

BOARD POLICIES

West Meadows Estates
Homeowners Association Inc.

Fee and Fine Policy

Policy 102

Effective: September 11, 2018

By: 
Mike Eastlund, Board President

1. PURPOSE

Provide a schedule of fees and fines for enforcement procedures of the Association pursuant to powers granted in ORS 94.630.

2. PERSONS AFFECTED

Property owners, Board members, officers, employees and contractors of the Association

3. REFERENCES

3.1. ORS 94.630, 94.550, 94.783, 94.709, 94.652 (2).

3.2. WMEHOA CC&R'S

4. DEFINITIONS

4.1. Assessment: Any charge imposed or levied by the Association on or against an owner or lot pursuant to the provisions of the declaration or the bylaws of the planned community provisions of ORS 94.550 and 94.783. This includes, but not limited to dues, fees, administrative costs and charges, fines, collection costs and attorney's fees.

4.2. Address of Record: The address provided by a member of the Association in person, electronic mail or to the Association's mailing address.

5. POLICY

5.1. Fees and fines will be assessed against the property and owner thereof for violations of the CC&R's, Bylaws, Board Policies and rules and regulations.

5.2. Owners shall be responsible for any fines resulting from violations caused by any tenant, guest, service provider and or occupant of such owner's lot.

5.3. The Board will identify the amount of fines, fees and lien charges according to the schedule provided herein appendix (A).

5.4. The Board shall levy no fine until written notice of violation has been sent to the owner, at the address of record, allowing a reasonable time to appeal or remedy the violation depending upon the nature of the violation.

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- 5.5. The Board may immediately levy a fine, or reassess a suspended fine, for a violation of the same rule within 180-day period from the date of correction in accordance to the schedule provided herein.
- 5.6. In the case of a continuing violation, an additional fine may be assessed on a per day, week or month cycle, taking into account any cure period previously afforded the owner, if any, up to a cumulative maximum of \$2,000.00 per item, per year, according to the schedule provided herein.
- 5.7. An owner may appeal a fee or fine after violation has been corrected or an assessment paid.
- 5.8. The Board may defer, delay, suspend, modify or cancel fines and/or fees, but may not increase a fine beyond amount identified in the schedule provided herein.
 - 5.8.1. The Secretary/Treasurer, with authorization from the Board President, may act for the Board to defer, delay, suspend, modify or cancel fines and/or fees when in their opinion, the Board would concur.
- 5.9. US mail shall be used for notification of fees, fines, failure to pay an assessment, foreclosure of an Association lien under ORS 94.709; or an action the Association may take against an owner ORS 94.652 (2).

6. RESPONSIBILITIES

- 6.1. It is the responsibility of the Board to maintain a schedule of fees and fines.
- 6.2. It is the responsibility of the treasurer to post the schedule of fees and fines to the web site.
- 6.3. It is the responsibility of the treasurer to administer all appeals of fines or fees and when necessary, forward the appeal to the Board for action.

7. PROCEDURES

- 7.1. A member appealing a violation, fee or fine must make the appeal in writing to the Board or treasurer within the allotted time for correction via US mail.
- 7.2. The treasurer must resolve the appeal or refer the appeal to the Board.

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REASON FOR FINE	First Fine	Continuing Violation Cycle
Trash containers at curb in excess of 48 hours	\$50.00	One Week
Unscreened storage of any materials on lot or yards around the main structure.	\$50.00	One Week
Failure to maintain, irrigate or fertilize lawns	\$50.00	One Week
Failure to control weeds in lawn or plant beds	\$50.00	One Week
Failure to cut weeds or remove trash from vacant properties not next to developed properties	\$50.00	One Week
Failure to cut weeds or remove trash from properties next to developed properties	\$100.00	One Week
Failure to screen as required	\$50.00	One Week
Unpermitted recreational or commercial vehicles on street or driveway in excess of 48 hours	\$50.00	Each Event
Failure to remove holiday decorations within 30 days of affected holiday	\$50.00	Two Weeks
Nuisance noise violation	\$50.00	Daily
Failure to control a vicious dog	\$100.00	Daily
Failure to complete construction within one year	\$250.00	Monthly
Failure to complete landscaping within six months of occupancy or one year from start of construction	\$250.00	Monthly
Failure to maintain the exterior paint finish	\$250.00	Monthly
Allowing or maintaining a property or activity that is not in compliance with CC&R's or Board policy without a conditional use permit.	\$250.00	Monthly
Failure to acquire prior ACC approval when required (<u>minor</u>)	\$100.00	One Time
Failure to acquire ACC approval to remove a legacy tree	\$100.00 per /in diameter	One time
Failure to acquire ACC approval before new construction or remodel (<u>major</u>)	\$500.00	One Time
Failure to acquire ACC approval before applying roofing, paint or masonry on new construction	\$200.00	Each Occurrence
Failure to follow ACC approved plans	\$250.00	Each Occurrence
Violation of construction noise hours	\$50.00	Daily after one warning
Construction site trash violation	\$50.00	Daily after one warning
Non-approved commercial activity in residence	\$200.00	One Week

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REASON FOR FEE	FEE	Continuing Cycle
Permit to allow non-compliance to CC&R standards	N/C	N/C
Plan review fee, new construction bare lot	N/C	One Time
New construction refundable compliance fee	\$2,000.00	One Time
Professional reimbursement	Actual	Each Occurrence
Late fee for failure to pay assessments, dues, fines, or fees by due date	25.00	Monthly
Fee to initiate collection with attorney	250.00	One Time