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DESCHUTES COUNTY OFFICIAL RECORDS  
NANCY BLANKENSHIP, COUNTY CLERK

2006-07231



\$46.00

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AMENDMENT TO THE BYLAWS OF THE  
MOUNTAIN HIGH HOMEOWNERS ASSOCIATION

**ARTICLE VIII:** The title to Article VIII is amended to read **Collection of Assessments and Schedule of Fines** and is separated into two sections:

**Section 1. Collection of Assessments:** As provided in the Declaration, each member is obligated to pay to the Association the annual and special assessments which are secured by a continuing lien upon the property against which the assessments are made. Any assessments which are not paid when due shall be delinquent. If the assessments are not paid within thirty (30) days after the due date the assessment shall bear interest from the date of delinquency at the maximum legal rate per annum, and the Association may bring an action against the owner personally obligated to pay the same or file a lien against, the property and interest, costs, and reasonable attorney's fees of any such action shall be added to the amount of such assessment. No owner may waive or otherwise escape liability for the assessments provided for herein by non-use of the Common Areas or abandonment of his lot.

**Section 2. Schedule of Fines:** As provided in Article 5 of the Mt. High Covenants, Conditions and Restrictions and the Oregon Planned Community Act, the Board of Directors has the authority under ORS 94.630 (1) (A), (n) to levy fines pursuant to a schedule contained in the declaration or bylaws or an amendment to either that is delivered to each lot, mailed to the mailing address of each lot or mailed to the mailing address designated in writing by the owners; or on a resolution of the association or its board of directors that is delivered to each lot, mailed to the mailing address of each lot or mailed to the mailing addresses designated in writing by the owners.

The Board of Directors is charged with enforcing the Rules and Regulations and provisions of the Amended Declaration of Covenants, Conditions and Restrictions recorded on January 20, 1999 in Deschutes County, Oregon and the Bylaws of the Association recorded on October 25, 2004 in Deschutes County, Oregon. The Association has the authority pursuant to the Declaration and ORS 94.630(1) (e) to take legal action against non-complying unit owners.

The board shall levy no fine until written notice of the violation has been sent to the offending owner and until such person has had an opportunity to be heard before the Board or any committee that the board may appoint from time to time for such purpose and that all fines levied pursuant to this policy shall be deemed common expenses that are due and payable by the owner against whom such fines are assessed and unless timely paid, shall become a part of any lien that may be filed by the Association against the unit owned or occupied by such offending owner or occupant.

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**SCHEDULE OF FINES**  
**Effective Date: February 1, 2006**

**Article 1: Use Restrictions**

	<u>Violation / Fine</u>
1.1 Disturbing the peace and tranquility of Mt. High.....	\$250 per incident
1.2 Prohibits commercial use of property...	\$ 50 per day
1.3 No outside storage of firewood, building materials, etc.	\$ 10 per day
1. 4a No outside clothes line.	\$ 10 per day
1.14b Installation of satellite dishes must be in compliance with Telecommunications Act of 1996.....	\$ 10 per day
1.5 Each lot must be maintained in a clean, attractive non-hazardous condition...	\$ 250 per incident
1.6 Garage sales and yard sales prohibited. Estate sales w/board approval.	\$1000.
1.7 Timeshare or interval ownership prohibited....	\$1500.
1.8 Transient rental use prohibited.....	
1.9 Removal of living trees more than 2-1/2 inches d.b.h without approval....	
Fine: \$500 for a tree between 2-3/4 and 5 inches d.b.h.	
Fine: \$1000 for a tree between 5-1/4 and 7-1/2 inches d.b.h.	
Fine: \$1500 for a tree larger than 7-3/4 inches d.b.h.	
1.10 Fires prohibited except in fireplaces, wood stoves or BBQ's..	\$ 250 per incident
1.11 No Solicitation except as outlined in the Rules & Regulations	\$ 100 per incident
1.12 Exterior Contractor activity restricted to certain times and days	\$250 per day
1.13 No exterior remodeling or building without approval of the ACLC	\$1500
1.14 All construction activity regulations must be observed	\$ 100 per day
<b>1.15 This number not used</b>	
1.15a Failure to provide trash receptacle & portable toilets at construction site.	\$ 100 per day
1.15b Failure to store building materials within boundary of job site...	\$ 100 per day
1.15c Miscellaneous Construction rules..Failure to abide...	\$ 100 per day
1.16 Failure to comply with regulations covering: Exterior Paint; Roofs; Walls and Siding; and Driveways.....	\$1500
1.17 Dumping of trash within Mountain High prohibited....	\$ 50 per incident
1.18 Vehicular ingress/egress over common areas prohibited w/o permission	\$ 500
1.19 Skateboarding and roller blading prohibited	\$ 10 per incident
<b>1.20 This number not used</b>	

**Article 2 – Motorized Vehicle/Recreational Vehicles/Parking**

2.1 Overnight parking of owner or occupant vehicles in driveways prohibited. Vehicles must be garaged. Driveway parking temporary only.	\$ 10 per day
2.2 On street short term parking is permitted only for service vehicles or special events. Violation	\$ 10 per day
2.3 Prohibits RV equipment parked, stored or used for overnight accommodations on any lot. 48 hours for cleaning & unloading allowed	\$ 50 per day

**Article 3: Pets and Animals**

3.1 Prohibits any animal except domestic household pets. Pets shall not run loose or unattended. Dogs shall be leashed or under voice control. Owners are responsible for removing droppings without delay...	\$ 50 per incident
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**Article 4: Uniform Sign Code**

4.1 Owners shall comply with the Uniform Sign Code..... \$ 50 per incident

**Article 5: Amendment**

5.1 Rules & Regulations may be amended or repealed by a majority vote of the Board, subject to 30 day notice of proposed rule prior to adoption.

**Article 6: Violations**

6.1 The Board of Directors may impose fines upon members for rule violation; per Article 5, of the CC&R's and Section VIII of the Bylaws.

**Effective date: February 1, 2006**

