

AMENDED AND RESTATED RULES AND REGULATIONS

MOUNTAIN HIGH HOA

formerly known as

MOUNTAIN HIGH HOMEOWNERS ASSOCIATION

Bend, Oregon

Effective January 15, 2021

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AMENDED AND RESTATED RULES AND REGULATIONS
Effective: January 15, 2021

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OVERVIEW

The following Rules and Regulations are adopted by the Board of Directors of the Mountain High HOA, formerly known as Mountain High Homeowners Association, under the authority granted by CC&R's Articles 5 & 6, on behalf of the Association. Resolutions passed subsequent to the Amended and Restated Rules & Regulations Effective October 20, 2015 have been incorporated into this document. These Rules and Regulations may be amended or repealed by a majority vote of the Board of Directors, subject to Article 5 of the Mountain High HOA CC&R's and [Article 7 Amendment](#) in this document. They are subject to a thirty (30) day notice of proposed rule and / or regulation amendment prior to adoption of any proposed amendment by the Board of Directors.

The following two (2) documents are current and valid and remain part of the Mountain High HOA Amended and Restated Rules and Regulations:

- Addendum "A" Specific Regulations Relating to Unique Village Characteristics in Willow Creek
- Addendum "B" Specific Regulations Relating to Unique Village Characteristics in Aspen Village

The goal of the Mountain High HOA is to preserve the amenities, natural landscape and beauty of the community. Each Village Committee is responsible for development, oversight and implementation of the Rules and Regulations specific to its Village. This oversight is accomplished by the review and approval of a Village ACLC Permit application submitted by an Owner that identifies the intended action (such as painting, architectural improvement, tree removal, etc.) to the Village Committee Architectural Control and Landscape Committee (ACLC) representative. The Village ACLC Permit application includes among other things, plans, specifications, materials, colors by name or color chip, tree location and condition, arborist report, photos, necessary contractor equipment and duration of the construction. Approval of the Village ACLC Permit application is granted upon the signing of the application by the ACLC representative and at least one member of the Village Committee, and is referred to as a Village ACLC Permit.

These Rules and Regulations are applicable to all lots / homes currently included in the Mountain High HOA.

The Village ACLC Permit applications are located as follows:

- Exhibit I Permit "A" Exterior Painting
- Exhibit II Permit "B" Architecture, Landscape and Tree Removal
- Exhibit III Permit "C" Temporary Structures

The Villages of *Willow Creek* and *Aspen* were conceived and designed as single visual entities with a common architectural design and neutral color tone to harmonize with the environment, preserving the view of the Village as a single entity. Therefore, homeowners in those villages must take into consideration the preservation of the village as originally designed and constructed before any alteration of the property, exterior of the house or landscaping is undertaken.

Accordingly, pursuant to the authority granted to the Board of Directors in Section 3.1, Association Powers, of the Mountain High HOA CC&Rs, the Board of Directors has adopted specific Rules and Regulations relating to architecture and landscape to preserve the unique Village characteristics for Willow Creek and Aspen Villages which are set forth in Addendum "A" and Addendum "B" hereto attached, respectively. These specific Rules and Regulations have the same force and effect in each such Village as other provisions of the Rules and Regulations, Bylaws, and CC&Rs.

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Article 1 Use Restrictions

1.1 Disturbing the Peace

Disturbing the peace and tranquility of Mountain High HOA is prohibited.

1.2 Commercial Activities

Each lot shall be used for residential purposes only. Commercial activities in residential units are prohibited.

1.3 Exterior Lighting

Exterior lighting installation and operation in Mountain High is guided by [Bend Development Code Section 3.5.200](#). In summary, this section requires the following:

- Exterior lighting must be down-facing and directed away from neighbors' properties, respecting the Dark Sky lighting policy in force within the city of Bend.
- Exterior lighting must be configured or shaded so that light does not illuminate neighboring properties.
- Exceptions to this requirement include motion-activated security lighting with on-time duration no greater than five minutes after motion ceases, and certain seasonal holiday lighting.

Additionally:

- Exterior lighting from porches, decks, and garages is limited to use no later than 10 pm, except that lighting needed to return home that day may be left on until you return.
- Decorative landscape lighting must turn off no later than 11 pm.
- Path and driveway lighting is excepted from this rule.
- Temporary lighting while used for outdoor entertaining is excepted from this rule.

1.4 Offensive Activities

No noxious, noisy or offensive activity shall occur on any lot, nor shall anything be done which becomes a recurring annoyance or nuisance to the neighborhood.

1.5 Outside Storage

- Material such as firewood, building materials, ladders, refuse, recycling and/or garbage containers shall not be stored where visible outside the structure.
- Homeowners are requested to move recycling and/or garbage cans to the street no earlier than the evening before trash pickup, and return them to their storage location soon after the trash is collected.

1.6 Clotheslines

No outside clotheslines are permitted.

1.7 Flag Display

Flags may be displayed from the structure only. Freestanding flag poles are prohibited.

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1.8 Antennas

1.8.1 Satellite Dish

Small, inconspicuous exterior satellite dishes are permitted. Dishes must be in compliance with the Telecommunications Act of 1996 and any subsequent applicable legislation.

1.8.2 Exterior Antennas

Any exterior antenna, except where permitted by law, is prohibited.

1.9 Exterior Maintenance

Each Lot and its improvements shall be maintained in a clean and attractive condition, in good repair, in such fashion as not to create a fire hazard, and in compliance with the regulations of the Association. Accumulated needles and debris pose a fire hazard. Owners are required to remove debris on an ongoing basis.

1.10 Landscape Maintenance

All Lot and common area landscaping shall be maintained in a clean and attractive condition including spring and fall pruning, cleanup, weeding, irrigation, fertilization, thinning, removal, and replacement during the central Oregon growing season from April 15 through October 15.

1.11 Landscape Maintenance Standards

1.11.1 Lawn Care

Lawns shall be maintained in a manner that is uniformly green and healthy for the duration of the growing season. Bare or dead spots shall be promptly restored. Fertilization and weed control shall be performed as necessary.

1.11.2 Mowing

Lawns shall be mowed no less than once every two (2) weeks during the growing season. Lawn grass shall not exceed a height of 4" between mowings.

1.11.3 Trimming and Edging

Lawns shall be maintained in a neatly edged condition during the growing season. This includes deep cutting all lawn borders, flower beds, sidewalks, road edges, tree wells, and barked areas.

1.11.4 Flowerbeds, Shrubs & Bushes

- Shrubs shall be maintained in a neat and trimmed condition.
- Flowerbeds and landscaped areas must be maintained in a neat condition. Dead or diseased growth, weeds and grass must be removed regularly.

1.11.5 Natural Rock Areas

Natural rock areas shall be maintained free of weeds and lawn grass.

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1.11.6 Driveway Edges

Driveway edges should be finished. They may be planted with shrubs and/or flowers, mulched, filled with river or lava rock, or the lawn may be brought to the edge of the driveway.

1.11.7 Spring & Fall Clean-Up

- Spring and Fall cleanup includes the removal of fallen leaves, pine cones and pine needles from your property, including from roofs, gutters, under decks, and from rock and landscaped areas.
- Spring clean-up shall be completed by June 1.
- Fall clean-up shall be completed by November 30.

1.12 Garage, Yard and Estate Sales

1.12.1 Home Garage and Yard Sales are Prohibited.

With Board approval, an annual neighborhood sale may be held at the Gazebo.

1.12.2 Estate Sale Rules

Estate Sales are permitted only with Board approval. Owners may apply for an Estate Sale permit using the form available on the Mountain High HOA website.

1. All sales must occur inside the residence and garage. Outdoor display of sale items is prohibited.
2. Applicant must use only HOA Estate Sale signage. Signage is available from Crystal Lake Community Management.
3. Applicants are responsible for ensuring that parking for the event is on one side of the street only. Guests must park on pavement with room for immediate resident and emergency services access, and may not block neighbor driveways.
4. Estate Sale duration is limited to three (3) consecutive days.
5. Approved Estate Sales will take place **only** between the hours of 8:00 a.m. to 6:00 p.m. Saturday through Thursday, and between the hours of 12:00 noon and 6:00 p.m. Fridays due to trash collection. No exceptions will be allowed.
6. The applicant must provide each neighbor within 5 homes on each side with written notice of the Estate Sale at least 7 days prior to the sale taking place. The written notice must include the address, date and hours of the sale, and a contact telephone number of the company representative that will be administering the sale.
7. Within 2 hours from the posted time of the end of the sale, the applicant shall be responsible for taking down all signage, and shall return all such signs to Crystal Lake Community Management within 3 days thereafter.
8. Within 2 hours from the posted time of the end of the sale, the applicant shall be responsible for removing parking signs and rope, cleaning up all

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debris on streets and lawn areas, including but not limited to trash, cigarette butts, and pet droppings.

1.13 Timeshare or Interval Ownership

Timeshare and interval ownership are prohibited. Ownership shall be held by no more than two individuals or families unless specifically approved by the Association.

1.14 Home Rental & Transient Rental Use

- Use of homes for transient rental use is prohibited. Rental of a property to more than three families within a twelve-month period shall be construed as transient rental use.
- Rental of any home is limited to occupancy of at least four months.
- Leases must be subject to the CC&R's. A copy of the CC&R's and these Rules and Regulations must be provided to the Tenant. Owner is responsible for enforcement of the CC&R's and these Rules and Regulations on any Tenant.

1.15 Fires

- Fires are prohibited except in indoor fireplaces and wood stoves, or in properly maintained fire pits or barbeques.
- Outdoor burning of trash or yard waste is prohibited.
- Placement of warm ashes or briquettes in other than a fireproof container is prohibited.

1.16 Solicitation

1.16.1 Residents

Residents may solicit within Mountain High villages for charitable causes or community activities under the following conditions:

- Must honor "No Solicitation" signs posted on homes.
- Notices shall be placed in newspaper boxes only.
- ***Bits and Pieces*** may be used to notify homeowners of pending solicitations.

1.16.2 Non-Residents

Non-residents may not solicit within Mountain High villages for any reason. Signs shall be posted at the entrances stating such restrictions.

1.17 Construction & Maintenance

1.17.1 Working Hours

- Exterior contractor activity shall be limited to the hours of 7:00 a.m. to 6:00 p.m. Monday through Saturday.
- No exterior contractor activity shall be permitted on Sunday or on the following holidays: New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving or Christmas.
- High noise level activities including use of lawn mowers, edgers, leaf blowers, chain saws or other power equipment shall be limited to the hours

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of 7:00 a.m. to 6 p.m. Monday through Saturday, and 10 a.m. to 6 p.m. on Sunday.

- An exception to these rules is allowed for winter snow clearing and plowing activities.

1.17.2 Additions or Changes

- After initial construction, no building, wall, fence or other structure shall be commenced, erected, or maintained upon the properties nor shall any exterior addition to or change or alteration therein be made until the Owner has obtained a Village ACLC Permit. See [Article 2 Permits](#) for details.
- Detached Outbuilding Structures are prohibited.
- Utility, Storage and Privacy Enclosures must be attached to the house, match the house design and color, and must not exceed 6 feet in height, measured inside the privacy wall. Any such additions, to include exceptions to this requirement, must be approved by the Village ACLC Committee. Contents inside the enclosure except patio furniture and canopies must not exceed the height of the enclosure wall or fence.
- Willow Creek and Aspen Village homeowners please see attached Addendums “A” and “B” to these Rules and Regulations concerning Restrictions, Permission and Definitions when planning changes to the exterior architectural or landscape design of your house or property.

1.17.3 Construction Activity

- No vehicles or equipment shall be left in the street if the attendant is not on the job site. An attendant must be readily available to move the vehicle or equipment if necessary in case the vehicle is required to clear the street for emergency access.
- No equipment shall be parked or stored on the Owner's lot beyond the schedule noted and approved in the permit application.
- Trailers and equipment may be left overnight only during periods of active construction, and shall not be left over the weekend.
- Property Owners wishing to act as their own general contractor shall assume the same responsibility and follow the regulations as any other contractor or builder.

1.17.4 Trash Receptacle and Portable Toilets

- A temporary container for trash accumulation at the job site shall be provided with minimum weekly pickup and removal.
- A covered trash container for construction workers' personal trash shall be provided.
- Any container leaving the site shall be covered.
- Construction sites must be maintained in a safe and clean condition.
- Portable toilets shall be made available for workers at the job site prior to commencement of any construction activity.
- Placement of the portable toilet shall be noted in the permit application. In all cases, construction trash receptacles and portable toilets shall be placed

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immediately adjacent to the structure rather than at or near the roadside unless a specific exception is granted. Such exception shall be highlighted in the issued Village ACLC Permit.

- In no case may portable trash receptacles or portable toilets be placed within ten feet of the edge of the roadway pavement.

1.17.5 Building Materials

All building materials will be stacked and stored on the job site within the boundary of the lot.

1.17.6 Construction - Miscellaneous

- No contractors' animals will be allowed at the job site.
- No radios or music allowed on the job site except indoors during interior work and the volume is such that it cannot be heard from the outside.

1.18 Air Conditioning and External Heat Pump Units

Willow Creek and Aspen Village Rules:

- Air conditioning compressors may be placed in the partially open service area attached to the garage.
- If no service area exists, or an existing one is not suitable, the air conditioner compressor may be placed outside and adjacent to the house other than the street side of the house. Evergreen shrubbery is to be planted around the unit to muffle the sound and hide the unit from the street view.

Alpine Village Rules:

- Placement of air conditioning units requires a Village ACLC Permit prior to installing air conditioning units, to approve equipment location to minimize noise.

1.19 Dumping

The dumping of trash, garbage, yard debris, or other materials anywhere within Mountain High HOA is strictly prohibited. Such incidents may be reported to the City of Bend Police Department for further action.

1.20 Protection of Common Area

- There shall be no vehicular access over common areas for the purpose of accessing private lots for any activity including, but not restricted to, landscaping or construction, without prior approval. Request for such approval must be directed to the Architectural and Landscape member of the Village Committee.
- Regardless of approval, the cost of repairing any damage to common area resulting from encroachment will be the responsibility of the owner of the lot where such encroachment occurs.

1.21 Skateboarding, Scooters & In-line Skating

- Residents are advised to exercise caution when engaging in activities like skateboarding and in-line skating (Rollerblades) within Mountain High HOA. Our narrow roads and lack of sidewalks are not conducive to these activities. Participants would benefit by wearing appropriate safety gear. Inexperienced participants are encouraged to have adequate supervision to help watch for vehicular traffic.

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- Skateboarding, Scooters & In-line Skating are specifically prohibited on non-roadway surfaces within the Mountain High Villages. The prohibited areas include the gazebo, pool, pond, and sports-courts areas, including the sidewalks and walkways used to access those areas.

1.22 Golf Carts

- Golf cart use is limited to roadway, driveway and parking area surfaces within the community. Use is specifically prohibited on non-roadway surfaces including all grass and other non-paved areas of the community. Use is also prohibited at the gazebo, pool, pond, and sports-courts areas, including the sidewalks and walkways used to access those areas.
- Use of golf carts on Association property by minors and unlicensed drivers is discouraged.
- Owners should verify that they have sufficient liability insurance coverage for all of their golf cart operators.

1.23 Basketball Hoops

Portable or stationary basketball hoops are restricted to placement within the boundaries of the owner's property. In most cases, the owner's property line is approximately ten (10) feet from the edge of pavement. They are prohibited from placement anywhere within the street or in the common area. They shall be maintained in a reasonable state of repair.

1.24 Stationary Play Equipment

Swingsets, Trampolines and other stationary play equipment are allowed within Alpine Village on a conditional-use basis, subject to the following considerations:

- Stationary play equipment requires a Village ACLC [Permit "C" – Conditional Use for Accessory Structures](#).
- Applications must include a brochure or other colored representation of the proposed equipment.
- Applications must include a plot plan that shows, at minimum, the location of the home and the proposed location of the equipment on the property.
- Placement of a swingset, trampoline and other stationary play equipment on the property must be noted in the Village ACLC Permit. Placement must give consideration to potential visual and noise impacts on neighbors. As such, placement away from neighbor properties is preferred.
- Stationary play equipment colors and construction shall be consistent with the colors and architecture of the home. Awnings, shades, and any tube slides or other accessories shall be earthtones.
- Stationary play equipment structure and accessories shall be maintained in good repair.
- Stationary play equipment permits shall be reviewed at least biannually by the Village ACLC, and prior to any property transfer. Stationary play equipment shall be removed when no longer used or needed.
- A trampoline can be an inherently dangerous piece of equipment posing risk of personal injury. In the name of community safety, the Mountain High HOA

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neither recommends nor encourages trampoline use within its neighborhoods. Any resident who chooses to install such equipment is strongly urged to obtain proper insurance coverage for it. Some carriers may require certain security devices, so we remind you that Mountain High HOA is an ‘Open Look’ community that prohibits fences. The owner of a trampoline in this community must be prepared to accept any and all liability stemming from its use or misuse, whether authorized or not. The Mountain High HOA will not share in this burden.

1.25 Exterior Holiday Decorations and Exterior Holiday Lighting

Exterior Holiday decorations including Lighting are permitted to be displayed no earlier than ten (10) days prior to the event and must be removed no later than ten (10) days following the event. Thanksgiving through Christmas Holiday allows illuminating of holiday lighting from the Sunday before Thanksgiving until January 10th. Decorations and Lighting must be removed by January 15th.

1.26 Fireworks

The use of fireworks in Mountain High HOA is prohibited.

Article 2 **Permits**

2.1 Permits Required

2.1.1 Village ACLC Approval Requirement

- Homeowners must obtain a Village ACLC Permit from their respective Village Committee prior to commencement of exterior property changes.
- Seasonal decorations including flowers, flower pots and/or plantings are exempted.
- Failure to obtain a signed permit is a violation and will incur a \$500.00 fine per incident. See Schedule of Fines.

2.1.2 City of Bend Permit Requirement

- Certain structural, plumbing, electrical, deck, patio, retaining wall, grading/earthwork, driveway and roofing projects require a specific Building Permit from the City of Bend. The City of Bend permit is in addition to any Village ACLC permit requirements. It is the Owner’s responsibility to obtain those City of Bend permits in advance for work to be performed, and prominently display copies of both permits at the worksite.

2.1.3 Dig Alert/811

- It is the Owner’s responsibility to have underground utilities identified and marked prior to starting any projects that include excavation or digging that might damage those utilities. This is a free service.

2.1.4 Underground Utilities

- The Association owns certain common property areas that include underground irrigation and electric utility lines. In addition, there are blanket utility easements along owner property adjacent to HOA borders,

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HOA and Village roads that may include underground irrigation and electric utility lines for common street and sign lighting.

- All costs for repairing damage to underground utility lines and irrigation piping, whether identified by a utility survey or not, are the responsibility of the Owner.

2.2 Permit “A” - Exterior Painting

2.2.1 Exterior Painting - General Guidelines

- All Homeowners are responsible for the exterior painting of their home.
- Permit “A” – Exterior Painting is required and may be found in Exhibit I.
- All exterior paint colors must be noted on a Village ACLC permit application, even when using the same or previously approved colors.
- All exterior colors shall blend and be compatible with the surrounding natural environment. Only “earhtone” colors will be permitted. In all Villages, black and pure white colors are prohibited regardless of prior approval or use.
- Flat, satin or semi-gloss sheens are permitted. Glossy or high-gloss sheens are prohibited. An exterior body paint (3’x3’) sample outlined with trim color shall be painted on the exterior of the home prior to permit consideration.
- Homeowners are encouraged to select one basic house color and one trim color; however, one basic house color may be used for the entire home including trim. One limited-use accent trim color may be considered.
- The front door color may be a natural wood tone or painted.
- All colors must be noted on the Village ACLC permit application.

2.2.2 Exterior Painting – Additional Willow Creek Requirements

Willow Creek Homeowners are required to use a previously approved color for their home or select a color from the following list of approved Miller house and trim paint colors (by name and paint code):

<u>Basic House Color Choices:</u>	<u>Trim Color Choices:</u>
0231 Desert Mirage	0199 Sandy Shoes
0572 Power Lunch	0186 Christmas Ornament
0337 Urban Charm	0423 Eye Of The Storm
0573 Chintz	0569 Fireplace Mantel
0419 Poseidon’s Beard	0570 Grey Locks
0580 Rippled Rock	0379 Orestes
0378 Garden Hedge	0191 Dusty Path
0372 Historic Shade	

A paint manufacturer other than Miller may be used, provided the color matches the selected Miller paint color.

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2.2.3 Exterior Painting – Additional Aspen Requirements

Aspen Homeowners may select a color from the following list of approved Miller house and trim paint colors (by name and paint code):

<u>Basic House Color Choices:</u>	<u>Trim Color Choices:</u>
0231 Desert Mirage	0199 Sandy Shoes
0572 Power Lunch	0186 Christmas Ornament
0337 Urban Charm	0423 Eye Of The Storm
0573 Chintz	0569 Fireplace Mantel
0419 Poseidon’s Beard	0570 Grey Locks
0580 Rippled Rock	0379 Orestes
0378 Garden Hedge	0191 Dusty Path
0372 Historic Shade	0577 King Fisher
0352 Shag-Bark Olive	

A paint manufacturer other than Miller may be used, provided the color matches the selected Miller paint color.

2.3 Permit “B” – Architecture, Landscape & Tree Removal

2.3.1 Approvals

Architectural changes, substantial landscape changes and tree removal require a Village ACLC Permit prior to implementation. Refer to [Article 5 Landscape Guidelines](#) before submitting your Village ACLC Permit application. Permit “B” – Architecture, Landscape & Tree Removal may be found in Exhibit II.

2.3.2 Roofs

- Composition shake or shingle – 40 year minimum life, fire retardant roofing material is permitted.
- Tile roofing is permitted. Glazed or Spanish tile is prohibited.
- Wood shakes are prohibited.
- If an existing wood shake roof is damaged, the entire roof must be replaced.
- Color and material selection must be noted in the Village ACLC permit application. Roof color must compliment the house color.
- Partial re-roofing is allowed only when due to a house addition or roofing accident. The replacement must match the original color and roofing material.

2.3.3 Walls and Siding

- Cedar, redwood, or composite siding is permitted. Metal or stucco siding is prohibited.
- Accents may be stucco, brick, stone, river rock or other HOA Board-approved materials.

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- Material and color selection must be noted in the Village ACLC Permit application.

2.3.4 Decks

- Decks must be cedar, redwood or composite material in wood-tones that coordinate well with the existing colors of the home.
- Wood decks must be finished, preferably in a penetrating transparent or semi-transparent stain, or with deck paint consistent with the house colors.
- Material and color selection must be noted in the Village ACLC Permit application.

2.3.5 Driveways

Driveways must be concrete, stamped concrete, exposed aggregate, or pavers in natural or earthtone colors. Dividers are permitted using bricks, pavers or exposed aggregate ribbons.

- Material and color selection must be noted in the Village ACLC Permit application.

2.3.6 Awnings & Sail Shades – Alpine and Aspen Villages

- Canvas awnings may be placed on the exterior of a house.
- Materials must be of an earthtone color.
- Material and color selection must be noted in the Village ACLC Permit application.

2.3.7 Awnings – Willow Creek

- Retractable canvas awnings may be placed on the exterior of a house on any side except the street side.
- Awnings must be of an earthtone color.
- Material and color selection must be noted in the Village ACLC Permit application.

2.3.8 Spas & In-Ground Water Features

- Spas are allowed on decks or patios.
- Spas will be partially recessed where feasible.
- Spas will be screened so as not to be visible from adjacent houses or common areas.
- Spas will be screened from view from the ground level of adjoining streets by vegetation or screening fences.
- If screening is not feasible due to grades, the ACLC will take this into account when considering screening requirements.
- Placement, materials and color selection must be noted in the Village ACLC Permit application.

2.3.9 Solar Devices and Encroachment

- Solar collectors are permitted. ([See ORS 105.880](#)) The collectors and support must be flat to the roof and blend with the color of the roof and with the surrounding area. The majority of the mechanical portion of the system must be contained within the structure.

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- Due to the rapid changes in the technology of solar devices, the homeowner must consult with a solar equipment specialist and attach a picture of such equipment along with a brief description of the installation to the Village ACLC Permit A application.
- Any tree or shrub planting which interferes with the use of solar energy on an adjacent property is prohibited. (see [ORS 105.890](#) and [ORS 105.895](#))

2.3.10 Tree Trimming and Removal

- Trees may be trimmed or limbed without a permit.
- A Village ACLC Permit is required to remove any tree, except for trees less than six (6) inches diameter, or (19) inches in circumference, measured at six (6) feet above ground level.
- Tree or landscape removal requires a restoration plan as part of the Village ACLC Permit application.
- Juniper and Aspen trees may be removed with a Village ACLC Permit. No other justification is required.
- Trees that pose a risk to personal safety or property may be removed with a Village ACLC Permit. Examples include root encroachment on structures and co-dominant trunks.
- Trees that have branches within five (5) feet of a structure may be removed for fire safety with a Village ACLC Permit. No other justification is required.
- Standards and guidance for FireWise, FireSafe and FireFree preparation are valid reasons to remove trees with a Village ACLC Permit. No other justification is required.
- A tree that is suspected to be dead, diseased, or considered detrimental to the health of other trees requires a report from a certified arborist confirming that status prior to permit approval.
- Trees removed must have the stumps ground below grade, except where such trees straddle water mains. Owners should contact Roats Water Company before removing any tree that might interfere with water utility services to the neighborhoods. Any exceptions to this rule must be noted in the Village ACLC Permit application.
- Emergencies: A tree may be removed in the event of an emergency without prior Village Committee approval when the tree poses an immediate threat to life or safety on a certified arborist's or other qualified expert's report. The report must be attached and must be submitted to the Village Committee with application for Permit B as soon as possible after removal.

2.4 Permit "C" – Conditional Use for Accessory Structures

2.4.1 Approvals

Accessory structures require a Village ACLC Permit prior to implementation. Periodic review of the permit is required, subject to the guidance in the applicable sections. Permit "C" – Architecture & Landscape may be found in Exhibit III.

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2.4.2 Temporary Wheelchair Ramps

- Temporary wheelchair ramps require a Village ACLC Permit.
- Temporary wheelchair ramps are defined as exterior access ramps that will be in service less than 120 days. The actual structure and design of temporary wheelchair ramps are not defined in Rules and Regulations, owing to the temporary nature and limited use period.
- Temporary wheelchair ramps must be removed before the 120-day permit period expires.
- If the need is expected to extend beyond 120 days, the owner must apply for a permit under the provisions of 2.4.3 below, including the design requirements in that section.

2.4.3 Wheelchair Ramps

- Wheelchair ramps require a Village ACLC Permit.
- Non-temporary wheelchair ramps are defined as exterior access ramps that will be in service 120 days or more.
- Structure, design and color shall be noted in the Village ACLC Permit application and must be consistent with the home and the porch or entry area to which the ramp connects. See section [1.17.2 Additions or Changes](#).
- Whenever possible, wheelchair ramps shall be configured so that they are roughly parallel to the existing porch or entry area, across the face of the home rather than perpendicular.
- Owners are encouraged to follow the guidelines of their healthcare provider and other experts when deciding on slope, walking surfaces, and additional handrail location.
- The guidelines in this subsection are intended to reduce visual impact as much as possible, while allowing full functionality and access.
- Wheelchair ramp permits shall be reviewed by the Village ACLC at least biannually, or when a property is offered for sale. Ramps no longer needed for wheelchair access shall be removed.

2.4.4 Stationary Play Equipment

See the section [1.24 Stationary Play Equipment](#) for specific requirements.

Article 3 Motorized Vehicles / Recreational Vehicles / Golf Carts Parking

3.1 Outside Parking

- Overnight parking of owner or occupant vehicles in driveways, except for guest vehicles, is prohibited. Daytime parking of vehicles is to be minimized.
- Parking of an owner or occupant vehicle in a driveway is permitted only temporarily at such time as the owner or occupant is conducting an activity within the garage that prevents usage of all or a portion of the garage.
- The garages shall be maintained to allow parking in the garages for as many vehicles as are used by the occupants and guests, up to the capacity of the garage.
- Vehicles that do not fit in the garage may not be parked or stored in the driveway.

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- For purposes of this article, guests are defined as short-term, non-resident visitors to the home.
- Guest parking for periods exceeding three (3) days requires management company notification to avoid receiving notices of violation of this section. Such notification must include the expected duration of the guest's visit.
- Garage doors shall be closed when not in use.

3.2 On-Street Parking

On-street short term parking is permitted only for service vehicles or special events. Overnight parking of vehicles on Association or Village roadways is prohibited.

3.3 Utility Trailers, Boat Trailers and other Recreational Vehicles

- The presence of mobile homes, travel trailers, utility trailers, large vans, boats, boat trailers, pickup campers, or other recreational vehicles on premises is limited to no more than two consecutive days in any fourteen days for active cleaning, loading and unloading.
- Such vehicles shall not be parked or stored on any lot or common area, or used even temporarily for overnight accommodations.

Article 4 **Pets and Animals**

4.1 Household Pets

- Animals other than domestic, household pets shall not be kept on any part of the property.
- Any animal which displays menacing or threatening behavior, to the extent that a reasonable person would feel threatened, shall not be maintained on the property.
- Pets shall be controlled so as not to be a nuisance or disturb the peace.
- Pets shall not be allowed to run loose or unattended.
- Dogs shall be on a leash, under voice control, or confined to their owner's property.
- Owners shall not permit their pets to defecate on private property, other than the pet owner's property, and are responsible for removing droppings without delay.
- All dogs being walked in Willow Creek must be on leash.
- Cat owners who allow their cats to roam should be aware that birds of prey and other wildlife are dangerous to cats. Owners should also be sensitive to their cat's defecation in the neighbor's garden and to the safety of local birds.

4.2 Wildlife

- Wildlife management studies show that feeding certain wild animals with domestic or "human" foods can cause serious digestive illnesses or even death to wildlife. Moreover, feeding wild animals attracts even more wildlife creating a nuisance for homeowners. The feeding of wild animals, specifically including deer, geese, racoons and squirrels, is prohibited and subject to fine.
- Bird feeders are permitted. Squirrel-proof bird feeders are recommended.

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Article 5 Landscape Guidelines

Landscape plans for both the common areas and the individual lots shall be designed to address the specific circumstances of these areas. There are two elements of landscape design within the Mountain High HOA:

- The community-wide design, including the common areas and the exterior perimeter of the respective villages, their facing streets, public areas, and common areas.
- The design of the landscaping for the individual homes and buildings.

5.1 General

Landscaping is required on all Mountain High HOA home sites, and shall be maintained to present an attractive appearance to all off-property vantage points. The villages, as a whole, shall be landscaped in a manner that maintains or enhances the distinctive "green" character of the Mountain High HOA community.

5.2 Internal Common Areas

All three villages have common areas within their boundaries. These common areas may be landscaped with materials that are designed to provide separation and visual buffering between homes.

5.3 "Open View" Character of the Community

Trees or other allowed landscape features shall not be allowed to create any form of "fence" that significantly and unnaturally obstruct the "open view" character of the community.

5.4 Wildland Fire Protection Design and Maintenance Standards

All houses and lots will be subject to compliance with the State of Oregon Wildland Fire Protection Design and Maintenance Standards. See Addendum C for information regarding landscape design and maintenance standards and a list of fire-resistant plants.

5.5 Landscape Adjustments and Lawn Reduction

In the interest of water conservation, homeowners are encouraged to adjust their landscapes to minimize the use of water. Each individual lot owner shall maintain a minimum of twenty percent (20%) of the lot's front yard and twenty-five percent (25%) of the lot's back yard in grass. Any homeowner request to reduce grass coverage to less than the stated minimums, not including buildings, requires a Village ACLC permit. The Village Committee's review will take into account the following criteria for approval of landscape changes:

5.5.1 Grass Types

Tall fescue is a water conserving alternative to Kentucky bluegrass. A dwarf tall fescue mix is recommended when you replace your grass.

5.5.2 Efficient Irrigation

Utilization and maintenance of high efficiency sprinkler and drip irrigation systems as well as the SMART Controller System are encouraged. Adjusting the irrigation system can significantly diminish water usage.

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5.5.3 Reduction of Lawn Area in Treed Areas

Cleared area beneath trees should be encouraged as some multiple of trunk size or some percentage of maximum branch reach (dripline) to give a consistent logic to the aesthetic of such cleared areas. When the width of the remaining lawn between such cleared areas is smaller than some amount that is uneconomical to maintain (for example, the 42-inch cut of a riding mower) it also should be allowed to be removed.

5.6 Mulch Cover

Mulch is not required but when used should be organic material or synthetic mulch consistent with types announced by the ACLC or individually approved by ACLC. Whether or not mulch is applied to areas with little or no plant material, such areas should be maintained free of weeds and debris.

Mulch is discouraged within five (5) feet of structures for fire protection.

5.7 Xeric Landscaping (Extremely Dry Habitat)

As defined in section 5.5, xeric landscaping may be considered where lawn is removed. See Addendum “D” – Landscape Information Resources.

5.8 Wildflower Scatter Seeding

Wildflower scatter seed cover is prohibited.

5.9 Hardscaping

Hardscape coverage including decks, patios, pathways, and excluding driveways, must:

- not exceed twenty percent (20%) of a lot's square footage
- be composed of approved materials
- not negatively impact other property owners.

5.10 Topography

The natural topography should be considered within reason, but berms designed to give an aesthetic purpose for plantings and berms or depressions designed to direct or retain natural water courses should be allowed. When such topographic changes impact water courses, however, they should not be allowed to negatively impact other property owners.

5.11 Rocks

Large rocks and boulders in excess of 18" are encouraged for use in landscape. They should be incorporated into the landscape so as to appear as if they naturally occur on the site. Such rock features (and all trees) are to be considered within the percent of area to be covered with grass.

Article 6 Uniform Sign Code

All owner/occupants shall be required to comply with the Uniform Sign Code approved by the Association. The Association shall be empowered to allow variations of the Uniform Sign Code for a particular village or villages at its discretion. See Addendum “C” to Rules & Regulations.

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Article 7 **Amendment**

7.1 Procedure

These Rules and Regulations may be amended or repealed by a majority vote of the Board of Directors, subject to a thirty (30) day notice of proposed rule and/or regulation amendment, prior to adoption of any proposed amendment by the Board of Directors.

Article 8 **Violations**

8.1 Fines

The Board of Directors may, in its discretion, impose fines upon members of the Association who are in violation of Mountain High HOA Rules and Regulations as set forth in Article 5 of the CC&R's. The Board has the option to double the listed fines after thirty days from assessment of the first fine at their discretion.

See Schedule of Fines.

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ADDENDUM "A" TO RULES & REGULATIONS [WILLOW CREEK]

**SPECIFIC REGULATIONS RELATING TO UNIOUE VILLAGE CHARACTERISTICS IN
WILLOW CREEK VILLAGE
ARCHITECTURAL AND LANDSCAPE CONTROL**

The following Rules and Regulations have been adopted by the Board of Directors to apply to Willow Creek Village specifically, pursuant to the authority granted to the Board in Section 3.4 of the Amended and Restated Declaration of Covenants, Conditions and Restrictions of Mountain High HOA, formerly known as Mountain High Homeowners Association. These Rules and Regulations are intended to supplement, not to replace, all other provisions of the Mountain High HOA CC&Rs, Bylaws, and Rules and Regulations. Willow Creek Village owners must comply with the same procedures and requirements set forth elsewhere in the Mountain High HOA governing documents, but where a specific architectural or landscaping provision set forth in this Addendum "A" differs from or is inconsistent with another generally applicable rule or regulation, the terms and provisions of this Addendum "A" shall control.

WILLOW CREEK:

Architectural Restrictions, Permissions and Definitions

1. Exterior remodeling is confined to the footprint of the house. The footprint of a house is the plan view outline of the roof at its furthest extensions as a rectangle or trapezoid depending on the architectural style. Modification of, or addition of decks is a separate issue.
2. The profile view roofline may not be raised higher than originally built but may be extended laterally where necessary, not to exceed the plan view. The intent is to maintain a general appearance of a one-story house.
3. A room may be built out over a portion of the back deck not to exceed the limits of the footprint. A useable portion of the back deck is to be preserved as a deck.
4. Modifications and addition of decks must meet the following conditions:
 - Extension of the back deck towards the back of the lot is prohibited.
 - All back decks must have a gate or suitable opening in the deck railing and exit steps to facilitate evacuation from the rear of the house.
 - Disconnected decks on the same side of the house may be connected.
 - An existing small deck may be extended across the full length of that side.
 - An additional deck along the side of a house may be added under the following conditions:
 - 1) The proposed deck must be on the common ground side of the house;
 - 2) The deck must be wholly within the lot line;
 - 3) The proposed deck must conform to the prevailing deck architecture in the Village.
 - A back deck may be extended laterally beyond the footprint to accommodate a spa and privacy wall under the following conditions:
 - 1) if the adjacent house has an existing privacy wall facing the proposed deck extension;
 - 2) or if the adjacent neighbor provides a written statement of no objection.
 - Back decks may be modified to accommodate spas and similar equipment.
 - A privacy wall, not to exceed five (5) feet in height, may be erected to protect the privacy of the spa.

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5. It is prohibited to erect or place any matter in such a manner as to define property lines with the exception of temporarily placed survey stakes while a lot survey is made and the placement of buried permanent corner pins.
6. If the project is not commenced during the initial 12 months period, the homeowner may ask for an extension of 6 months.

Procedures to Modify Exterior of a House or Deck

Please refer to Article 6, 6.7 of the Mountain High HOA CC&R's for procedural information. In addition to the information in Article 6, 6.7 the following shall apply:

- If the project is relatively small, a hand drawn sketch of the project with all dimensions noted should be provided to the Village Committee ACLC for approval.
- If the project is relatively large, a professionally drafted project plan with all dimensions noted should be provided to the Village Committee ACLC for approval.

Landscape Restrictions - Willow Creek

- The planting of additional or replacement shrubs and trees on lots should be those that are native to a sub-arctic climate.
- Trees, shrubs and plants shall not obscure street visibility from the driveway (safety) nor obstruct mower clearance and maneuverability.
- All areas of rock outcrops should remain as natural in appearance as possible. Maintenance of these areas includes the removal of weeds, grass and pine needles and the appropriate thinning of brush and small trees. Deliberate watering and fertilizing of these areas are prohibited.
- Plant and rock arrangements or any landscaping activity that outlines property boundaries are inconsistent with the overall landscape design and are prohibited.
- No living undamaged tree may be cut down without a Village ACLC Permit (see also Article 2.3.10 of the Mountain High HOA Amended and Restated Rules & Regulations). Limb removal is limited to approximately 15 feet above ground level. Exceptions can be made for safety reasons. Dead limbs at any height can be removed without permission.
- The developer envisioned and designed the view of Willow Creek Village as a single uniform entity, as opposed to a view of contiguous individual homes, each with its own unique appearance. Therefore, to maintain the uniformity:
 - The Mountain High HOA rules on landscaping are in effect (See Article 5 Landscape Guidelines).
 - The individual yards, as seen from the street, must be void of yard art.
 - Those with yard art prior to 1 January 2015 are encouraged to remove it from street view.

End Willow Creek Special Restrictions

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ADDENDUM “B” TO RULES & REGULATIONS [ASPEN]

SPECIFIC REGULATIONS RELATING TO UNIQUE VILLAGE CHARACTERISTICS
ASPEN VILLAGE
ARCHITECTURAL AND LANDSCAPE CONTROL

The following Rules and Regulations have been adopted by the Board of Directors to apply to Aspen Village specifically, pursuant to the authority granted to the Board in Section 3.4 of the Amended and Restated Declaration of Covenants, Conditions and Restrictions of Mountain High HOA, formerly known as the Mountain High Homeowners Association. These Rules and Regulations are intended to supplement, not to replace, all other provisions of the Mountain High HOA CC&Rs, Bylaws, and Rules and Regulations. Aspen Village owners must comply with the same procedures and requirements set forth elsewhere in the Mountain High HOA governing documents, but where a specific architectural or landscaping provision set forth in this Addendum “B” differs from or is inconsistent with another generally applicable rule or regulation, the terms and provisions of this Addendum “B” shall control.

ASPEN VILLAGE:

Architectural Restrictions, Permissions and Definitions

1. **Structures:** Any external modifications to a residence must be kept within the roof line of the existing building except in the rear (back of the home) where the home may be extended as far back as the existing footprint. The roof line is defined as the existing roof of the home, including the overhanging eaves area. The footprint is defined as the existing foundation of the home when viewed from above (plan view), with the exception of the back (off road) side, where the extension of the deck(s) is included. The following conditions must also be met:
 - a. Adequate space for a useable deck with outside furniture; e.g. table and chairs, must be retained at the rear of the home within the original footprint.
 - b. Any addition to the rear of the home shall not impede a neighbor's range of vision beyond the original plan, or otherwise negatively impact any surrounding homeowner's property.
 - c. At no time shall any modification extend onto common areas or limit access to common areas.
 - d. Modifications shall not require any change to the roof elevation.
 - e. Any consideration of such modifications must be done with the full understanding and consent of the neighboring property owners.
 - f. A complete set of plans must be submitted with any request for modifications.

Special Note: Several lots within Aspen Village have larger than usual areas between the homes (e.g. 16 to 20 feet, not including common areas) that could possibly permit some modifications to the sides of the homes without violating City ordinances. Under such conditions, the concept of staying within the roof line may be excepted.

Modifications to the interior of a residence do NOT require approval of the Aspen Village Committee or the ACLC. These modifications cannot require an increase in the elevation of the roof line. However,, interior modifications may require City approval. Be sure to check with the applicable building officials.

2. **Roofing Material:** Approved re-roofing shall be 40 year fireproof or better quality composition shakes or shingles. Any material proposed must be noted in the Village ACLC Permit application. Any proposed change in roofing must be for the entire roof. No partial re-roofing is permitted. Any color that is approved for one home shall be allowed on all homes in Aspen Village.

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ADDENDUM “B” TO RULES & REGULATIONS [ASPEN]

SPECIFIC REGULATIONS RELATING TO UNIQUE VILLAGE CHARACTERISTICS
ASPEN VILLAGE
ARCHITECTURAL AND LANDSCAPE CONTROL

Landscape Restrictions:

1. Common Area Maintenance: The common area maintenance within Aspen Village is the responsibility of the Aspen Village Committee. If anyone should have comments or concerns, contact the common facility representative of the Aspen Village Committee.

2. Yard Maintenance: The grass area adjacent to each residence is maintained by Aspen Village. This includes mowing, edging and fertilizing. The planted areas adjacent to each home and driveway are the responsibility of the homeowner. Each homeowner is expected to keep these areas neat so as to complement their residences as well as Aspen Village as a whole. Failure to maintain these areas is in violation of the Mountain High HOA Amended and Restated Rules and Regulations and may be subject to penalties as per fine schedule.

3. Tree-Pruning and Removal: Trees may be pruned (limbed) without any approval. However,, one should consider the impact on the neighbors when pruning. Please refer to Article 2.3.10 for specific requirements.

End Aspen Village Special Restrictions

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ADDENDUM “C” TO RULES & REGULATIONS

UNIFORM SIGN CODE

ALL SIGNS ARE PROHIBITED EXCEPT AS PROVIDED HEREIN:

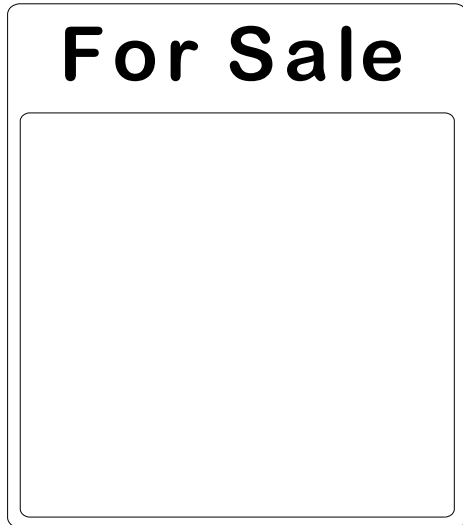
1. Mailbox address signs as approved.
2. House number on home front and / or placed in front yard as approved.
3. Fire Department Emergency Response Sign at driveway as approved.
4. One contractor or builder sign during remodeling or construction
 - (a) Measurements may not exceed twenty-four (24) inches wide and eighteen (18) inches tall, with placement not to exceed forty-eight (48) inches in height.
5. All Association Signs.
6. Political Signs:
 - (a) Political signs may be displayed no earlier than forty-five (45) days prior to an election and must be removed no later than the day following the election.
 - (b) Two (2) signs are permitted per lot.
 - (c) Measurements may not exceed twenty-four (24) inches wide and eighteen (18) inches tall, with placement not to exceed forty-eight (48) inches in height.
7. “For Sale” Signs:
 - (a) Two standard “For Sale” signs, placed on standard posts, will be allowed per home. One sign may be placed in the front and one to the rear of the house but must be within the property lines of the homeowner, the front sign being 16” x 24” and the second sign being 18” x 6”. The signs and posts shall conform in size and colors with Board of Directors’ requirements. A Realtor may place the company logo on the front sign utilizing conforming colors.
 - (b) The “For Sale” signs are to be taken down immediately upon close of escrow. A “Sale Pending” sign may be placed over the “For Sale” sign until close of escrow.
 - (c) A conforming “For Sale” sign may be displayed only if the property is for sale and the use of the sign has no other purpose, i.e., the sign used to attract prospects that may be interested in other Mountain High HOA property, or any other purposes other than sale of the property upon which it is located.
 - (d) A small advertising box may be placed on the standard post to hold pick-up information relating to the house for sale.
 - (e) A standard and conforming “Open” or “Open House” sign may hang from the front “For Sale” signs only. One only standard and conforming directional “Open House” sign may be placed at the intersection of the homeowner’s cul-de-sac, one day per week, either on a Saturday, Sunday, or holiday. No other sign, on or off Mountain High property may be used in connection with the Open House.
 - (f) It is the responsibility of the Homeowner / Member to see that their agents comply with the rules and regulations of the Mountain High HOA. After one verbal warning of a violation, the Association may impose a \$50.00 penalty for a second and continuing violation per incident.
8. “For Rent” Signs:
 - (a) Posting of “For Rent” signs will be permitted in all Villages provided the proposed rental does not conflict with Article 1.14 of the Mountain High HOA Amended and Restated Rules & Regulations, and the sign conforms to color scheme, size and placement height.

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Addendum to the Uniform Mountain High HOA Sign Code

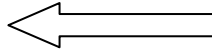
Mountain High HOA Standard Re-Sale and Open House sign

The adjacent illustrations are examples of standard Mountain High HOA signs.

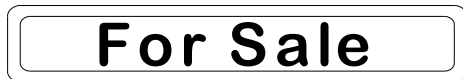


The Standard For Sale sign is 18” wide x 24” high, on fiberglass, plastic or aluminum, or painted plywood.

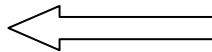
The sign is to be installed so that it does not exceed a maximum height of 48”, as measured from the adjacent grade to the highest part of the sign.



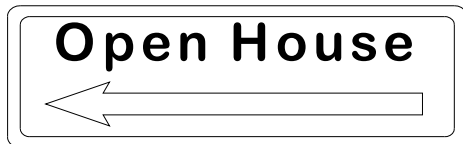
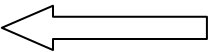
The Standard re-sale “For Sale” sign that can be used at the side or back of the house is 18” wide x 6” high, on fiberglass, plastic or aluminum, or painted plywood.



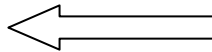
The Standard “Open House” is 18” wide x 6” high on ½” thick plywood. The “Open House” sign may either be mounted over the face of the re-sale sign or be mounted on hooks from the bottom of the re-sale sign.



The Standard directional “Open House” sign is 18” wide x 9” high, on fiberglass, plastic or aluminum, or painted plywood. The directional sign can be either one or two sided.



Temporary “sandwich board” signs are acceptable.
White: Bright White



These colors and sign standards are on file at Smith & Doorn Sign & Graphics.

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ADDENDUM “D” TO RULES & REGULATIONS

LANDSCAPE INFORMATION RESOURCES

- <http://firefree.org/> "[Fire-Resistant Plants for Home Landscape](#)" This 48-page brochure provides landscape design recommendation and plant selection that may reduce your risk from wildfire. It has an extensive pictorial list of fire resistive plants and also of flammable plants.
- www.bend.or.us [Use the Search tool to find "Water Conservation"](#). There are several free resources, brochures, and guides available to assist you with water conservation efforts.
- www.bend.or.us Under “Government” go to “Departments”, under “Fire & EMS” click “[Fire and Life Safety Information](#)” and then “[Wildfire Safety](#)”. Scroll down the page to the list of brochures and handouts that are available and click on the links that will take you to the actual .pdf documents.
- <http://extension.OregonState.edu/catalog> On the Catalog page, select "Gardening", "Flowers, Shrubs, and Trees". Once there select page 2, document EC 1623-E, May 2008, for the paper by AJ. Detweiler, "Selecting Native Plants for Home Landscapes in Central Oregon". There are also many other free articles available in the Gardening section including but not limited to Lawns, Pests-Insects and Animals, Vegetables and Wildlife. New publications are added on a regular basis so check back seasonally for the most up to date information.
- <https://extension.oregonstate.edu/deschutes/home-garden-landscape-0> The OSU Extension Service Central Oregon Home Garden and Landscape Program provides seminars, workshops, publications and OSU Master Gardeners presentations throughout the year. Most are little or no cost to the public. Plant clinics are available from mid-May through mid-October, weather permitting, where you can get your plant / landscape questions answered. Check their website often for their class schedule.
- www.clearwaternatives.com - Growing Central Oregon’s Native Plants
- www.highcountrygardens.com - High Country Gardens offers information, plants, and products that support long-term ecological balance. Addresses the needs for water conservation and provides guidelines for eco-friendly gardening & native plants and drought resistant plants.
- <http://www.wintercreeknative.com/> Wintercreek Restoration and Nursery is a full-service landscape and nursery company working exclusively with native plants of the dry land west. They offer services in the area of planning, landscape design and installation, restoration and revegetation, planning, consultation, plant surveys, seed collection custom growing and project management.
- www.hunterindustries.com/homeowners [Check “Irrigation Basics”, "Residential System Design Guide", “English Handbook” for the Residential Sprinkler System Design Handbook.](#)
- Irrigation controllers:
 - <https://www.rainbird.com/homeowners> [Check the ST8 SMART Series controllers.](#) The timer that automatically adjusts all year based on current weather.
 - <http://irritrol.com/controllers.aspx> [Check the Rain Dial®-R Series](#) including the optional accessories such as the wireless weather sensing system.

MOUNTAIN HIGH HOA
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- Ornamental Grasses - Ornamental grasses can be a wildfire fuel source when they are dried out and should be trimmed back. Project Wildfire lists cheatgrass and pampas grass as highly flammable and should be eliminated from your yard / garden space.

You may also contact any member of the Mountain High Garden Circle
for additional information and resources.

MOUNTAIN HIGH HOA
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SCHEDULE OF FINES

Article 8, Section 8.1 Fines allows the Board of Directors, in its discretion, to impose fines upon Members of the Association who are in violation of Mountain High HOA Rules and Regulations as set forth in Article 5 of the CC&R's. The Board has the option to double the listed fines after thirty days from assessment of the first fine at their discretion.

ARTICLE **VIOLATION** **FINE**

Article 1 - Use Restrictions

1.1	Prohibits Disturbing the Peace	\$250	Per incident
1.2	Prohibits Commercial Activities	\$50	Per day
1.3	**New** Limits Exterior Lighting	\$50	Per incident
1.4	Prohibits Offensive Activities	\$250	Per incident
1.5	Prohibits Outside Storage of firewood, building materials	\$10	Per day
1.6	Prohibits Clotheslines	\$10	Per day
1.7	Limits Flag Display	\$100	Per month
1.8	Limits Outside Antennas	\$10	Per day
1.9	Requires Exterior Maintenance	\$10	Per day
1.10	Requires Landscape Maintenance	\$10	Per day
1.12	Limits Garage, Yard and Estate Sales	\$250	Per incident
1.13	Prohibits Timeshare or Interval Ownership	\$1,000	Per month
1.14	Prohibits Home Rental & Transient Rental Use	\$1,500	Per incident
1.15	Prohibits Fires except in fireplaces, wood stoves, fire pits or BBQ's	\$250	Per incident
1.16	Limits Solicitation by Residents and Non-Residents	\$100	Per incident
1.17.1	Restricts Construction & Maintenance Working Hours	\$250	Per day
1.17.2	Prohibits non-permitted Additions or Changes	\$1,500	Per month
1.17.3	Failure to follow general Construction Activity rules	\$100	Per day
1.17.4	Failure to provide and properly place Trash Receptacle and Portable Toilets	\$100	Per day
1.17.5	Failure to store Building Materials neatly within job site boundary	\$100	Per day
1.17.6	Failure to abide by Construction - Miscellaneous rules	\$100	Per day
1.18	Failure to properly place Air Conditioning and External Heat Pump Units	\$500	Per incident
1.19	Dumping of trash or other debris within Mountain High HOA	\$50	Per incident
1.20	Failure to follow Protection of Common Area requirements	\$500	Per incident
1.21	Failure to follow Skateboarding, Scooters & In-line Skating rules	\$10	Per incident
1.22	Failure to follow Golf Carts use limitation	\$50	Per incident
1.23	Failure to follow Placement and Care of Basketball Hoops rules	\$10	Per day
1.24	Failure to follow Placement and Care of Stationary Play Equipment rules	\$10	Per day
1.25	Failure to follow Exterior Holiday Decorations and Exterior Holiday Lighting rules	\$10	Per day
1.26	Use of Fireworks	\$1,500	Per incident

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<u>ARTICLE</u>	<u>VIOLATION</u>	<u>FINE</u>
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Article 2 - Permits

2.1.1	Failure to Comply with Village ACLC Approval Requirement	\$500	Per incident
2.2	Failure to comply with Permit "A" - Exterior Painting requirements	\$1,500	Per month
2.3	Failure to comply with Permit "B" – Architecture, Landscape requirements	\$1,500	Per month
2.3.6	Failure to comply with Awnings & Sail Shades – Alpine and Aspen Villages requirements	\$100	Per incident
2.3.7	Failure to comply with Awnings – Willow Creek requirements	\$100	Per incident
2.3.10	Failure to comply with Tree Trimming and Removal requirements	\$1,500	Per incident
2.4	Failure to comply with Permit "C" – Conditional Use for Accessory Structures requirements	\$100	Per month

Article 3 - Motorized Vehicles / Recreational Vehicles / Golf Carts Parking

3.1	Failure to follow Outside Parking regulations	\$10.00	Per day, per Vehicle
3.2	Failure to follow On-Street Parking regulations	\$10.00	Per day
3.3	Failure to follow Utility Trailers, Boat Trailers and other Recreational Vehicles parking regulations	\$50.00	Per day

Article 4 - Pets and Animals

4.1	Failure to follow Household Pets regulations	\$50.00	Per incident
4.2	Prohibits feeding certain Wildlife	\$50.00	Per incident

Article 6 - Uniform Sign Code

Article 6	Failure to comply with Uniform Sign Code	\$50.00	Per incident
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MOUNTAIN HIGH HOA
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EXHIBIT I – EXTERIOR PAINTING PERMIT

MOUNTAIN HIGH HOA
PERMIT “A” - EXTERIOR PAINTING

Property Address: _____

GENERAL INSTRUCTIONS:

Earthtones are suggested and generally accepted. No pure white, black or pastel colors are acceptable. Follow all of these instructions and call if you have questions.

SPECIFIC INSTRUCTIONS:

1. Call a member of the Architectural Control and Landscape Committee (ACLC) to request an Application, and review any questions before proceeding to #2. Permit Applications are also available at www.mtnhigh.org under Documents, About Us, Governing Documents, 3. Mountain High HOA Rules and Regulations.
2. Pick out the colors you desire and attach the color chips to this Application. Color chips can be painted with your custom color. We recommend that you only purchase one quart of paint until the color(s) are approved.
3. Submit your Application to the ACLC for approval.
4. Make an appointment with the ACLC member to visit your property. You will be required to paint a three (3) foot by three (3) foot section of the exterior side of your house before final approval is given by the Committee member.
5. Paint you apply to the surface of your house must match the color sample(s) on the application.
6. Painting your house without an Application and Committee approval could result in having to repaint, have fines imposed or suffer legal proceedings.

COMMENTS: _____

(Use additional sheets if necessary)

MOUNTAIN HIGH HOA
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MOUNTAIN HIGH HOA
PERMIT "A" - EXTERIOR PAINTING

<u>For Administrative Use Only</u>
Property Address: _____ _____
Date Submitted: ____/____/____
Date Approved: ____/____/____

APPLICANT / HOMEOWNER:

NAME: _____

ADDRESS: _____

TELEPHONE: #1 (_____) _____ **TELEPHONE: #2** (_____) _____

E-MAIL ADDRESS: _____

ARE THE DESIRED PAINT COLORS (Circle YES or NO):

	<u>Exterior Walls</u>	<u>Trim</u>
Original Color:	YES / NO	YES / NO
New Color:	YES / NO	YES / NO

EXTERIOR WALL COLOR:

FLAT SATIN SEMI-GLOSS ONLY NO HIGH GLOSS

STAPLE COLOR CHIP HERE OR A CHIP PAINTED WITH THE DESIRED PAINT OR STAIN
--

TRIM COLORS:

COLOR #1 STAPLE COLOR CHIP HERE OR PAINT COLOR CHIP SAMPLE

COLOR #2 STAPLE COLOR CHIP HERE OR PAINT COLOR CHIP SAMPLE

Applicant
Signature: _____

Painter /
Contractor
Signature: _____

For Mountain High HOA Use Only:

Village Committee Approval:

This Application is: Approved Not Approved Completed as Approved

Signature: _____ Signature: _____

Printed Name: _____ Printed Name: _____

Date Signed: ____/____/____ Date Signed: ____/____/____

Property Address: _____

Date Submitted: ____/____/____

Date Approved: ____/____/____

EXHIBIT II – ARCHITECTURAL & LANDSCAPE PERMIT

**MOUNTAIN HIGH HOA
PERMIT “B” – ARCHITECTURE & LANDSCAPE**

APPLICANT / HOMEOWNER:

NAME: _____

ADDRESS: _____

TELEPHONE: #1 (_____) **TELEPHONE: #2** (_____)

E-MAIL ADDRESS: _____

NATURE OF REQUEST: _____

(Attach additional sheets as needed to fully describe your request)

Applicant Signature: _____ Date: ____/____/____

Permits are required for the following:

Roofs (Page 11)

Walls and Siding (Page 11)

Decks (Page 12)

Driveways (Page 12)

Awnings & Sail Shades (Page 12)

Spas & In-Ground Water Features (Page 12)

Solar Devices and Encroachment (Page 12)

Tree Trimming and Removal (Page 13)

Wheelchair Ramps (Page 14)

All Other Exterior Changes *

*Please refer to the Mountain High HOA Amended and Restated Rules and Regulations, [Article 2 Permits](#), for specific details and requirements.

For Mountain High HOA Use Only:

This Application is: Approved Not Approved Completed as Approved

Comments: _____

Village Committee Approval:

Signature: _____ Signature: _____

Printed Name: _____ Printed Name: _____

Date Signed: ____/____/____

Date Signed: ____/____/____

Property Address: _____

Date Submitted: ____/____/____

Date Approved: ____/____/____

EXHIBIT III – CONDITIONAL USE PERMIT

**MOUNTAIN HIGH HOA
PERMIT “C” – TEMPORARY STRUCTURES**

APPLICANT / HOMEOWNER:

NAME: _____

ADDRESS: _____

TELEPHONE: #1 (_____) **TELEPHONE: #2** (_____)

E-MAIL ADDRESS: _____

NATURE OF REQUEST: _____

(Attach additional sheets as needed to fully describe your request)

Applicant Signature: _____ Date: ____/____/____

Permits are required for the following temporary structures:

[2.4.2 Temporary Wheelchair Ramps](#)

[2.4.4 Stationary Play Equipment](#)

*Please refer to the Mountain High HOA Amended and Restated Rules and Regulations, [Article 2 Permits, 2.4 Permit “C” – Conditional Use for Accessory Structures](#) for specific details and requirements.

For Mountain High HOA Use Only:

This Application is: Approved Not Approved Completed as Approved

Comments:

Village Committee Approval:

Signature: _____ Signature: _____

Printed Name: _____ Print Name: _____

Date Signed: ____/____/____

Date Signed: ____/____/____