

Colorado Lake Cooperative

Community Rules

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Colorado Lake Cooperative Community Rules

1. General	1
2. Conduct	2
3. Vehicles	4
4. Pets	5
5. Siting, Setup, and Removal of Homes	7
5.1 Siting	7
5.2 Setup	8
5.3 Removal	9
6. Sale of Manufactured Homes and Admission of New Memberships	10
7. Space and Home Maintenance	10
7.1 Home Exterior	10
7.2 Lawns, Plants, Trees	11
7.3 Clutter, Rubbish	12
7.4 Toxic and Hazardous Substances	13
7.5 Remodeling and Construction	13
7.6 Utility and Service Connections	14
7.7 Winterization	14
7.8 Wood and Pellet Stoves	15
7.9 Hot Tubs, Barbecue Grills, Fire Pits, Fireworks, Propane Tanks	15
8. Fencing	16
9. Rule Violations and Relief	17

Colorado Lake Cooperative Community Rules

[previously approved Colorado Lake Cooperative Rules and Regulations have been replaced by ROC USA LLC Community Rules template © 1984-2017, except where indicated; alphabetical subsections in the template have been reformatted with numerals]

Welcome to our community! We wish to provide a pleasant, attractive, and affordable place for residents to live. All communities need some basic rules to accomplish this goal. We hope these rules are not unnecessarily restrictive but provide a safe and tranquil community. The future value of our homes rests on our community's appearance and reputation in the region. We hope our rules facilitate these goals.

These rules apply to all member homeowners and all other persons living in the home, as well as guests. They apply equally to Colorado Lake Cooperative ("the Cooperative") members and non-members. For brevity, we have used "residents" to refer to these persons. These rules may be amended from time to time by the Cooperative members as provided in the Colorado Lake Cooperative Bylaws.

1. General

Residents may request clarification or interpretation of these rules at any time from the Board of Directors of the Cooperative ("the Board"). Questions, comments, or suggestions must be submitted to the Board in writing and signed.

- 1.1** Any requests of the Board, including requests for approval of an exception to these rules, must be submitted in writing to the Secretary of the Board at least five days prior to a scheduled Board meeting.
- 1.2** Residents with disabilities have the right to request waivers or modifications of rules if required as a reasonable accommodation. The Board may establish by resolution additional forms and procedures to be followed in making such request. The Board and residents must keep a copy of such agreement.
- 1.3** Any approval or permission granted by the Board to a resident or request of the Board to a resident must be in writing.
- 1.4** When notice is required in the rules, the notice will be in writing. Receipt of the notice by the resident shall be considered complete three days after mailing or after it is hand-delivered to a person 18 years or older living in the home, in addition to a mailed notice. Notices may be posted on the home but must also be mailed to be effective.

- 1.5** Homes are to be owner occupied, and occupancy is limited to the persons named in the Space Lease. Rentals are not permitted. Occupancy shall not exceed two persons per bedroom. Any exceptions require approval by the Board.
- 1.6** If a resident violates these Community Rules by either taking some action or failing to take some action, and the resident does not correct the violation after being notified to do so by the property manager, the Board, acting on behalf of the Cooperative, may authorize the property manager to correct the violation on the resident's behalf. If the Board authorizes such corrective action, the violator must reimburse the Cooperative for its expenses plus 10 percent as a management fee.
[from previous Colorado Lake Cooperative Rules and Regulations, Section 1.4; revised for clarity; reimbursement changed to 10 percent]
- 1.7** If the Board, acting on behalf of the Cooperative, at any time fails to require performance of any Community Rule, such failure shall not limit the Cooperative's right to enforce that rule or any other Community Rule. If any breach of a Community Rule is waived, the waiver will not be construed as a waiver of any future breach of that rule or any other Community Rule.
[from previous Colorado Lake Cooperative Rules and Regulations, Section 1.5]

2. Conduct

We strive to build a safe and tranquil community. Due to the close proximity in which we live, we have basic ground rules to maintain the peace and security of all residents.

- 2.1** All residents are responsible for the actions of their guests and guests' children, pets, and/or their assistance animals.
- 2.2** Residents must conduct themselves in a reasonable manner at all times and must not disrupt, threaten, or harass other residents or their guests.
- 2.3** Public intoxication is prohibited.
- 2.4** This is a drug-free community. Use, possession, or distribution of illegal drugs is prohibited and is cause for immediate eviction, as provided by Oregon law.
- 2.5** No commercial or in-home businesses are allowed, including daycare, with the exception of non-physical internet commerce. If residents are negatively impacted by any business activity within the community, the business must cease operation. No visible signage or other advertising is allowed, except home for sale signs.
[“except home for sale signs” added]
- 2.6** Excessive noise levels are to be avoided at all times. Excessive noise is defined as any noise that is unreasonably loud, continuous, or frequent enough to be a disturbance to other residents, including, but not limited to, dog barking (see Section 4.5, below), music, indoor/outdoor conversations, motor vehicles, and

social events. Quiet hours are 10:00 p.m. until 9:00 a.m., except when work by a contract professional is required and authorized by the Board.

[noise definition and "contract professional" phrase added]

2.7 Vandalism of any kind will not be tolerated. Vandalism or graffiti to a resident's home or space must be repaired or removed by the resident of the space upon 30 days written notice from the property manager. If the vandalism or graffiti is not repaired or removed within 30 days, the property manager may repair or remove it and the cost will be charged to the resident.

[modified per Cooperative attorney]

2.8 Discharge of firearms (including BB, air, and paintball guns), archery equipment, and all other weapons in the community or on Colorado Lake is strictly prohibited.

2.9 The bank adjacent to Colorado Lake is not owned by the Cooperative. Trespassing on the lake bank is prohibited.

[added]

2.10 Feeding of wildlife is prohibited; however, bird and squirrel feeders are permitted.

[from previous Colorado Lake Cooperative Rules and Regulations, Section 2.6]

2.11 Any person or persons evicted from the community for cause shall not be permitted to return, with the exception of short-term visitations with written Board approval.

2.12 Any guest visiting for more than 14 consecutive days must register with the property manager.

[modified from previous Colorado Lake Cooperative Rules and Regulations, Section 4.8]

2.13 Any guest staying for more than 14 consecutive days who wishes to remain in the community must qualify as a household occupant and be added to the Space Lease, or as a temporary occupant and must execute a temporary occupancy agreement, unless the guest is a caregiver for a resident with a disability as defined by law. In order to qualify as either a household occupant or a temporary occupant, the guest must first submit an application to the property manager and meet the occupancy requirements set in Section 3.1 of the Bylaws. Live-in caregivers are subject to an abbreviated background check (criminal background only) before moving in. The Board recognizes that there may be extenuating circumstances in any of these cases. The circumstances should be described in writing, signed, and submitted to the Board prior to the end of the 14-day period.

2.14 In compliance with Oregon law (ORS 814.485, 814.486), children under the age of 16 on a bike, with or without training wheels, must always wear a helmet while riding within the community.

3. Vehicles

We strive to provide a safe, clean, and orderly community.

3.1 The speed limit within the community is 10 miles per hour.

3.2 At all times vehicles must be operated in a careful manner in the community so as to avoid injury to persons and property. Residents are especially cautioned to watch for people walking on our roadway.

[last sentence added]

3.3 Motorcycles and motor scooters that are licensed and street legal are allowed for ingress to and egress from the community. Motorized trail bikes, go-carts, and all-terrain vehicles are not to be used in the community. Engine noise should be kept at a moderate level; any excessive engine noise is prohibited.

3.4 Each resident's space contains parking in driveways and/or graveled parking spaces and carports. Residents must use their allotted parking spaces in lieu of parking in the street. Vehicles may not be parked in yards on lawn or landscaped areas. No street parking is allowed. Short-term street parking is permitted for drop-off and pick-up only. Vehicles must not block entryways or mailboxes. All streets must provide easy access for emergency vehicles at all times.

[some wording modified for Colorado Lake Cooperative]

3.5 All vehicles must have current license tags. Non-operational vehicles and vehicles that are not properly maintained (including those that are not currently licensed) may not be stored on residents' spaces or in the community RV/storage lot for more than six months. Residents are responsible to remove such vehicles, or the Board may direct that such vehicles be towed at the expense of the owner. Notice will be given of the intent to tow the vehicle 72 hours prior to towing. If the vehicle owner is unknown, the notice will be placed in a visible place on the vehicle to be towed. In the case of extenuating circumstances, a resident may request a variance or a time extension from the Board in writing, and the Board will respond in writing.

[some wording modified for clarification]

3.6 Recreational vehicles and equipment, such as boats, trailers, all-terrain vehicles, campers, motor homes; and oversized trucks, vans, etc., may not be stored in residents' driveways or anywhere else on residents' spaces, except for periods not to exceed 72 hours for loading and unloading. A resident may submit a written request to the Board for a temporary extension of the 72 hours. Alternatively, residents may apply to the Board to lease space in the community RV/storage lot, if space is available, where these items may be parked, subject to a monthly fee.

[some wording modified for Colorado Lake Cooperative]

3.7 The visitors parking area is for visitors who are actually on the premises visiting a current resident. No overnight parking while off the premises and no long-term

parking is allowed in the visitors parking area. Visitors may park in a resident's parking space while visiting; however, visitor's vehicles are not to be stored at such sites.

[from previous Colorado Lake Cooperative Rules and Regulations, Sections 4.5 and 4.4]

- 3.8** Community parking areas are for the use of residents while conducting or participating in community business or social activities. No overnight or long-term parking is allowed in community parking areas.

[new rule]

- 3.9** No major repairing of vehicles is allowed within the community. A major repair is defined as the dismantling of a vehicle, parts of an engine or drive train, painting, body work requiring machine shop tools, or the lifting of any wheel off the ground for the purpose of repair other than repair of a flat tire, oil change, other lubricant changes, and regular maintenance. Minor repairs and minor maintenance are acceptable.

[modified for Colorado Lake Cooperative]

- 3.10** No motor oil or any caustic or non-biodegradable substance shall be deposited in any street, sewer system, or on the ground within the community. A resident will be charged for any damages caused by such materials. (See also Section 7.4, below, and Section 7-J of the Space Lease.)

4. Pets

We recognize the importance of pets to many residents. However, not everyone likes the same pets. Recognizing the close proximity in which we live, we intend that the following rules balance the interests of all residents regarding pets and create a healthy environment for all. Colorado Lake Cooperative expects all community members to familiarize themselves with all local pet ordinances and to comply with those laws while residing in the community. We also require that residents spay, neuter, and vaccinate animals.

- 4.1** Residents may own no more than three pets per household. Pets are defined as dogs and/or cats. Fish, birds, and small pets, such as hamsters or guinea pigs, are not covered under this rule. Exotic animals, reptiles, farm animals, and wild animals are not appropriate pets for a mobile home community and are not permitted.

[from previous Colorado Lake Cooperative Rules and Regulations, Section 5.1]

- 4.2** The following dog breeds are excluded in the community: German Shepherd, Pit Bull, Rottweiler, and Bullmastiff, and dogs with a bite history or aggressive dogs. An exception will be made for assistance dogs of these breeds with documentation from a prescribing health professional. In addition, the Board may request that the owner provide evidence of liability insurance in an amount required by the Cooperative with Colorado Lake Cooperative named as co-insured. An exception will also made for dogs of these breeds currently residing in the community (prior

to approval of these revised Community Rules); however, replacement dogs must conform to these rules.

[new rule: exclusions from Cooperative insurer; last sentence added per Cooperative attorney]

- 4.3** All dog and cat owners must submit a Pet Registration form to the Board within 14 days of adopting a new pet. Registration will include a physical description, a photo, and proof of current vaccination and county licensing. Pets not licensed by Linn County should be licensed with the county within 30 days of moving into the community, and proof of the new license should be provided to the Board.

[from previous Colorado Lake Cooperative Rules and Regulations, Sections 5.5 and 5.4]

- 4.4** All residents who own pets and assistance animals are responsible for the conduct of their animals, and all residents are responsible for the conduct of their guests' animals. Dogs must be under control of their owners or another adult at all times whether walking with their owners in the community or confined anywhere on owners' spaces. According to Linn County Dog Control Code 560.110(EE), under control means that a dog is kept from biting, injuring, wounding, or chasing any person, pet, or domestic animal and that the dog is restrained by a physical device. Dogs must be kept on a leash and under adult supervision when off the owner's space and under the owner's supervision when in the owner's yard.

[re-worded from previous Colorado Lake Cooperative Rules and Regulations, Sections 5.2 and 5.3, for clarity; and from Linn County Dog Control Code, as indicated]

- 4.5** Dogs may not disturb any resident by frequent or prolonged noises, such as barking, whining, and howling. Prolonged noises are defined as lasting longer than 10 to 15 minutes. Dogs also may not be at large in the community, trespass on other residents' spaces, scatter other residents' garbage, chase other residents' pets or domestic animals, or destroy property of other residents. After an initial warning from the property manager, any repeated violations of this rule may result in one or more fines. In addition, animal owners are liable for the cost of repair or replacement of any damaged property. This rule also applies to the pets and assistance animals of residents' guests.

[from information supplied by Linn County Animal Control Officer; Linn County Dog Control Code, Section 560.410, and ORS 609.095; and partly from ROC USA Community Rules template, Sections 6.c and 6.h]

- 4.6** Dogs may not menace, chase, display threatening or aggressive behavior, or otherwise threaten or endanger the safety of any person, pet, or domestic animal in the community. Menacing behavior is defined as lunging, growling, snarling, or other behavior by a dog that would cause a reasonable person to fear for his or her safety or the safety of his or her animal. Residents who are victimized by such behavior or have animals that are victimized by such behavior can speak to the dog owner, if reasonable, to resolve the issue, or submit a written and signed complaint to the property manager with date, time, and description of the incident(s) and description of the dog(s) involved. After investigating, if the property manager finds that a dog is potentially dangerous, a Notice of Violation will be issued and more serious consequences may be imposed, including, but not limited to, confinement of the dog within the home, fine(s), or Linn County Animal Control

may be consulted for consequences under Linn County Code, Title 5, Subtitle 3, Chapter 560 (Dog Control Code). Upon receiving a Notice of Violation from the property manager, the dog owner may contest the Notice, as described in Subsection 9.2, below, of these Community Rules.

[adapted from previous Colorado Lake Cooperative Rules and Regulations, Sections 5.2 and 5.9, and ROC USA Community Rules template, Sections 6.g and 6.h; definition of menacing behavior from Linn County Dog Control Code 560.110(U)]

- 4.7** Any dog that bites, wounds, injures, or kills any person, pet, or domestic animal without provocation must be removed immediately from the community. The victim of the incident shall contact law enforcement and health officials and notify the Board about the incident.

[first sentence partly from Linn County Dog Control Code 560.650; remainder from ROC USA Community Rules template, Section 6.h]

- 4.8** When walking dogs, residents must carry a bag, use it to contain their pets' refuse, and must dispose of it appropriately in a garbage receptacle. Dog owners are required keep their yards free of animal waste to prevent noxious odors in the neighborhood.

[last sentence added]

- 4.9** No feeding of dogs or cats outside the home is permitted; however, water may be given.

[from previous Colorado Lake Cooperative Rules and Regulations, Section 5.7]

- 4.10** No outdoor pet kennels or fenced dog runs are permitted.

5. Siting, Setup, and Removal of Homes

These rules are intended to facilitate easy setup and removal of all manufactured homes in the community. These rules apply to homes to be newly sited in the community as well as to homes currently sited that are being removed and replaced.

[last sentence added]

5.1 Siting

- 5.1.1** The Board must approve and has the right to inspect and view any home before it is moved into the community. The Board must approve the placement and position of the home on the space ("Site Plan"), as well as any carports to be constructed, and the proposed landscaping.

- 5.1.2** If required by local, state, or federal regulations, the regulating authority must approve the age and condition of the home before it is moved into the community. No homes older than 20 years will be accepted. Homes moving into the community must be a minimum of 14 feet wide and have a pitched roof. Homes moving in are required to have wood, composition, vinyl, or aluminum lap siding. Videos or photos of the potential home to be sited

must be submitted to the Board before the Board accepts a member's application.

[second and third sentences from previous Colorado Lake Cooperative Rules and Regulations, Sections 8.8 and 8.9]

5.1.3 Prior to siting any home in the community, the owner will provide the Board with a copy of the home purchase agreement.

[from previous Colorado Lake Cooperative Rules and Regulations, Section 8.4]

5.1.4 The homeowner is responsible for any damage caused during the siting of his or her home and shall reimburse the Cooperative for any expense incurred for the repair of damage caused to the lot, curb, driveway, utility services, or any portion of the community.

[from previous Colorado Lake Cooperative Rules and Regulations, Section 8.2]

5.2 Setup

5.2.1 All installations and construction must be performed by a licensed and bonded contractor or by the resident if prior approval is obtained from the Board. Installations and construction must be in accordance with local, state, and federal laws.

5.2.2 All manufactured home towing hitches must be removed immediately after the home is placed on the lot.

[from previous Colorado Lake Cooperative Rules and Regulations, Section 8.7]

5.2.3 Residents are responsible for contacting utility companies relating to the connection of all utilities, including electrical, telephone, television, and water. The work must be performed by a licensed, bonded contractor.

5.2.4 Because of the many underground utilities in the community, residents who wish to dig to a depth below one foot must receive prior approval from the Board. High voltage wires are buried underground, and digging without knowing where these wires are located can be dangerous. According to Oregon law (OAR 952-001-0050), residents are required to call line location services to mark the location of underground utilities at least 48 hours prior to digging on their rental spaces. Digging includes, but is not limited to, planting of trees and shrubs; installing a fence, deck, mailbox, or garden border; and any other digging that includes placing of posts. Residents who violate this rule and/or Oregon law are responsible for any injury, disruption of utility service to the community, and repair costs for damaged utility lines.

[modified to include Oregon law and information from City of Corvallis Public Works]

5.2.5 All wiring and plumbing, either inside or outside of the manufactured home, must comply with state and local codes. Any changes necessary in altering community wiring or plumbing must first be approved by the Board.

- 5.2.6** Skirting and permanent stairs must be installed within six weeks of the home being sited in the community. All manufactured homes must be skirted to match or coordinate with the exterior siding of the home. Installing an access door in the skirting is necessary for easy access to utilities. All skirting must be installed by a licensed and bonded contractor or by the resident with prior approval from the Board. Installations must be in accordance with State of Oregon specifications.
- 5.2.7** Steps and porches must be installed at each exterior door of a manufactured home in the community. Residents must have their steps and porches installed within 60 days after the home is sited. Minimum landing size for steps or porches is 36 inches by 48 inches. All handrails must be bolted. No temporary steps are allowed after 60 days from the siting of the home.
- 5.2.8** Each manufactured home should be equipped with a storage shed. The size and exterior appearance of sheds must be approved by the Board prior to installation. The maximum storage shed size shall not exceed 8 feet by 10 feet. Storage sheds should be installed within 60 days after the home is sited.
- 5.2.9** Gutters and downspouts must be installed and connected to an adequate drain field within six weeks after the home is sited. Drainage from gutters or from any other sources is not allowed into Colorado Lake or onto the lake bank. Remedies for drainage violations will be at the expense of residents.
[last two sentences added]

5.3 Removal

- 5.3.1** Residents wishing to remove their homes are required to give notice of intent to the Board at least 30 days prior to moving their home.
- 5.3.2** The Board reserves the right to request that all permanent structures on the space be removed at the member's expense when the member moves from the community.
[from previous Colorado Lake Cooperative Rules and Regulations, Section 8.5]
- 5.3.3** Following removal of the home, the resident shall be responsible for clearing the space of all debris and trash within 30 days. Trash and debris that remains 30 days after the home removal will be removed at the homeowner's expense.

6. Sale of Manufactured Homes and Admission of New Memberships

See Sections 4.1 through 4.7 and Sections 3.1 through 3.12 of the Bylaws and Section 3, Subsection D, of the Space Lease for further information on sales and rentals of homes and on membership.

6.1 Prospective purchasers of a manufactured home in the community must submit an application and be approved by the Board prior to occupying the manufactured home. All such prospective purchasers shall be subject to a background check. No contract for sale of a manufactured home in the community shall obligate the Board to accept or approve a prospective purchaser of the manufactured home.

[from previous Colorado Lake Cooperative Rules and Regulations, Section 6.1]

6.2 Prospective purchasers of a manufactured home in the community must also purchase a membership in Colorado Lake Cooperative.

[from previous Colorado Lake Cooperative Rules and Regulations, Section 6.2]

7. Space and Home Maintenance

[this entire section reformatted, re-worded, and expanded; definitions added]

These rules provide a standard for upkeep of individual spaces and maintenance of a neat and orderly community appearance that complements our wild surroundings.

7.1 Home Exterior

7.1.1 Manufactured homes, carports, decks, storage buildings, and other accessory structures must be maintained in clean appearance and good repair. Severely faded and peeling paint indicates the need for new paint. Algae growth, mold, and mildew appearing on siding indicate the need for power washing.

7.1.2 Stairs, porches, decks, ramps, carports, and storage buildings must be maintained in safe and structurally sound condition. Loose boards on stairs and ramps, and loose handrails must be repaired or replaced. Unsafe rotting or rotted wood on stairs, stair landings, ramps, porches, and decks must be repaired or replaced. Skid-resistant treads should be applied to stairs and ramps for safety, especially to prevent slipping and falling during wet weather. Broken outdoor light fixtures should be repaired or replaced, preferably with shielding that directs light downward to prevent bright lights from disturbing neighbors. Walkway illumination is recommended but not required.

7.1.3 Missing or damaged skirting panels must be replaced. Broken or malfunctioning doors and windows should be repaired or replaced. Broken

blinds and torn window coverings visible from the street must be removed and/or replaced.

- 7.1.4 Needles, leaves, and fallen branches should be swept regularly from home, carport, and storage building roofs, as weather permits. Patios, decks, porches, ramps, stairs and stair landings, carport floors, driveways, and walkways should also be swept regularly.
- 7.1.5 Gutters and downspouts must be kept clean and unobstructed for proper drainage. Drainage from gutters or from any other sources is not allowed into Colorado Lake or onto the lake bank. Remedies for drainage violations will be at the expense of residents.
- 7.1.6 All homes must have house numbers easily visible from the street, preferably reflective for night visibility.
- 7.1.7 Satellite dishes no longer in use should be removed.

7.2 Lawns, Plants, Trees

- 7.2.1 Lawns must be mowed regularly, weather permitting. Planted areas (flowers, shrubs, vegetable gardens, etc.) must be regularly weeded and trimmed. Leaves, mulch, and compost scattered in yards (not including planted areas) must be raked in a timely manner, except when weather conditions are too wet or windy. Residents who will be gone for extended periods of time must arrange for yard maintenance in their absence. **Occasional lapses in care are understandable, but chronic neglect is a violation of this rule.**
- 7.2.2 Watering of lawns and plants should not be excessive, and water should not be allowed to run into the street or onto neighbors' spaces. When water usage must be limited, such as during a drought, the Board reserves the right to impose temporary watering restrictions. All residents will be notified in writing and required to comply with the stated restrictions.
- 7.2.3 Residents who have fences are responsible for maintaining the grounds outside their fences from the fence line outward, up to 12 inches or to the property line, except where fences stand between adjacent properties.
- 7.2.4 Trellises other decorative garden structures, gardens, and landscaping must not interfere with the Board's ability to perform any upkeep and maintenance of the community's infrastructure.
- 7.2.5 Residents are responsible to report potentially or obviously hazardous trees immediately to the Board in writing. The Board should then respond immediately with a plan for resolving the hazard.

- 7.2.6** Shrubs and small trees less than 30 feet in height will be maintained by the residents. Trees more than 30 feet in height will be maintained by the Cooperative. Planting and removal of trees must be approved by the Board in advance. Residents who plant or remove trees more than 30 feet in height without prior approval may be required to remedy the violation at their own expense. See Rule 5.2.4, above, regarding requirement for line location service before digging.
- 7.2.7** Volunteer seedlings that pop up anywhere on a resident's space must be removed by the resident if the seedlings will grow to more than 30 feet in height at maturity and/or will have invasive root systems. If necessary, check with the Operations Manager or other Board member for identification of volunteer seedlings.
- 7.2.8** Large trees over 30 feet in height will be maintained by the Cooperative. Resident agreement in writing is required if the Cooperative intends to remove a healthy tree from a resident's leased space, unless the tree is a threat to one or more homes or to the community infrastructure. The resident may replace a tree removed by the Cooperative, and the Cooperative will reimburse the resident for the cost, if the Board gives prior written approval for the replacement (see Rule 5.2.4, above, regarding requirement for line location service before digging). If Board approved, large trees may be removed by residents on their own lots at their own expense. Such removal must include the disposal of the tree and all of its limbs, leaves, needles, and debris within 30 days.
- 7.2.9** Trimming, removing, or altering any vegetation or trees on the bank adjacent to Colorado Lake is strictly prohibited (see Community Rule 2.9, above). Any trees growing on the bank that pose a threat or appear to pose a threat to any home in the community should be reported immediately to the Board.

7.3 Clutter, Rubbish

- 7.3.1** All exterior homesite areas must be free of clutter. Clutter consists of items not intended for outdoor use and items not in use that should be stored out of sight. Clutter is not allowed in yards; on patios, decks, porches, ramps, stairs and stair landings; under carports, or beneath homes. Items considered clutter include, but are not limited to, indoor sofas and chairs, appliances, exercise equipment, drums and other large containers, auto motors and automotive body parts, tires, tools, construction materials and equipment, ladders, containers of chemicals, cans of paint, boxes and bags of stored belongings, landscaping equipment, piles of recyclables. Firewood should be stacked neatly and wood debris (firewood chips and bark) picked up.

7.3.2 No storage is allowed beneath a manufactured home, especially combustibles and toxic substances.

7.3.3 All exterior homesite areas must be free of rubbish. Rubbish consists of any item(s) that should be discarded or hauled away. No rubbish is allowed to accumulate in any yard; on any patio, deck, porch, ramp, stair landing or stairs; under any carport, or beneath any manufactured home. Items considered rubbish include, but are not limited to, all ordinary household garbage; broken patio furniture; non-working kitchen and laundry appliances; broken, severely worn out, tattered yard decorations; landscape and garden trimmings; shrub and tree trimmings; Christmas trees no longer in use; construction waste. Residents are encouraged to recycle yard debris (raked leaves, needles, grass clippings, etc.) as mulch in planted areas within their own rented spaces. Yard waste or any other rubbish may not be discarded into Colorado Lake or onto the lake bank.

7.3.4 All household garbage must be bagged and deposited in covered containers. Containers should remain covered at all times when not in use. Trash and/or recycling containers should be removed from the street by the end of collection day.

7.4 Toxic and Hazardous Substances (see also Subsection 3.11, above, and Subsection 7-J. of the Space Lease)

7.4.1 Any product containing hazardous substances, as defined under any federal or state law or environmental regulation, must be stored in closed containers that are in good condition and kept in a manner to prevent leaking. Hazardous substances include, but are not limited to, petroleum products, paints, solvents, fertilizers, pesticides, and herbicides. Each homeowner must comply with all federal, state, and local laws regarding hazardous substances and must use such products responsibly according to the manufacturer's instructions. Any spills of any hazardous substances must be cleaned up immediately and a Board officer notified of the circumstances surrounding the spill and actions taken. The homeowner will indemnify and hold the Cooperative harmless from any liability arising out of any release of hazardous substances on the homeowner's lot.

[from previous Colorado Lake Cooperative Rules and Regulations, Section 3.12]

7.4.2 Disposal of grease, oil, solvents, paint, or any other toxic material in the Community sewer system or storm drains is prohibited.

[from previous Colorado Lake Cooperative Rules and Regulations, Section 3.11]

7.5 Remodeling and Construction

7.5.1 All exterior remodeling and construction, including but not limited to ramps, must be approved by the Board in advance and must conform to existing

building codes. Fences must be approved in accordance with Section 8, below.

7.5.2 No new construction of private docks on Colorado Lake or stairs on the bank is allowed (see Community Rule 2.9, above).

7.5.3 Open carports may be enclosed with prior approval from the Board. The resident or resident's contractor must construct the enclosure according to existing building codes, including obtaining a building permit, if required.

7.6 Utility and Service Connections

7.6.1 Tampering with the Cooperative's fuses, breakers, electric service, or connections is prohibited. In the event of any kind of electrical service problem, the resident should contact the Operations Manager or other Board member.

[from previous Colorado Lake Cooperative Rules and Regulations, Section 3.3]

7.6.2 If, in the judgment of the Cooperative, one or more approved backflow prevention devices are required at a manufactured home, the Cooperative will give notice in writing to the homeowner to install the device(s). The homeowner will install the approved device(s) upon 60 days written notice at his or her own expense. In the event a homeowner fails or refuses to install an approved backflow prevention device within 60 days, the Cooperative or the property manager may do so, and all cost and expenses associated therewith shall be the responsibility of the homeowner.

[from previous Colorado Lake Cooperative Rules and Regulations, Section 3.13; last sentence altered per Cooperative attorney]

7.7 Winterization

7.7.1 It is the tenant's sole responsibility to properly winterize all outdoor fixtures. All damages to outdoor fixtures that result from inadequate winterization shall be the responsibility of the homeowner. Water service lines must be protected from freezing by the installation of electric heat tape or insulation. Heat tape should be checked prior to winter season and replaced, if needed.

[first two sentences added per Cooperative attorney]

7.7.2 For further winter protection, pipes leading to outside faucets should be drained, faucet covers should be placed on all exterior hose bibs, and sprinkler systems should be drained prior to winter season.

7.8 Wood and Pellet Stoves

- 7.8.1** Installation of new wood burning stoves is prohibited. Residents who currently have wood stoves in their manufactured homes and use them regularly should have their wood stoves cleaned and inspected annually by a qualified inspector to ensure that the stove is safe to use, Corvallis Fire Department recommends that wood stoves be cleaned more than once per year if used daily for winter heating to avoid hazardous creosote buildup in chimneys. Wood stove safety is a serious issue in a manufactured home community, and residents are liable for wood stoves that are not properly maintained.
- 7.8.2** Installation of new pellet stoves is allowed. New pellet stoves must be inspected and certified by the fire department immediately after installation and a copy of the certification provided to the Board. Recommendations for cleanings and inspections are the same as for wood stoves.

7.9 Hot Tubs, Barbecue Grills, Fire Pits, Fireworks, Propane Tanks

- 7.9.1** Homeowners must obtain written permission from the Board prior to installing hot tubs on their spaces. A written request should be submitted to the Board along with a site plan. Hot tubs must comply with applicable federal and state laws and local ordinances as to their construction, installation, and maintenance. Hot tubs must be surrounded by a privacy fence and covered when not in use.
- 7.9.2** Gas and charcoal grills are permitted. All barbecue grills must be placed at least 10 feet from any structure (as measured from the roof overhang, if any), fence line, vegetation, and any combustible materials. Grills must be attended by adults at all times and operated in compliance with all manufacturer's directions to reduce the risk of fire. No burning of paper, rubbish, or other fuel sources are allowed other than propane and charcoal. A water source via a hose or bucket must be within reach.
- 7.9.3** Fire pits require written approval from the Board before installation. The Operations Manager or other Board member(s) will conduct an onsite inspection before use. Portable and in ground fire pits must be commercially manufactured or constructed of concrete or approved non-combustible materials and are required to have mesh screen covers. Portable fire pits must be placed at least 15 feet from any structure (as measured from the roof overhang, if any), fence line, vegetation, and any combustible materials, and in ground fire pits must be placed at least 25 feet from the same. Fires in fire pits must be attended constantly by adults until **completely** out. Fire size is limited to three feet in diameter and two feet in height. Only dried wood or wood products may be burned, except for portable fire pits fueled by propane or natural gas. Yard debris, other than

logs and bare branches, is not allowed in fire pits. No other materials may be burned, especially not materials that emit dense smoke or noxious odors. A water source via a hose or bucket must be immediately within reach.

7.9.4 Corvallis Fire Department, Oregon Department of Forestry, or the State Fire Marshall's Office can limit burning if conditions are deemed to be unsafe (e.g., during extremely hot and dry periods). Residents are required to check with Corvallis Rural Fire Protection District for burning restrictions before using barbecue grills and fire pits. Residents who violate these Community Rules regarding fire pits will be required to remove their fire pits from the community. Residents will be liable for any damage caused from barbecue grills or fires in fire pits neglected and/or improperly extinguished.

7.9.5 All fireworks are prohibited in the community year-round.

7.9.6 Propane or natural gas tanks are not permitted in the community, except propane tanks intended for barbecue grills or portable fire pits, and canisters for camp stoves. Natural gas is available for household use via a gas line under the street in most areas of the community. Connection to the gas line must be installed by a qualified professional and is the responsibility of the resident.

8. Fencing

[this section reformatted from Colorado Lake Cooperative Fencing Guidelines]

8.1 Definitions

8.1.1 Landscape Fencing: Any fence of open or closed construction 3 feet high or under. Posts are at least 2 inches by 2 inches square or round.

8.1.2 Lattice Fencing: Any fence over 3 feet high constructed with lattice panels consisting of natural or manufactured material. Posts are at least 2 inches by 2 inches square or round.

8.1.3 Neighbor Agreement: A form submitted to the Board with a construction request for standard or privacy fencing, jointly worked out between neighbors the fence will border.

8.1.4 Privacy Fencing: Any fence of closed construction 5 to 6 feet high and consisting of more than one panel. Fence posts are 4 inches by 4 inches square or round.

8.1.5 Privacy Panel: One panel of closed construction no more than 6 feet high and 12 feet long.

- 8.1.6 Standard Fencing:** Any fence higher than 3 feet consisting of wood, composite, PVC, or wrought iron panels. Fence posts are 4 inches by 4 inches square or round.
- 8.1.7 Temporary Fencing:** Deer or bird netting installed with uniform poles and only for the duration of growing season.
- 8.1.8 Wire Fencing:** Mesh fencing consisting of woven or welded wire with 2 to 10 millimeter diameter spaces in the design.
- 8.2** Standard and privacy fencing may be constructed with approval from the Board. A construction plan and all applicable neighbor agreement forms must be submitted in advance for review. All fence construction must be completed within 90 days.
- 8.3** Privacy fencing may not exceed 6 feet in height and may not extend past the front door or the end of the home facing the street. Front yards facing the street may not have privacy fencing. A privacy panel may be placed in front of an entrance facing the street or a neighbor's home.
- 8.4** Lattice fencing may be constructed of natural or manufactured material, must be securely mounted to fence posts, and must not exceed 6 feet in height.
- 8.5** Open fences may be constructed with wire panels. Cyclone (chain link) fencing is not permitted in front yards or in areas visible from the street. Chicken wire is not permitted.
- 8.6** Fence posts must be securely mounted in the ground, taking into account the ground, wind, and load conditions.
- 8.7** All fencing shall be maintained by the resident(s) who installed it. It is recommended that raw wood fencing be painted, stained, waterproofed, or treated to protect it from the weather.
- 8.8** Landscape and temporary fencing do not need neighbor agreements or Board approval. Temporary fencing is allowed for garden or fruit tree protection from wildlife and must be removed at the end of the growing season.
- 8.9** Arbors in varying styles may be constructed according to fencing rules but do not require neighbor agreements or Board approval. However, plans must be submitted to the Board to serve as notification.

9. Rule Violations and Relief

- 9.1** When the property manager determines that a resident or resident's guest has violated a Community Rule or is informed of such violation by the Board, the property manager will issue a Notice of Violation to the resident according to

Community Rule 1.4, above. Upon receipt of such Notice, the resident must promptly take action at his or her expense to cease the violation. Any continued noncompliance after 14 days of posting of the Notice of Violation shall be considered a second violation of the Community Rule, unless a longer time period is provided in the notice.

[modified from previous Colorado Lake Cooperative Rules and Regulations, Section 9.2]

- 9.2** Upon receipt of a Notice of Violation, a resident may contest the Notice by sending a written notice thereof to the property manager within five days of receipt of the Notice of Violation. The resident shall then meet with the property manager within five days to resolve the problem. If no resolution is agreed upon, then the resident may appeal to the Board, which will review the contest as soon as possible at a regular or special meeting of the Board. The resident contesting the Notice of Violation may participate in the Board meeting. The decision of the Board at such meeting shall be the final decision on the matter.

[from previous Colorado Lake Cooperative Rules and Regulations, Section 9.3]

- 9.3** When a resident or resident's guest violates a Community Rule, as determined by the property manager and/or the Board, the Board will determine whether or not to impose a fine on the resident and the amount of the fine. If the Board decides to impose a fine, the maximum fine for the first violation shall range from \$15 to \$50, and the maximum fine for a second violation shall range from \$50 to \$150. Mediation will also be encouraged and explored.

- 9.4** A second violation may result in a fine or lease termination at the discretion of the Board. If the Board determines that any violation is a material (significant) violation of the Space Lease, the Board may vote to proceed immediately to terminate the resident's lease and proceed to eviction, subject to compliance with the Space Lease. A violation that may be considered material/significant includes, but is not limited to, a reasonable belief that the homeowner or someone in the household (including a pet) has seriously injured someone, threatened someone with serious harm, done substantial damage to someone else's belongings, or committed an act "outrageous in the extreme" in or near the community. Outrageous in the extreme acts include, but are not limited to, illegal drug dealing, the manufacturing of illegal drugs, burglary, and sex related offenses. If the Board determines that a violation is a material/significant violation of the Space Lease, then there shall be no opportunity for the resident to cure the violation.

[last three sentences added per Cooperative attorney]

- 9.5** Any resident wishing to complain about another resident's violation of any of these Community Rules shall submit the complaint in writing to the property manager. Complaints must contain the name and address of the complainant and specifics regarding the nature of the alleged violation, including dates, times, and witnesses (as applicable). Only in exceptional circumstances will the property manager keep

the name of the complainant confidential, if feasible. It is always preferable for residents to resolve any issues directly with their neighbors, when reasonable.

[from previous Colorado Lake Cooperative Rules and Regulations, Section 9.1; last sentence added]

9.6 Residents who resided at Colorado Lake Cooperative prior to the Cooperative's ownership of the community and/or prior to approval of these revised Community Rules are granted relief from a Community Rule when compliance would subject a resident to immediate financial hardship. The resident must describe the immediate financial hardship to the Board in writing.

["and/or prior to approval of these revised Community rules" added]

9.7 The Board of Directors may adopt a procedure for rules enforcement policy, provided however, that the terms of any policy adopted by the Board are consistent with these Community Rules.

[added per Cooperative attorney]

PLEASE BE ADVISED THAT ANY AND ALL AGREEMENTS BETWEEN ANY RESIDENT AND THE BOARD WHICH MODIFY OR AMEND THE RULES, REGULATIONS, OR POLICIES SET FORTH HEREIN MUST BE IN WRITING. **ORAL REPRESENTATIONS OR AGREEMENTS ARE INVALID AND UNENFORCEABLE.**

RESIDENT ACKNOWLEDGES THAT IT HAS RECEIVED A COPY OF THE ABOVE RULES AND REGULATIONS, HAS READ THEM, AND AGREES TO ABIDE BY THEM.

RESIDENT

DATE

RESIDENT

DATE

RESIDENT

DATE