING)

##### d. Use of Friends of Salemtowne (FOS) Funds

FOS designated funds may be requested by submitting a “Funds Request” form and supporting receipts, with approval by the responsible committee or club chair.

FOS undesignated funds requests must be approved of the Board of Directors.

#### 5. Financial Practices & Procedures

This was previously listed in the description of the Treasurer's position description. The Accounting Handbook mentioned is provided by the Association's accounting firm.

All Association books of account are to be maintained with appropriate financial statements made therefrom in accordance with accepted accounting standards, and shall be audited or reviewed from time to time by a Certified Public Accountant (CPA). (*Bylaws, Article III, Sec. 1, Part f*).

The accounting and financial procedures described in the current version of the Treasurer's Accounting Handbook & Procedures Manual<sup>3</sup>, provided by Schwindt & Co., are adopted as best-practices for the Association.

<sup>2</sup> Previous non-monetary donations became problematic and unmanageable.

<sup>3</sup> <https://schwindtco.com/wp-content/uploads/2018/12/2019-Treasurers-Accounting-Handbook-Procedures-Manual-Oregon.pdf>

The Treasurer shall maintain absolute transparency with and accountability to the Board of Directors and to the Finance Committee, who shall annually report to the membership on the status of financial practices and procedures.

**a. Fiscal Year**

The fiscal year of the Association shall begin on the first day of January and end on the 31st day of December of every year.

**b. Budget**

This was previously in the Finance Committee description. The revised dates for budget preparation align with the Finance Committee's regular meetings.

The Board of Directors shall annually adopt a budget and fix the amount of the annual assessment against each lot or unit as hereinafter provided. Within 30 days after adopting the annual budget, the Board of Directors shall provide a summary of the budget to all members. (*Bylaws, Article III, Sec. 1, Part c*).

1. The Treasurer shall submit a preliminary Operations and Asset Replacement Fund (ARF) budgets to the Finance Committee for consideration at the committee's September meeting (3<sup>rd</sup> Wednesday).
2. The Finance Committee shall complete its review by the end of November.
3. The Treasurer shall present a recommended budget to the Board of Directors at the Board's first meeting in December.

**c. Annual Assessment**

Quoted directly from the Bylaws.

The Board of Directors shall fix the amount of the annual assessment against each lot or unit at least thirty (30) days in advance of each annual assessment period. Written notice of the annual assessment shall be mailed or delivered to all owners. The Board of Directors shall establish the due date.

Additionally, the Board of Directors may give owners the option to pay the annual assessment in installment payments throughout the year, in such intervals and in such amounts as the Board allows in its discretion. (*Bylaws, Article VII, Sec. 9*)

**6. Resident Administrative and Usage Fees**

All new residents to any household and members moving from one residence to another are required to pay an administrative fee for processing the setup of their residency.

Usage fees for common property and facilities shall be established and annually updated based on those common expenses or parts of the common expenses that benefits less than all of the owners. (*Bylaws Article VII, Sec. 1 (b)*).

## 7. Schedule of Fines

Publishing the schedule of fines is a legal requirement. In this case, multiple paragraphs of text have been replaced with a table to make the information easier to understand.

All rules that address fines now refer to this table for the amount of the fine. This will simplify future adjustments to fines by requiring changes to the table rather than changes throughout the document.

The Board shall levy no fine until written notice of the violation has been given to the offending member, and until such person has had an opportunity to be heard before the Board of Directors or any Committee that the Board may appoint from time to time for such purpose.

Any member receiving a Violation Notice, who believes no violation occurred, may submit a written explanation to ~~the Board of Directors~~ and request a hearing before the Board of Directors.

<b>Violation</b>	<b>Reference</b>	<b>Fine</b>
(a) Violation of Bylaws or Rules & Regulations (generally)	All of the Rules & Regs	Up to \$250 per day/per violation.
(b) Unauthorized use or distribution of the Salemtowne Directory,	Article III.E.5	Up to \$250 per violation
(c) Violation of the Landlord / Tenant Rules	Article III.F	Up to \$50 per day.
(d) Dumping of garbage, yard debris, or other refuse on common property	Article IV.A.1	Up to \$250 per violation plus the cost of debris cleanup.
(e) Removal of tree on common property without prior Tree Committee recommendation and Board approval	Article IV.A.6	Up to \$5,000 plus all costs incurred to rectify the violation
(f) Alteration of a tree <u>on common property</u> without prior Tree Committee recommendation and Board approval	Article IV.A.6	Up to \$1,000 per violation plus all costs to rectify the violation
(g) Spraying of a tree on common property without prior Tree Committee recommendation and Board approval	Article IV.A.6	Up to \$500 per violation plus all costs to rectify the violation
(h) Planting of a tree on common property without prior Tree Committee recommendation and Board approval	Article IV.A.6	Up to \$250 per violation plus all costs to rectify the violation

Violation	Reference	Fine
(i) Theft of Materials from Landscape Supply Storage Area	Article IV.B.5	Up to \$250 per violation plus the replacement cost of the material.
(j) Violation of Pet Sanitation Rule	Article V.C.8	Up to \$50 per violation.

**E. ASSOCIATION COMMUNICATIONS**

**1. Annual Report**

While an annual report has been prepared previously, the report defined herein will provide useful information to the community. It will also be a valuable resource for those considering moving to Salemtowne.

The Board of Directors shall assemble and publish an Annual Report for the membership by the second week of February. That report shall include:

- (a) A summary of the current state of the common property and facilities, along with a forecast of maintenance issues and improvement plans for the coming year.
- (b) A summary of significant issues addressed and actions taken by the Board of Directors, along with a forecast of issues the Board will address in the coming year.
- (c) The end-of-year financial report and adopted budget for the coming year; information related to the Asset Replacement Fund shall be included.
- (d) A description of any ad hoc committees operating during the preceding year with a summary of their accomplishments.
- (e) The annual reports of all standing Committees for the preceding year.
- (f) The annual reports of all recognized Clubs for the preceding year.
- (g) Other information of importance to the community.

Copies of the Annual Report shall be available to all members and shall be posted on the website.

**2. Concerns/Complaints**

Concerns and complaints from Association members shall be submitted in writing, preferably using the provided Communications Form. The submission must be signed and submitted to the Office; anonymous complaints will not be ~~received~~ accepted.

The Office Manager will route the concern and/or complaint to the appropriate Board member for review and resolution. The Board member may bring the issue to the entire Board for consideration and resolution.

The final disposition of concerns and/or complaints will be provided to the originator in writing by the Office Manager or by the Board of Directors.

**3. Bulletin Boards**

Bulletin boards have been installed for items of community interest. One set is located at the west end of the north wing of the Towne Center complex, outside the Office; another board is

located in the Farmhouse hallway. Official notices from the Board, such as meeting minutes and financial statements, are in the Farmhouse and the left board outside the Office.

All notices must include the date of posting and the contact information of the member responsible for the posting. All postings will be removed after 30 days.

Notices of long-term interest may be renewed after 30 days at the discretion of the Office Manager.

Business postings shall be limited to a single designated bulletin board and shall be limited to the business card of the advertiser. *(It is acceptable to post a small stack of cards so that a business card may be taken by an interested member.)*

#### **4. Flyers or Posters**

Flyers or posters advertising club and organization activities may only be posted in designated areas in the Towne Hall complex. Flyers or posters may not be taped to the windows in the Towne Hall or in the Farmhouse.

#### **5. Salemtowne Directory**

For the convenience of the residents and members, the Association shall periodically publish a resident directory that provides the phone numbers, except unlisted numbers, of residents and contact information for the board, committees, and recognized clubs.

This was a motion recorded in the Board minutes but never entered in the Rules and Regulations. It is understood as being a response to a realtor using the directory to send a mass email advertisement. **Is it enforceable?**

Unauthorized use, reproduction, distribution, or transmission, of any information contained in the Salemtowne Directory, shall be subject to a fine as defined in Article III.D.7.

#### **6. Salemtowne News**

The *Salemtowne News* shall be published monthly to provide information on community events and activities. Items for publication shall be submitted to the Editor before the submission deadlines for each month.

The newsletter will not carry:

- (a) Announcement of activities outside of Salemtowne with no Association connection.
- (b) Political items, gossip, and offensive stories.
- (c) Personal announcements such as birthdays, anniversaries, and thank you for messages of sympathy, recovery from illness, etc.

#### **7. Salemtowne Website**

The Salemtowne Website communicates information to the public and to Association members. The Resident section requires a password. Newsletter guidelines regarding content shall apply to items posted on the website.

The address for the Salemtowne Civic Association website is: [www.salemtowne.us](http://www.salemtowne.us)

## **8. Suggestions**

Suggestions shall be handled informally. Suggestions should be in writing. The appropriate Board member or the entire Board will review suggestions and take such action as deemed appropriate. A formal response to the originator of a suggestion is optional.

This information was previously the last section of the document. Logically, it fits within this article related to administration.

## **F. LANDLORD – TENANT RELATIONS**

The Association, through its Board of Directors, is obligated to ensure that Declarations, the Bylaws and the Rules and Regulations are followed by all residents, including renters. To that end, the following procedures have been established for the tracking and management of rental properties within Salem towne. (*CCR Article I, Sec. 4*)

### **1. Tenant Age Qualification**

As noted, this is taken directly from the Declaration and Article II of these Rules and Regulation. It was repeated here to make the information more readily available.

Occupancy of lots and units within Salem towne is governed by Article I of the Declaration of Covenants, Conditions and Restrictions and are restated in Article II of these Rules and Regulations. All landlords shall enforce following tenant qualifications:

1. All units shall be occupied by at least one person fifty-five (55) years or older.
2. No person below eighteen (18) years of age shall reside in any unit at Salem towne nor shall any such person be a guest in a unit at Salem towne for a period exceeding 45 days in any twelve consecutive months.

Failure by the landlord to enforce the age requirement may result in a fine as defined in Article III.D.7

### **2. Easements of Enjoyment**

Upon the leasing or renting of the subject property, the property owner (landlord) transfers their easement-of-enjoyment, as described in Article IV, Section 1 of the Bylaws to the tenant for the duration of the agreed tenancy.

As a landlord transfers their right to use the common property, they relinquish the privileges of Association Membership. The landlord must remove vehicles from the Vehicle Storage Area, may not rent facilities for personal use, may not use the recreational facilities.

### **3. Landlord Intent to Rent Notice**

Property owners who intend to rent their lot and/or unit shall complete and deliver to the Office an “Notice of Intent to Rent Form” prior to finalizing any rental agreement or lease.

The Landlord-Tenant Oversight Committee will provide the landlord a set of the Association’s governing documents and these Rules and Regulations; those documents must be presented to a prospective tenant prior to signing a rental agreement or lease.

#### **4. Landlord Cease to Rent Notification**

Property owners who intend to cease rental their lot and/or unit shall notify the Office of that decision after the termination and move-out of all tenants that the Landlord-Tenant Oversight Committee may discontinue tracking activity.

#### **5. Landlord-Tenant Rental/Lease Agreement Provisions**

All rental agreements or leases shall include the following provisions:

- (a) A provision that the tenant understands and accepts the provisions of the governing documents and of the Rules and Regulations.
- (b) A provision that the tenant understands that the rental agreement or lease may be terminated for cause by the Landlord if the tenant violates the governing documents and the Rules and Regulations.
- (c) A provision that the tenant may not sublet or sublease any portion of the lot or unit.
- (d) A provision that the tenant ~~will~~shall, ~~upon move-in, promptly~~ complete the required registration and orientation at the Office and pay the required Resident Administrative Fee not more than ten (10) business days after move-in.

Upon execution, a copy of the signed rental agreement or lease shall be delivered to the Office prior to move-in.

#### **6. Tenant Registration and Documents**

All persons residing in the tenant's household, including tenants who qualify under part 8, "Exceptions to Landlord-Tenant Agreement," and part 9, "Temporary Custodian," must meet with Office Manager for registration and orientation ~~within~~not more than ten (10) business days of ~~after~~ move-in.

All tenants must sign the Association's "Memorandum of Understanding for Property Owners and Renters," and provide proof of age as required by Article II.B.1 of these Rules and Regulations.

Failure of tenants to complete the required registration may subject the landlord to fine as defined in Article III.D.7 and be grounds for termination of the tenant as provided herein.

#### **7. Landlord Notice of Vacancy**

In the event of a change in tenancy, a completed "Notice of Vacancy" form must be submitted to the Office at the time of vacancy. The form is available at the office.

A new "Notice of Intent to Rent" and an approved "Landlord-Tenant Rental Agreement" must be completed and filed with each change of occupancy.

#### **8. Exceptions to Landlord-Tenant Rental Agreements**

The "Notice of Intent to Rent" and "Landlord-Tenant Rental/Lease Agreements" provisions above are not required for lots or units occupied in the following circumstances:

- (a) Lots or units permanently occupied by the age qualified member of the property owner's immediate family. The easement-of-enjoyment is transferred to the tenant as the owner is not residing in the community.

- (b) Lots or units where the owner occupies the residence and rents a portion of the residence to any person meeting the occupancy requirements. The owner may extend their easement-of-enjoyment to resident members of their household. (Bylaws Article IV, Section 2.)

The requirements to abide by the governing documents and the Rules and Regulations, and the requirement to complete the required registration at the Office apply to these tenants.

### **9. Temporary Custodian**

Owners may appoint temporary custodian to reside in their residence during their absence for a period not to exceed 30 consecutive days in any 12-month period.

Owners must provide the Office with written notice of the Custodian's name, the anticipated length of the custodial appointment, and the owner's contact information for the period of absence.

Custodial appointments in excess of 30 consecutive days shall be deemed a rental and require completion of the provision above, including the "Notice of Intent to Rent" and "Landlord-Tenant Rental/Lease Agreement."

### **10. Tenant Infractions**

All landlords are accountable for infractions of the governing documents and Rules and Regulations by tenants; the Landlord shall be liable for all fines levied for tenant actions.

In the event of an infraction, landlords will receive a prompt written notice of the infraction and the necessary remedy. Landlords are expected to work with their tenants to ensure compliance and to remedy any infractions.

### **11. Termination of Tenant**

The previous language was very specific regarding the termination procedure. The committee felt that simply citing the ORS chapter would allow the Rules and Regulations to fit the actual legal requirements as well as stay in sync with any revisions by the Legislature.

In the event of egregious or repeated violations of the governing documents or of the Rules and Regulations, the Board of Directors may demand the Landlord deliver a written notice of termination as provided for by ORS Chapter 90; such demand shall be in writing, shall be delivered by registered mail, and shall include copies of all violation notices.

Failure by the Landlord to terminate the tenant may result in a fine as defined in Article III.D.7.

The Landlord, on behalf of the tenant, may appeal the Board of Directors demand for termination by submitting such appeal in writing within ten (10) business days of the date of the termination demand.

## ARTICLE IV. COMMON PROPERTY <sup>4</sup>

The Bylaws require that the Association, “Regulate the use, maintenance, repair, replacement and modification of Common Property.” (*Bylaws, Article III, Sec. 1, Part g*)

### A. GENERAL RULES FOR COMMON PROPERTY

#### 1. Disruptive and/or Hazardous Activity <sup>5</sup>

This language is added in response to an event for which a rule was not clearly in place. The content is summarized or quoted from City Code.

The following specific acts and behaviors are addressed by the City of Salem Code and are likewise prohibited on SCA Common Property by these Rules and Regulations; as such, these behaviors are subject to fine as defined in Article III.D.7, and will be reported to the police.

##### a. Archery - SRC 95.030

It is unlawful to shoot an arrow of any description, which includes blowgun darts and similar devices, unless at an outdoor or indoor range, having a permit from the Chief of Police.

##### b. Loaded Firearms - SRC 95.095

It is unlawful to possess a loaded firearm in a public place as defined in ORS 161.015, unless the person is a law enforcement officer or member of the military in the conduct of their official duties or a person licensed to carry a concealed handgun.

##### c. Disorderly Conduct - SRC 95.120

It is unlawful to engage in fighting and threatening behavior, unreasonable noise, obstructing vehicle and pedestrian traffic, creating a false alarm, or otherwise creating a hazardous or physically offensive condition.

##### d. Urinating or Defecating in Public - SRC 95.125

“It shall be unlawful for any person to intentionally or recklessly urinate or defecate in any public place [or area of common property] except a restroom or toilet facility maintained for such purposes.”<sup>6</sup>

##### e. Discharge of Firearms - SRC 95.160

It is unlawful to discharge a firearm within the City, unless the person is acting in a lawful defense of person or property, doing so at a shooting range, discharging blank ammunition as a signal at a sporting event, or as a public official in the conduct of their duty.

<sup>4</sup> Where appropriate, these Rules and Regulations reference the City of Salem Code. This code is titled the “Salem Revised Code,” abbreviated as “SRC” followed by the chapter and section numbers.

<sup>5</sup> These citations are paraphrased from Salem Revised Code, except 95.125 as that is a direct quote.

<sup>6</sup> This text is a direct quote from the Salem Revised Code, with the reference to common property added. Other SRC text is paraphrased.

## **2. Dumping**

The location formerly designated as a Compost Site is closed. The dumping of yard debris, construction or automotive waste, and/or garbage of any kind by residents, yard care workers, or contractors on Common Property is prohibited. Violators will be subject to fine as defined in Article III.D.7 and will be required to remove or pay for the removal of dumped material.

## **3. Fireworks**

To ensure safety of all residents and property, fireworks, pyrotechnics, or other incendiary devices shall not be discharged or ignited within Salemtowne except as approved by the Board of Directors.

## **4. Liability**

Neither the Association nor its officers, employees, or agents shall be liable for any injuries to persons or damages to property which might be sustained by members, guests, or other persons on the property. All persons using any facilities of the Association, including the golf course and swimming pool, assume all risks incident to such use.

## **5. Parking**

Parking on Salemtowne paved parking lots for the purpose of displaying a vehicle or any other item for sale is prohibited, except when part of a Salemtowne sponsored event.

Parking of commercial vehicles or commercial trailers on Salemtowne paved parking lots is prohibited, except for active delivery of goods and services or other cause with the prior approval of the Board of Directors.

Parking on city streets, including the parking of recreational vehicles, is governed and enforced by the City of Salem.

## **6. Signs**

Except as provided in Article V.C.9.c, only signs related to Salemtowne Civic Association events may be installed temporarily or permanently on common property.

Signs shall be self-supporting or posted on bulletin board; signs may not be taped to windows and doors of common facilities.

## **7. Smoking**

Smoking is prohibited on all common property and within all Association buildings.

## **8. Trees on Common Property<sup>7</sup>**

Trees on common property are the responsibility of the Association; the following rules have been established to maintain the beauty of the common property:

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<sup>7</sup> **NOTE:** All trees along the street are within the public right-of-way and as such are subject to the rules of the City of Salem. Also, some trees on common property are subject to the rules of the City of Salem – See: SRC 95.540 and SRC Chapter 808. <https://www.cityofsalem.net/Pages/remove-trees-on-your-property.aspx>

- a) Residents are prohibited from removing, planting, trimming, spraying, or affixing anything to trees on the golf course, other common property, or the public right-of-way. Violations will be subject to fine as defined in Article III.D.7.~~penalties outlined in 0~~
- b) The Board of Directors has appointed the Tree Management Committee to provide policy advice, to develop a Tree Management Plan, and to review requests for tree removal, planting, or trimming of trees on common property.
- c) Requests for the planting, trimming, alteration, or the removal of trees on common property shall be submitted on a Tree Request form and submitted to the Office.
- d) The Tree Management committee shall evaluate all requests based on criteria established in the Tree Management Plan, and shall recommend approval, denial, or modification of the request to the Board of Directors.
- e) The Board of Directors, at a regular scheduled meeting, shall receive the recommendation and may consider priority, budget, and other factors in their deliberations. The decision of the Board of Directors regarding the tree request shall be recorded in the Minutes of the meeting.

## 9. Unmanned Aerial Vehicles

This was added as a preemptive measure. There been a few instances of drone or UAV use. This rule simply cites the FAA's requirements and notes the controlled airspace.

All Unmanned Aerial Vehicles (UAV), drones or other remote-controlled aircraft, shall be operated by licensed UAV pilots and according to current Federal Aviation Administration rules. In respect of privacy and safety, UAV shall not be flown over residences or people.

- **NOTE:** As the Salem Airport flight path is overhead, all of Salem towne is designated by the FAA as controlled airspace with a 400-foot UAV ceiling.

## B. RULES FOR SPECIFIC COMMON AREAS & FACILITIES

### 1. Golf Course

The “*Salem towne Golf Course Rules and Golf Etiquette*” publication is available at the Office and at the Golf Shop.

The following are of general interest to all residents:

#### a. Hours of Use

This was added in response to litigation involving use of the golf course after dark. The hours of use are also included for the Greenways.

The golf course is open for use from one half hour before sunrise to one half hour after sunset, as defined by NOAA<sup>8</sup>~~dawn to dusk~~. Except for events approved by the Board of Directors, use after dusk is prohibited for safety.

<sup>8</sup> <https://www.esrl.noaa.gov/gmd/grad/solcalc/sunrise.html> NOAA: The National Oceanic and Atmospheric Administration, of the U.S. Department of Commerce.

**b. Walking on the Golf Course**

Walking on the golf cart paths is permitted with caution; walkers do so at their own risk.

It is suggested that walkers use the paths early in the morning, later in the afternoon, or in the early evenings, which are times when there are fewer golfers.

It is further suggested that walkers travel in the opposite direction as the golfers (*i.e. walk from the higher numbered holes toward the lower numbered holes*) so that approaching golfers can be seen and walkers may avoid ~~may~~ being hit by a golf ball.

Walkers should follow common golf course courtesy; pausing quietly when near a golfer preparing to swing, so as not to cause a distraction.

**c. Practice Area**

Three areas are designated for golf practice: west of No. 3 tee, east of No.7 fairway, and the practice putting green adjacent to the Golf Shop. There is no fee for use of the practice areas.

**d. Golf Carts**

Motorized golf carts are subject to use limitations depending the condition of the course. The use rule in effect each day will be posted at the Golf Shop.

Motorized golf carts are prohibited on the greenways.

Motorized golf carts are exempt from licensing and are permitted on Salem towne streets provided the following requirements are met: (See: SRC 100.202)

1. Golf carts are permitted on streets during daylight hours.
2. Golf carts are designed to be and are operated at no more than 15 mph.
3. Golf carts shall carry not more than two persons, including the driver.
4. Golf carts shall have a slow-moving vehicle sign.
5. Golf cart operators must be at least 16 years of age.
6. Golf carts must be driven as near to the right-side of the street as possible.

**e. Golf Program, Resident**

All members may play golf by either paying the per-round fee or by paying the annual golf membership fee. The annual fee is prorated for the joining later in the season for the first year of golf membership.

Anyone purchasing a lot or unit on or after July 1<sup>st</sup> has the privilege of buying a golf membership at the current year's full rate that will allow them to play the remainder of the current year and next year.

Any resident member that has not previously purchased a golf membership may purchase a membership at a prorated rate for their first year.

Tenants have the right to Resident golf fees. Non-resident homeowners shall be afforded the opportunity to purchase an annual golf membership at the Resident rate.

**f. Golf Program, Non-Resident**

The Association has implemented a Non-Resident Golf Program that welcomes those interested in golfing at Salem towne to apply for a non-resident membership.

Applicants for Non-Resident Golf Membership must be 50 years or older (if married, at least one person must be 50 years or older) and be sponsored by an Association member. Fees are due and payable upon acceptance of the application.

Non-resident members may participate in any golf-related activity, and must abide by all Bylaws, Rules and Regulations, and Golf Course Rules of Golf Conduct and Etiquette.

**g. Golf Program, Emeritus**

Former residents who have resided in Salem towne for a minimum of ten years and had a golf membership when they moved, may continue to enjoy the privileges of a golf membership at the Resident rate provided there is no lapse in their membership.

**2. Greenways**

Vehicles are not allowed on greenways, except for designated emergency vehicles or as authorized by the Grounds Superintendent.

The greenways are open for use from one half hour before sunrise to one half hour after sunset, as defined by NOAA dawn to dusk. Except for events approved by the Board of Directors, use after dusk is prohibited for safety.

**3. Greenhouse**

As noted following the index, detailed rules for the greenhouse were removed from this document; those dealt with the types of plants, watering requirements, and other information is better addressed as a detailed set of rules posted at the greenhouse and on the webpage.

The greenhouse is managed by the Garden and Greenhouse Committee and is available for member gardeners to prepare plants for summer growing and to shelter plants during winter.

The Committee shall recommend to the Board of Directors rules governing the use of the Greenhouse; approved rules shall be posted inside the Greenhouse. Those rules shall fulfill the following objectives:

- a) Ensure that all members who wish to use the greenhouse have equal opportunity.
- b) Ensure that all plants are in a healthy setting that is free from disease or insect damage.
- c) Ensure that the greenhouse and surrounding area are clean and presentable.
- d) Ensure that responsibility and effort are fairly divided among the users.

**4. Guest RV Parking**

The three RV spaces located at the east end of the north parking lot are designated for overnight use by residents and/or guests of residents, subject to daily fee.

- (a) Guest RV users shall register and pay the required daily fee. The resident host is required to sign the registration form. *(Forms are in a box adjacent to the wood shop at the south edge of the parking lot. The form and fee should be sealed in the provided envelope and shall be placed in the mail-slot of the Office.)*
- (b) Guest RV spaces are available on a first-come / first-served basis, with use limited to ten (10) nights in a ninety (90) day period.

- (c) Guest RV users may connect to the provided 50-amp electrical service located adjacent to the greenhouse.
- (d) Guest RV users are prohibited from connecting to the water supply at the greenhouse.
- (e) Guest RV users are required to comply with all Salemtowne Rules and Regulations; this includes the no-smoking rule and the rule that guest be accompanied by the resident host when using the swimming pool, showers, and other common facilities.

## **5. Landscape Supplies Storage**

Areas designated for the storage of landscape supplies and the materials therein are only for the use by the Grounds Crew. No materials shall be removed from those areas without the approval of the Grounds Superintendent.

Violators will be subject to fine as defined in Article III.D.7 and will be required to replace or pay for the replacement of material removed and may be reported for theft.

## **6. Swimming Pool**

The swimming pool is managed by the Swimming Pool Committee and is available for all members and their guests; the pool is generally open from late May to late September.

Annually, the Swimming Pool Committee recommends any updates to the schedule and rules for the coming season. Each May, prior to the opening of the pool, the updated rules are posted at the pool, published in the *Salemtowne News*, and posted on the web page.

The following summary is a general guide for member use of the swimming pool:

- (a) The pool is for the use of residents and guests only, with a maximum of eight (8) guests per household at any one time. Guests must be accompanied by their resident host.
- (b) Residents are required to sign in and out on the register, noting the number of resident and guest users.
- (c) All users must comply with posted health and safety rules.
- (d) Children under 3 years of age are not allowed in swimming pool, but are allowed in the pool area.
- (e) The pool is not available for private parties.

## **7. Towne Hall Complex**

These rules were scattered, with most within the rules related to reservations. Many of these rules have been added to a revised Reservations Form so that private party users are well aware of the rules. Footnotes were used to explain the reason for certain rules.

The Towne Hall complex consists of the Wallace Family Farmhouse, an outdoor patio with barbecue area, an exercise facility, a large meeting hall with kitchen, the Association Office, along with several shops and meeting spaces.

- (a) During use for private events, the reservation is for the specified location(s) only; guests are prohibited from accessing other locations or using exercise or recreational facilities.
- (b) The Game Room, located in the Farmhouse, is only available to residents and their guests. Guests must be 18 years or older and must be accompanied by the resident host.

- (c) The following are prohibited inside the facilities: confetti, birdseed, rice, helium balloons, candles and other open flames except in the fireplace.<sup>9</sup>
- (d) Bubbles are allowed outdoors only.<sup>10</sup>
- (e) The following are prohibited inside and outside the facilities: bouncy houses, trampolines, portable pools, personal barbecues, and fireworks of any kind.<sup>11</sup>
- (f) Alcoholic beverages may be served ~~and consumed if done~~ only if served and consumed according to Oregon Liquor Control Commission regulations.
- (g) Food and drink may be served in the carpeted areas of the Farmhouse; groups using the living room and/or kitchen are responsible for cleaning after an event.
- (h) Thermostats in the Towne Hall and Farmhouse are preset and locked. A timer has been provided to allow an “in use” preset during events.
- (i) All users are responsible for the safe and proper use of furniture and equipment.

## **8. Vehicle & Firewood Storage Area**

The vehicle storage and firewood storage areas are within a fenced lot located north of the Seventh Tee and are accessed by the road going down from the south end of Winslow Way. Both areas are available for the use of all residents, subject to the following provisions:

### **a. Storage Application & Assignments**

Residents wishing to use a space shall submit a Storage Lot Use Form to the Office; the Storage Lot Committee will assign an available and appropriate storage space.

### **b. Vehicle Storage**

The vehicle storage area is designated only for personal vehicles – automobiles, utility trailers, motorcycles and ATVs, boats and boat trailers, and recreational vehicles.

1. A Salem towne Vehicle Registration decal shall be displayed on all vehicles to readily identify that the vehicle is registered and in the assigned space.
2. All vehicles shall be parked in the assigned space and shall not protrude into the roadway.
3. Loose equipment and/or materials must kept within a vehicle and covered or enclosed therein.
4. All stored vehicles shall be in working order and used at least once per year. Vehicle, RV, and boat covers shall be maintained in good repair and properly secured.

### **c. Firewood Storage**

The firewood storage area is designated only for firewood that is being actively used. All wood must be cut and neatly stacked. Scrap wood and pallets must be cut and cleaned of nails or screws before being placed in the firewood storage area. Firewood shall be used within two years.

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<sup>9</sup> Recovering balloons from the ceiling of the Towne Hall is difficult. Cleaning confetti, birdseed and rice is difficult and the leftovers attract pests. Open flames are prohibited by the Fire Department.

<sup>10</sup> Indoor use has been shown to be a cleanup problem.

<sup>11</sup> These rules are a safety measures based on past experience with injuries and damage.

**d. Occupancy Limit**

Due to space limitations, the residents of any single household shall not be assigned more than three storage spaces, and no more than one space per type – firewood, recreational vehicle, automobile, boat, or cargo trailer.

**e. Liability**

The occupant of each assigned storage space shall assume all responsibility for stored vehicles and firewood and shall indemnify and hold harmless the Association with regard to any claim for damage to personal property in the storage area that may arise due to theft, fire, weather, and/or vandalism or any cause apart from gross negligence by the Association, its officers, its employees, or its agents.

**f. Storage Space Maintenance**

The registered occupant of each storage space shall be responsible for the periodic cleaning and weeding of the assigned storage space.

**g. Personal Structures Prohibited**

The installation or construction of personal structures (i.e.: storage sheds, cargo containers, and/or vehicle shelters) on common property is prohibited.

**h. Violations**

The Storage Lot Committee shall periodically review the use and upkeep of the storage areas. Sites in need of cleaning, vehicles without registration decals, vehicles in the wrong space, or prohibited storage items shall be identified.

The requirement for personal contact rather than written notice as a first step in the violation process is intended to resolve issues with minimal distress. A personal contact, while requiring more effort, is usually more social and less tense.

The Committee shall seek to resolve violations by contacting the registered site occupant in person or by phone.

If the Committee is unable to contact the registered site occupant, a written Violation Notice shall be sent by registered mail to the address of the assigned site occupant.

If the Committee is unable to contact the registered site occupant, or the occupant is unwilling to resolve the violation within 30 days of notice, the Committee may recommend the Board of Directors terminate the storage privileges of the resident and pursue remedies to remove the items from the subject storage space.

**i. Dead Storage and Abandoned Vehicles**

Vehicles that are unused for one year, vehicles in disrepair, or vehicles with expired registration, and firewood that is unused for two years, shall be deemed “Dead Storage.”

The Storage Lot Committee shall contact the registered occupant of the storage space and determine the disposition of the subject vehicle or firewood.

Should the Committee be repeatedly unable to contact the registered occupant of the assigned space, the Committee shall document its efforts and may recommend the Board of Directors

The ORS requirement for towing has been added as providing clear authority.

pursue the remedy defined in ORS 98.830 “Towing Abandoned Vehicle from Private Property.”

**j. RV Dump Station**

An RV Dump Station is located within the vehicle storage area. Those using the dump station shall maintain the cleanliness of the station as described in the posted instructions.

**9. Woodworking Shop**

This has been reworded to further emphasize safety.

The woodworking shop, located on the north side of the Towne Hall Complex, is managed by the Wood Shop Committee and is available for the use of the members, subject to the following provisions:

- (a) Users shall assume all responsibility for their personal safety and shall indemnify and hold harmless the Association with regard to any claim for damage or injury apart from gross negligence by the Association, its officers, its employees, or its agents.
- (b) To ensure safe use, only members who have received instruction prescribed by the Wood Shop Committee shall be registered as users of the woodworking shop.
- (c) Use is limited to registered members; use by friends or family is prohibited.
- (d) Users shall comply with all rules posted by the Wood Shop Committee and with all operating and safety instructions provided by the equipment manufacturer.
- (e) The use of Personal Protection Equipment (PPE) is required at all times. PPE includes respiratory protection, eye protection, and hearing protection.
- (f) The removal or bypassing of any installed guards and safety features is strictly prohibited. The Committee shall promptly revoke the access of any user so doing and report this action to the Board of Directors.
- (g) The removal of equipment or tools from the Woodworking Shop is prohibited.
- (h) Users of the shop shall be responsible for cleaning the shop after each use.

**C. RESERVING COMMON AREAS & FACILITIES**

The wording of this section has been reworked to improve clarity; previously the wordiness and disorganization made the section difficult to comprehend. The fees were previously within explanatory paragraphs.

The Reservations form has been reworked to provide the relevant rules; the checklist for after-use review will be attached to the Use Agreement so the user will clearly understand the steps required for cleaning up after their event.

Salemtowne common areas and facilities are primarily for the use of the residents and for the Association’s committees, clubs, and activities. Association members may reserve certain locations for private events for the benefit of themselves and their invited guests.

## 1. Use Fee and Cleaning Deposit

The Board of Directors shall establish a schedule of fees and refundable cleaning deposits for the use of common areas and facilities; that schedule shall be periodically updated and published as an update to these Rules and Regulations.

Location	Use Fee	Cleaning Deposit
Towne Hall	\$50.00	\$100.00
Towne Hall Kitchen	\$50.00	\$100.00
Breezeway Room	\$50.00	\$100.00
Farmhouse Livingroom & Kitchen	\$50.00	\$100.00
Patio / BBQ Area	\$50.00	\$100.00

## 2. Types of Use

### a. Association Events

Events involving the Association's committees, clubs, and regular activities and that are open to all residents shall have reasonable priority in reserving space and shall not be charged a use fee or cleaning deposit.

### b. Outside Groups and Business Events Prohibited

Events open to and for the primary benefit of outside groups or the general public, such as commercial activities, business interests, and political events, are prohibited. Members may not reserve common areas or facilities to sponsor their service clubs, for-profit or non-profit organizations, or political events.

### c. Instructional Events

Events that involve an invited speaker, instructor, or entertainer are permitted, provided the event is sponsored by an Association committee, club, or regular event host or hostess, and is open to all residents and invited guests. Such events shall not be charged the prescribed use fee and refundable cleaning deposit.

### d. Private Events

Events that are for the benefit of specific residents and their invited guests are considered "private events" and shall be charged the prescribed use fee and refundable cleaning deposit.

Guests at private events are restricted to the reserved location and shall not make use of the other facilities or recreational resources.

### e. Memorial Services & Receptions

Events organized by the relatives of a deceased resident, their friends, and/or their ~~pastor~~ officiate<sup>12</sup>, as a memorial service and reception, are permitted provided the event is open to all Salem towne residents. Such events shall be charged the prescribed use fee and refundable cleaning deposit.

<sup>12</sup> An "officiate" is the person who leads a memorial event, be they pastor, priest, spiritual leader, or other person acting in that capacity.

### **3. Reservations & Event Process**

The Reservations Committee, in coordination with the Office Manager, processes all reservations. The Committee works with the Website Committee and the Newsletter Committee to maintain and update the Reservations Calendar and the Community Calendar.

#### **a. Reservations for Recurring Association Events**

Association committees, clubs, and regular activities may schedule recurring events that will occur during the calendar year by applying for the time and location at the beginning of each calendar year. Recurring events may be scheduled to repeat weekly, monthly, or at specific times each year.

An event that recurs multiple times during a week for a given time and location may be required to yield the time and location for another event that could not be accommodated otherwise.

#### **b. Reservations for Private Events**

Association members may request a reservation for a given time and location by submitting the paper-form or the webpage-form to the Office. Multiple locations may be requested if required to accommodate the event. Reservations will be granted upon receipt of the required use fee and deposit; all reservations are on a first-come basis.

### **4. Event Setup, Cleanup, & Inspection**

When making the reservation, ample time should be allowed for set up and cleanup beyond the start and stop time of the event.

While the Committee will provide relevant information and instructions on use of the equipment, set up and cleanup are the responsibility of the member making the reservation.

Following each event, the committee shall inspect the facility using the provided checklist to ensure cleanup is complete; a report of that inspection will be used to determine the amount of deposit refund.

### **5. Private Use of Other Common Property Areas**

Weather permitting, the greenways and areas adjacent to the golf course may be used for private events such as weddings or family gatherings provided that that use does not interfere with member access or use of the common property. A private event shall not have exclusive use of those areas.

## **ARTICLE V. RESIDENTIAL PROPERTY**

### **A. DEFINITIONS:**

Additional definitions were added, moving some details from the specific rules.

1. **Auxiliary Structures** – Structures other than the primary of any size or shape, including but not limited to tool sheds and storage buildings.
2. **Exotic Pet** – A rare or unusual animal which is relatively unusual to keep or is generally thought of as a wild species rather than as a household pet.

3. **Golf Course Lot** – A lot that abuts any part of the golf course.
4. **Good Neighbor Fence** – A fence design that provides a comparable appearance and color on both sides of the fence.
5. **Greenway Lot** – A lot that abuts any part of a greenway.
6. **LARC** – The Landscape and Architectural Review Committee.
7. **Non-View Lot** – A lot that is not on the golf course or greenway, nor adjacent to those lots; said lot does not have protection of view.
8. **Perimeter Lot** – A lot that abuts the Salemtowne perimeter boundary.
9. **Privacy Panel** – A free-standing structure that reduces the visibility of personal space or hides some unsightly feature (i.e.: garbage cans or air conditioners). Connected panels are classified as a fence.
10. **Raised Bed Garden** – A free standing structure that encloses and elevates an area of soil used as for the cultivation of plants, either ornamental or for food. Also known as a free-standing planter.
- ~~10.~~11. **Retaining Wall** – A structure installed to terrace and/or level the property by holding back soil. A retaining wall is distinct from a fence, dividing wall, or free-standing planter / raised bed garden by being back-filled and below the foundation of the house or adjoining soil level.
- ~~11.~~12. **View Lot** – A lot that has a view of the golf course or greenway, typically adjacent to a golf course or greenway lot.

## B. VIEW PROTECTION & CLEARANCE

### 1. Salemtowne View Protection

While included among the rules, this was not as clearly stated in the previous version. The City of Salem code requirement was also mentioned but not clearly defined.

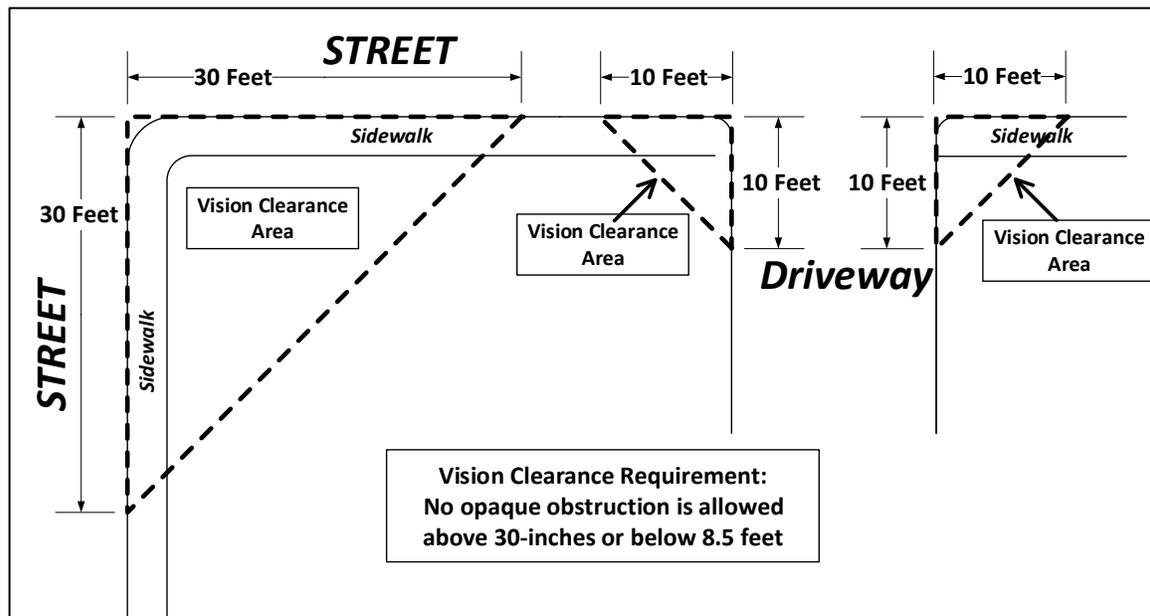
These Rules and Regulations include protection of view for lots designated as Golf Course Lots, Greenway Lots, Golf Course View Lots and Greenway View Lots. Adjacent Lots and other lots having no view of the golf course or greenway are not entitled to view protection.

### 2. City of Salem Code – Vision Clearance

City of Salem Code, Chapter 805, is intended to ensure visibility for vehicular, bicycle, and pedestrian traffic at the intersections of streets and driveways. The vision clearance rule applies to the size, type, and placement of fences and the trimming of shrubs and hedges.

The required clearance for Salemtowne streets is **30-feet** at intersections and **10-feet** at driveways.

The vision clearance areas must be kept free of temporary or permanent obstructions to vision between **30 inches** above curb level to **8.5 feet** above curb level.



**C. GENERAL RULES FOR RESIDENTIAL PROPERTY**

**1. Clotheslines**

Clotheslines, drying racks, or similar devices shall be located so as not to be visible from the street, golf course, greenways, or other common property.

**2. Commercial Activity Prohibited**

The use of all lots and units within Salemtowne shall be as residential dwellings. Commercial and business use is prohibited, except home office use, provide no activity is visible from the exterior.

**3. Disruptive and/or Hazardous Activity**

This was added as a parallel to Article IV.A.1 that addresses disruptive behavior.

Disruptive and/or hazardous activity shall not be carried out on any lot or unit, nor shall anything be done thereon that is a disturbance to the neighborhood. See: Article IV.A.1.

**4. Firewood Storage**

Firewood stored on lots or near units shall be located so as not to be visible from the street, golf course, greenway, or other common property. Firewood storage is available in the Storage Lot. (See: Article IV.B.8)

**5. Garbage and Yard Debris**

Household garbage, trash, and other waste, along with yard debris shall be kept in closed containers intended for that purpose. Those containers shall be stored so as not to be visible from the street, golf course, greenway, or other common property.

## 6. Hazardous Storage

This was added as relevant and as cited by City Code.

On-site storage of hazardous materials not normally incidental to household living, including, but not limited to, those that are toxic, explosive, noxious, combustible, or flammable, are prohibited. (SRC 700.020, g)

## 7. Moving Sales, Garage Sales, and Estate Sales

Personal sales, whether as moving sales, garage sales, or estate sales, may be held with the following stipulations:

- (a) Members are encouraged to forgo personal sales and instead participate in the Salem towne Community Sale, which is held on the Saturday after Labor Day.
- (b) Members are limited to one personal sale per year; an exception may be granted by the Board of Directors if an unforeseen move or the liquidation of an estate warrants an additional sale.
- (c) Personal sales may be held on no more than three (3) consecutive days.
- (d) Signs shall follow the placement and size rules in Article V.C.9.c.
- (e) All articles offered for sale must be the personal property of the member and may not include articles brought or accumulated from other sources.

## 8. Pets & Animals

This wording has been simplified to improve clarity. The revised rule provides more latitude.

- (a) All pets that are not caged should be registered on forms available at the Office, to aid identification if a pet is found loose.
- (b) A maximum of two dogs and/or cats shall be permitted per living unit.
- (c) No pet shall be permitted to be a nuisance or annoyance to other members.
- (d) Pets must be kept on a leash or kept confined to the member's lot or in the unit. When walking pets, members must have visible means to remove excretions and must clean up after their pets.
- (e) Members shall not allow their pets to defecate or urinate on other member's private property.
- (f) Pets are not allowed on the golf course or golf course paths at any time.
- (g) Exotic pets shall not be kept, bred, or raised on any lot or unit. (See: Definitions)
- (h) Livestock and poultry shall not be kept, bred, or raised on any lot or unit.
- (i) No animals of any kind shall be kept, bred, or raised for a commercial purpose.

## 9. Signs

This section has been reorganized and clarified. Based on feedback from the Board, more latitude has been added to the wording.

Signs or other advertising devices shall not be erected on any lot or unit or maintained on any part of the property except as follows:

- **NOTE: Signs** on Common Property are addressed in Article IV.A.6
- **NOTE: The City** of Salem Code prohibits posting signs on city property, telephone poles, sign posts, etc. (See: [SCR 95.200](#))

**a. Personal Signs**

One sign indicating the name and/or address of the owner or occupant may be installed at a lot or unit. The sign shall be no larger than 12" x 24".

One personal notice sign, such as security signs, no soliciting signs, etc., may be installed at a lot or unit. The sign shall be no larger than 12" x 24".

**b. Real Estate & Rental Signs**

Temporary signs related to the sale or rental of real property may be installed between the date of listing and the date of rental agreement or sale contract closing. The sign shall be no larger than 24" x 36".

**c. Open House & Personal Sale Signs**

Temporary open house and personal sale (moving sale, garage sale, and estate sale) signs may be installed as follows:

1. One sign at the Salemtowne entrance.
2. No more than three directional signs may be placed between the Salemtowne entrance and the subject property. (Be sure to obtain permission before placing signs on private property).
3. One sign at the subject property.
4. Signs shall be installed no earlier than the morning of the event and shall be removed promptly when the event ends.
5. All signs shall be no larger than 24" x 36".

**d. Contractor Signs**

Temporary contractor advertising signs may be installed at the site during active work and shall be removed once the subject project is complete.

Contractor signs shall be no larger than 24" x 36".

**e. Political Signs**

Temporary political signs may be installed as follows:

1. Political signs may be installed no more than 90 days prior to a regular or special election and must be removed no later than 5 days after the election date.
2. Signs shall be no larger than 24" x 36".

**10. Vehicles, RV, and Trailers Storage**

Storage of boats, recreational vehicles, utility trailers and other vehicles shall be in either the garage or in the vehicle storage area. (See: Article IV.B.8)

## **11. Temporary Structures**

Temporary structures or containers related to construction, renovation, or property-cleanup are allowed during the active course of such work and shall be promptly removed thereafter. These include: portable storage containers, oversize trash bins, and portable toilets.

## **D. RESIDENTIAL PROPERTY MAINTENANCE**

The Bylaws require that the Association shall, “Enforce requirements that cause the lots and exteriors of all units to be maintained within the limits and provisions of these Bylaws.”  
(Bylaws, Article III, Sec. 1, Part I)

### **1. Exterior and Landscape Maintenance**

This was adapted from the previous language and in reference to the authorizing section of the Bylaws.

All owners individually, or jointly for owners whose units are condominiums, are responsible for the exterior maintenance of their lots or units and all structures thereon. Owners shall arrange for needed maintenance during periods of extended absence or incapacitation.

Standards of maintenance include the following:

#### **a. Dwelling Maintenance**

1. The street address is clearly visible and legible.
2. Paint is free of chipping, significant fading, or mold.
3. Roofing is reasonably free of moss and without areas of missing color or granules.
4. Gutters and downspouts are firmly attached without leaking, sagging or disconnected parts.
5. Decks and patios are clean and without moss or faded paint/stain; access areas under decks are screened to prevent habitation of nuisance animals.

#### **b. Yard Maintenance**

1. Lawns are mowed and with minimal weeds.
2. Plantings and flower beds are maintained by removing weeds, dead plants, and debris.
3. Shrubs and hedges are trimmed according to the standards listed in Article V.E.3.
4. Seasonal accumulations of deciduous leaves and evergreen needles are removed in a timely manner.

## 2. Failure to Maintain

The requirement for personal contact prior to any written violation notice was added to remove tension from the situation. It is noted that some find it easy to write violation notices and more challenging to discuss an issue with a neighbor. This requirement is intended to make the process less hostile and more personal.

Also, additional time was added to the written notice process prior to taking action, which gives additional opportunity for the owner to address the issue or communicate.

- (a) In the event that an owner fails to maintain any lot or unit according to the standards listed, the Board of Directors or designated committee member shall contact the homeowner in person or by phone to resolve the issue.
- (b) If that is unsuccessful, a written notice, which clearly defines the issue and required remedy, shall be sent to the owner by registered mail.
- (c) After 21-days of sending the written notice, the Board of Directors shall have the right to enter upon said lot or unit to accomplish the required maintenance, either through Association employees or contractors. The cost of such maintenance and/or repair shall be charged against the lot or unit and shall be a continuing lien upon the property until paid and subject to collection, including all legal costs.

## 3. Drainage

Each owner of a lot or unit shall not interfere with the natural drainage of water over the lot from adjoining or other lots. Adequate provisions shall be made for proper drainage in the event it is necessary to change the natural flow of water drainage over the lot.

Each owner of a lot or unit shall not install drainage from gutter and downspouts in a manner that causes water to flow onto other lots or the golf course, greenways, or other common property. Connections to existing stormwater drainage is preferred.

## 4. Easements

Easements of record are acknowledged and shall be respected.

## E. LANDSCAPE RULES

The role of the Committee in addressing landscape issues has been clarified as responding to complaints. Combined with the requirement for personal contact, the intent is to defuse the hostility created by patrols issuing written violations notices.

Landscaping of lots and units shall have a positive impact on the common property and the property of other members. The Landscape and Architectural Review Committee (LARC) shall evaluate and seek to resolve complaints regarding the design and upkeep of landscaping using the process defined in Article V.D.2 above.

### 1. Artificial Turf

Installing artificial turf is subject to the Architectural Review Process. (See: Article V.E.5)

**2. Ornamentation**

Exterior ornamentation, both affixed to the house and freestanding in the yard, shall not dominate the landscape.

Seasonal religious displays are permitted and shall be removed no later than five days after the holiday or event to which they apply.

**3. Shrubs and Hedges**

This language was clarified. The table was added to simplify the information.

Shrubs and hedges are to be trimmed so they:

- (a) Appear to be maintained and well managed.
- (b) Do not extend over adjoining sidewalks or property lines,
- (c) Do not provide a refuge for nuisance animals.
- (d) Conform to the following height limitations:

Shrub and Hedge Location	Height Limit
1. All locations except as noted below.	No higher than the eaves of the house or garage
2. <b>Front Yard, All</b> – between the street and the house.	3-feet high
3. <b>Front Yard, All</b> – adjacent to a street or driveway	City of Salem Vision Clearance Rule (Article V.B.2)
4. <b>Back Yard, Perimeter Lot</b> – along the rear property line that abuts the boundary.	No height limitation
5. <b>Back Yard, Greenway Lot</b> – side yard and between the house and the rear property line.	4-feet high Shall not obstruct view for <del>Golf Course</del> View lots.
6. <b>Back Yard, Golf Course Lot</b> – side yard and between the house and the rear property line.	3-feet high Shall not obstruct view for <del>Golf Course</del> View lots.

**4. Trees on Residential Property<sup>13</sup>**

- (a) If a tree to be removed or trimmed on private property is adjacent to common property or the golf course, the Salemtowne Tree Management Committee shall be consulted prior to removal or trimming to insure there will be no damage to the common grounds or trees.

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<sup>13</sup> **NOTE:** In some situations, removal of trees on private property may require a permit from the City of Salem. Refer to SRC Chapter 808 and <https://www.cityofsalem.net/Pages/remove-trees-on-your-property.aspx>.

- (b) If a tree to be removed, pruned or planted on private property is within the City of Salem right of way, the City of Salem must be contacted for approval prior to removal, pruning or planting. Failure to do so may result in a fine as defined in Article III.D.7.
- (c) Trees and plantings along driveways shall be maintained at a level that will not obstruct a driver's view of the sidewalk and street. Failure to maintain vision clearance may result in enforcement action by the City of Salem. (See Vision Clearance Rule - Article V.B.2.)

### **5. Vegetable Plantings in Front Yard**

If vegetable plantings are located in the front yard, they should occupy less than 25% of the area, so as not to dominate the landscaping, and shall be kept neat.

### **6. Raised Garden Beds**

This was added as raised bed gardens are common. This was also added to the Exceptions to Architectural Review.

Raised bed gardens ~~may~~ are permitted within view of any the street, golf course, greenways, or other common property, provided they are be constructed of wood, stone, or masonry, and provided the structure is maintained in good order. Plain concrete block or cast concrete raised beds require a stucco or masonry veneer finish to provide an appealing appearance.

## **F. ARCHITECTURAL REVIEW**

All proposed structural changes on the exterior of the lot or unit, including but not limited to decks, walls, roofs, and fencing, require completion of the Architectural Review Process.

**Applicant must allow time for the Architectural Review process before work begins.**

Failure to complete the Architectural Review Process **prior to the start of the project** may result in the project being returned to the condition existing prior to the start of the project.

- **NOTE:** The review process is not a substitute for or a part of the process to secure Building Permits that may be required by the City of Salem and state law. Applicants are solely responsible for building permit and building code requirements.

### **1. Architectural Change Request**

The Architectural Review Process is initiated when the property owner (Applicant) completes and submits the Architectural Change Request form.

The requirement for signatures from neighbors has been eliminated. If the project fits the rules then the project should be approved. The LARC has the option of consulting neighbors if they need that input in their review. (See 2, c below.)

The paint sample requirement has been eliminated based on the revised requirement for a Paint-Color Book. As colors will be preapproved, sample colors are no longer necessary.

The contents of the form should describe the project in sufficient detail to allow evaluation. Attached drawings, pictures, and/or samples may be necessary to convey the intended outcome of the project and the style, color, and/or materials to be used. For structural changes, drawings with sufficient dimensions may be required to accurately describe the project.

## 2. Committee Evaluation

- (a) A quorum of the LARC will evaluate the Architectural Change Request form and submitted attachments to determine whether the proposed project is consistent with and conforms to the Architectural Rules.
- (b) Should committee members require additional information to evaluate the proposed project, an assigned committee member shall contact the Applicant to obtain further clarification.
- (c) Committee members may seek the input of impacted neighbors as a part of their evaluation of an application.

The requirement for a board member to sign the Change Request has been eliminated to expedite the process.

- (d) If committee members agree that the project is according to the Architectural Rules, the Committee Chair or delegated Committee Member shall sign the form and complete the Architectural Change Approval card and provide it to the Applicant.
- (e) If committee members do not agree that the project is according to the Architectural rules, the Committee Chair or delegated Committee Member shall forward the application and all available information to the Board of Directors for consideration.

## 3. Board of Directors Review

- (a) The Applicant shall be advised promptly that the Architectural Change Request form has been forwarded to the Board of Directors and shall be advised of the date and time for the Board review of the application.
- (b) The Board of Directors shall review the application and all supporting information, may question the Architectural Review Committee members to clarify the issues and rules, and shall provide the Applicant ample opportunity to address the relevant issues.
- (c) The Board of Directors may vote to approve the application and direct the Committee to issue the Architectural Change Approval card, may vote to disapprove the application, or may vote to table the application pending submission of additional information.

## 4. Review Time Limit

In the event the Architectural Change Request is not approved or disapproved by the LARC and/or the Board of Directors sixty (60) days after all plans and specifications have been submitted, and after any requested clarifying information has been provided, approval will be assumed and the requirements outlined above shall be deemed to have been satisfied.

## 5. Project Procedures

- (a) The Architectural Change Approval card shall be posted in a visible location **before** any work begins.
- (b) If the specifications of the project change in the course of detailed design to secure required engineering or permitting, the Applicant shall communicate those changes to the LARC in writing to ensure the change does not alter the conditions of approval.
- (c) The Applicant shall be responsible to advise their contractor that the work site shall be clean, safe, and orderly at the end of each work day.

- (d) Work should be completed according to the schedule listed in the application. If there are delays in starting or completing the project, the Applicant shall communicate the schedule changes to the LARC so expectations may be adjusted. The goal is to minimize disruption to the neighborhood and avoid a lingering construction site.

## **6. Project Completion Review**

- (a) When work is completed, the Applicant shall sign and date the Architectural Change Approval card in the space provided to indicate completion and return the card to the Office.
- (b) The LARC will review the completed project.
- (c) If some aspect of the project does not match the plans as approved, the Committee will communicate the issue to the Applicant for adjustment and will review the project again when the issues have been addressed.
- (d) If everything matches the plans as approved, the Committee will sign the Architectural Change Request form and the Office will provide the Applicant a copy for their records.

## **G. ARCHITECTURAL RULES**

The architectural rules have been reorganized into major groups, which should simplify locating the relevant rule.

### **1. Exceptions to Architectural Review**

The following activities do not require completion of the Architectural Review Process. Home owners should contact the LARC to ensure that a project fits the exemption.

#### **a. Maintenance Activities**

Maintenance activities are not subject to the architectural review process provided the external character or features of the home are not changed. Maintenance activities include but are not limited to:

- Replacing aluminum windows with energy efficient vinyl windows.
- Spot painting using matching colors.
- Replacing a door with another of the same size and color.
- Replacing concrete on sidewalks or driveways.
- Replacing or repairing roofing material using the same type and color.
- Replacing or repairing a fence panel using the same type and color.

#### **b. Patios, Walkways, and Raised Garden Beds**

Concrete or paving stones set as patios or walkways, provided they are flush with the surrounding soil, and raised garden beds are landscape features and are not subject to architectural review process.

### **c. TV & Satellite Antennas**

TV antennas and satellite dishes are permitted if required to receive digital television signals pursuant to the Telecommunications Act of 1996 and implementing Federal Communications Commission regulations.

Architectural Review is not required for antennas; however, consultation with LARC and/or affected neighbors is encouraged to minimize visual impact. Positioning of antennas and satellite dishes should be in the least visible location; for example: the side or rear of the unit.

## **2. Paint-Color Changes**

Exterior paint colors – base color, trim color, and accent color if used – shall be selected from the approved pallet of colors and color combinations in the Paint-Color Book. The selected colors shall be identified on the Architectural Change Request Form.

The **Paint-Color Book** shall be adopted and revised ~~at~~ every five years by the Board of Directors based on the recommendation of an ad hoc committee organized for that purpose. The committee shall consider currently available paint colors from multiple manufacturers. The selected colors and combinations shall provide homeowners the widest possible range of choices that represent various shades of the primary and secondary colors.

## **3. Construction & Remodeling**

### **a. Additions**

Additions shall be attached to the residence in a manner that conforms in architectural design, exterior materials, and finish to that of the dwelling. Additions shall adhere to established set-back requirements and shall maintain the existing views of the golf course and/or greenways from golf course view lots and greenway view lots, as in “Definitions.” Article V.A.

### **b. Building Type**

All buildings shall be single-family dwellings, not more than one story in height at the main floor level, together with an attached private garage. The garage shall conform in architectural design and exterior materials and finish of the dwelling to which it is attached.

### **c. Decks**

Decks ~~should~~ shall be designed and built to conform to local building codes using quality material ~~whose~~ of a color and appearance that complements the overall appearance of the dwelling.

### **d. Garages**

Any remodeling of a garage shall be done without removing the garage door.

### **e. Patio Roofs**

Patio roofs shall be designed and built to conform to local building codes for wind and snow-load. They shall either match the existing roofing or be of quality material that complements the appearance of the structure; corrugated metal or fiberglass shall not be used. ~~Particular attention should be paid to attachments and footings to ensure the structure will resist up lift during high wind conditions.~~

Retractable patio covers are permitted provided the material and color are neutral in appearance.

#### 4. Exterior Features

##### a. Auxiliary Structures

Auxiliary structures shall be of a size and location that will not be visible from the street, golf course, greenways, or other common property. (See Definitions.)

##### b. Fences

Requirements in this section have been clarified, and a great deal of wordy text eliminated. The table provides clear information.

As revised, these rules are less stringent regarding Golf Course lots. The committee felt that rather than the Board granting exceptions, it was better to revise the rules.

1. All fences shall be of a Good Neighbor design. (See: "Definitions" Article V.A).
2. Fence materials shall be of a type and quality intended for residential use. Agricultural, industrial, or construction grade products shall not be used.
3. Fences shall maintain the existing views of the golf course and/or greenways from Golf Course View Lots and Greenway View Lots, as described in "Definitions."
4. Fences shall comply with the Vision Clearance rule. (See: Article V.B.2)
5. Fence height is measured from the ground on the owner's side of the fence.
6. The following height and type limitation shall apply for the locations specified:

Fence Location	Height	Type / Limitation
(a) All locations except as noted below.	6 feet high	Residential Good Neighbor
(b) <b>Front Yard, All</b> – On side property line, from the edge of the house to an ending not closer than 3-feet from sidewalk.	3 feet high	Open lattice, picket, or wrought iron. No solid panels. Shall end 3-feet from sidewalk
(c) <b>Front Yard, All</b> – On front property line, parallel to the sidewalk.	No Fence	No fence allowed
(d) <b>Front/Side Yard, Golf Course Lot</b> – On the property line between the house and the neighboring house.	4-6 feet high	Black or dark green vinyl coated chain link or black wrought iron type. Shall not obstruct view for <del>Golf Course</del> View lots.
(e) <b>Back Yard, Perimeter Lot</b> – On the rear property line.	No Limit	Residential Good Neighbor

Fence Location	Height	Type / Limitation
(f) <b>Back Yard, Greenway Lot</b> – On the side property line between the house and the rear property line.	4-6 feet high	Black or dark green vinyl coated chain link or wrought iron type. Shall not obstruct view for <del>Golf Course</del> -View lots.
(g) <b>Back Yard, Greenway Lot</b> – On the rear property line.	4 feet high	Black or dark green vinyl coated chain link or wrought iron type. Shall not obstruct view for Golf Course View lots.
(h) <b>Back Yard, Golf Course Lot</b> – On the side property line, between the house and rear property line.	2.5 feet high	Black wrought iron type. End 4 feet from golf course, shield from view with plants.
(i) <b>Back Yard, Golf Course Lot</b> – On the rear property line.	2.5 feet high	Black wrought iron type. Place 4 feet from golf course, shield from view with plants.

➤ **NOTE:** The grounds crew does not do detailed trimming. Owners who install a fence that abuts a greenway are required to trim the grass along both sides of the fence line or to install a strip of mulch to limit grass and weed growth.

**c. Flag Masts**

Flag masts may be mounted to a dwelling, using an appropriate bracket, subject to the following requirements.

1. Masts shall be six feet (6') or less in length.
2. Flags shall be no larger than three feet by five feet (3' x 5').
3. Flags may be that of the flag of the United States, the flag of the State of Oregon, the flag of the member's military branch of service, or of the member's favorite sports team.

**d. Flag Poles**

Free-standing flag poles may be installed subject to the following restrictions:

1. Flag poles shall be no taller than twenty-four feet (24')
2. Flag poles shall be constructed as a single or joined tapered unit and shall be securely mounted. Steel threaded water pipe shall not be used as a flag pole.
3. Flags flown on free-standing poles shall be no larger than three feet by five feet (3' x 5').
4. Flags shall be limited to that of the flag of the United States, the flag of the State of Oregon, or the flag of the member's military branch of service.
5. All standards of Flag Etiquette shall be respected.

**e. Privacy Panels**

Privacy Panels, as described in "Definitions" (See: Article V.A), are permitted subject to the following requirements:

1. Subject to approval by the LARC, panels may be installed in yards adjacent to the common areas and the greenway, provided no view obstruction results.
2. Panels shall not be installed in the rear yards of Golf Course Lots.
3. Placement shall not violate the Vision Clearance requirements. (See: Article V.B.21244)
4. Panels shall not be installed in front yards, except as provided for panels to ~~secrete~~conceal trash cans.
5. Panels shall be placed within 4-feet of residence or patio.
6. A group of up to four panels may be installed provided the panels are staggered, are spaced at least 12-inches apart, and are less than 4-feet wide and 6-feet high.
7. A group of up to four panels may be installed in a line provided the panels are spaced at least 24-inches apart and are less than 4-feet wide and 4-feet high.
8. Panels intended to disguise trash cans shall be no larger than necessary to ~~secrete~~conceal the items and shall be placed as close to the dwelling as possible.

#### **f. Retaining Walls**

Retaining walls are permitted along the property line, including abutting common areas, perpendicular to or parallel to the golf course or greenways, subject to the following requirements:

1. Retaining walls shall be designed and built to conform to local building codes.
- ~~1.2.~~ Retaining wall materials must be standard residential landscape materials (i.e.: stone, wall blocks, etc.) built upon a well laid foundation.
  - a. Railroad ties, or pressure treated wood shall not be used.<sup>14</sup>
  - b. Plain concrete block or cast concrete retaining walls require a stucco or masonry veneer finish to provide an appealing appearance.
- ~~2.3.~~ If the house is above the grade of the common property, the height of a retaining wall shall not exceed a line level with the bottom of the siding of the house.
- ~~3.4.~~ If the house is below the grade of the common property, the height shall not exceed a line level with the common property.

### **5. Energy Devices**

#### **a. Propane Tanks**

Propane tanks may be installed subject to the following restrictions:

1. The maximum propane tank size shall be 50 gallons.
2. All propane tanks shall be located so they are not visible from the street, golf course, greenways, or other common property.
3. All propane tanks shall be installed by a licensed LP contractor, shall meet all requirements in NFPA standards 54 and 58, and require building permits.

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<sup>14</sup> The creosote used on railroad ties is an environmental contaminant; the chemicals used for pressure treating wood can also be hazardous. Both eventually decay and become unsightly. Existing retaining wall of railroad ties or pressure treated wood may remain, but approved materials shall be used when those walls are replaced or rebuilt.

**b. Solar Panels**

Solar panels may be installed provided the placement minimizes visual impact

**c. Wind Power Devices**

~~Wind power devices are prohibited. As Salemtowne lots are small and closely spaced, failure of a wind power device would impact neighbors. As Salemtowne lots are small and closely spaced, wind power energy devices are prohibited.~~