



Ponderosa Pines Property Owners Association
53275 Ponderosa Way La Pine, OR 97739

March 25, 2021

Resolution – 08-01-2018 – Schedule of Fines Revision (2) March 25, 2021
Replaces

Resolution 08-01-2018 Schedule of Fines Resolution August 08, 2018 and
Resolution 08-01-2018 Schedule of Fines Revision 1 August 24, 2020

WHEREAS, the *2008 Restated Bylaws of The Ponderosa Pines Property Owners’ Association, RECITALS, Section H.* states that Ponderosa Pines is a Class 1 Planned Community and subject to the provisions of the Oregon Planned Community Act (ORS 94.550 to 94.783) and **ARTICLE V, BOARD OF DIRECTORS, Section 5.1** states that the affairs of the Association shall be governed by a Board of Directors composed of seven (7) persons, who must be Members of the Association; and **ARTICLE VII, POWERS AND DUTIES OF THE BOARD OF DIRECTORS, Section 7.1 - General Powers** states the Board shall have power to exercise all powers, duties and authority vested in or delegated to the Association and not reserved to the membership by the provisions of these Bylaws, the Articles of Incorporation, and the Ponderosa Pines Declaration; and **Section 7.4 Duties of the Board of Directors (d)** Perform all other responsibilities given to it by the Ponderosa Pines Declaration; and **(e)** Perform all other powers and duties granted by law.

In general, Article VII allows for the Board the ability to recover additional funds to cover any bank and processing fees that result from handling Non-Sufficient Funds (NSF) payments from members. These fees are outlined further in this resolution.

BE IT RESOLVED THAT the Ponderosa Pine Property Owners’ Association Board of Directors have determined it to be in the best interest of the Association to implement a schedule of fines.

In the following paragraphs, the applicable portion of the 2008 Restated Declarations, Restrictions, Protective Covenants and Conditions (CC&R,s is quoted, followed by specific interpretations and details determined by the Board of Directors.

Article VII. Restrictions on Use of Property - Section 1 of the CC&Rs

Each lot shall be used for residential purposes only, nor shall more than one detached single-family dwelling, not to exceed two (2) stories in height and not more than one double car garage or carport and two accessory buildings, such as workshops or stables, be constructed or placed upon each 1.0 acre in the subdivision.

1. Lots and their improvements must comply with Deschutes County Code.

Article VII. Restrictions on Use of Property - Section 6 of the CC&Rs

All land owners must comply with the laws and regulations of the State of Oregon, County of Deschutes, and any municipality applicable to fire protection, building construction, water, sanitation, and public health.

1. A fine for general non-compliance of this section will be subject to the fine listed below in Section 6.
2. Per the Oregon Forestland-Urban Interface Fire Protection Act, all lots must comply with Oregon certification requirements.
3. Violations of the state and local Regulated Use Restrictions may be subject to fines.

Article VII. Restrictions on Use of Property - Section 9 of the CC&Rs

No commercial, professional, noxious, or offensive trade or activity shall be carried on upon any Lot, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood.

1. Must comply with Deschutes County land use environmental and construction code including DCC 13.36.
2. The term "commercial" is interpreted to include businesses.

Article VII. Restrictions on Use of Property - Section 10 of the CC&Rs

The cutting or removal of living trees will only be permitted where necessary for the construction of buildings or thinning for the beautification of the Property or for safety reasons.

1. The cutting or removal of living trees on Common's property may be subject to a fine if prior Association permission was not given.
2. Nothing may be stored on the common areas including but not limited to pine needles, tree branches, garbage, trash, cuttings, refuse, vehicles, and signs other than address signs or Realtor signs.

Article VII. Restrictions on Use of Property - Section 11 of the CC&Rs

No animals other than domestic household pets or horses shall be kept on any part of Said Property.

1. Pets are allowed. Pets are domestic animals customarily kept, and cared for, by the occupants of a dwelling for personal pleasure, and which are not raised for food, fur, or monetary gain. Typically, this includes dogs, cats, birds, and other small mammals and reptiles, but not fowl, goats, lambs, or horses.
2. Fowl are allowed with the following restrictions. The maximum number of fowl allowed is one per 5000 square feet of property. No roosters are allowed at any time. All fowl must be confined within the property setbacks. Confinement dwellings (e.g., chicken coop) must be located on the rear half of the property not closer than 40 feet from any residence off the subject property and must honor all property setback requirements. Proper food, water, and waste management must be utilized per Deschutes County Code.
3. Goats and Lambs are allowed for short term youth projects with the consent of the Board of Directors upon application indicating number of animals, timing, along with proper dwelling, food, water, and waste management plans.

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4. Horses are allowed with the following restrictions:
 - (a) Two resident horses are allowed per lot.
 - (b) Visiting horses may be kept on the premises for up to two weeks at a time.
 - (c) Care and upkeep. Confinement dwelling (e.g., stable) and waste storage must be located on rear half of property not closer than 40 feet from any residence off the subject property and must honor all property setback requirements. Proper food, water, and waste management must be utilized in accordance with Deschutes County Code.
 - (d) Grandfather exception.
 - (i) This restriction does not apply to lots with more than two horses as of the date this resolution was originally approved (06-01-2018). The horses residing on such lots as of that date shall be permitted to remain, but their number shall not be increased, and they shall not be replaced upon their death, sale, or relocation.
 - (ii) The limit of horses on a lot subject to this grandfather exception shall be reduced with the death, sale, or relocation of horses until two horses remain on the lot, at which time the lot's horse limit shall remain fixed at two.
 - (iii) All grandfathered rights under this section shall terminate once the owner of the lot as of the date of this amendment no longer owns an interest in the lot.

Article VII. Restrictions on Use of Property - Section 14 of the CC&Rs

Each lot and its improvements shall be maintained in a clean and attractive condition in good repair and in such fashion as not to create a fire hazard.

1. Refer to Section 6 for applicable fine for fire hazards.
 - (a) All specifications, setbacks and footage perimeters outlined in the State Requirement for lot certification (SB360) are to be followed.
 - (b) Must comply with Deschutes County Code. Examples of code violations are: Exposed excessive vehicles or junk vehicles, hazardous waste, attractive nuisance (old appliances, etc.) and exposed debris. Required setbacks apply.

Schedule of Fines for Violation of the CC&Rs

		<u>Initial Fine</u>	<u>Daily Fine</u>
Section 1	Use of Lot, Dwellings and Accessory Buildings	\$500.00	\$50.00
Section 6	Compliance with Laws and Regulations	\$250.00	\$10.00
	Wildfire Protection	\$250.00	\$10.00
Section 9	Businesses, Offensive or Nuisance Activities	\$250.00	\$10.00
Section 10	Cutting or Removal of Trees on Commons	\$250.00 per tree	N/A
	Dumping on Commons	\$250.00	\$10.00
Section 11	Limitations on Animals	\$250.00	\$10.00
Section 14	Maintenance and Appearance of Lots	\$250.00	\$10.00
	NSF Payments (each occurrence)	\$25.00 plus Bank Charges	

Jeffrey P. Harris
Jeffrey Harris, Chairman

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Date

David Trachsel
David Trachsel, Secretary

04-01-2021

Date

Cheryl M Riddle
Cheryl Riddle, Treasurer

04-01-2021

Date

Jerry Koch
Jerry Koch, Director

04-02-21

Date

Mike Lee, Director

Date

Rhonda Smith

04-01-2021

Rhonda Smith, Director

Date

Vacant, Director

Date