

**Policy Resolution #3-19 Maintenance and Appearance Standards**  
**West Hill Estates Homeowners Association (WHEHOA)**  
**Interpretation of Bylaws, CC&Rs and Policy Resolutions Pertaining to Maintenance and**  
**Appearance Standards**

WHEREAS, Article 2, Section 2.2(b) and (c) of the West Hill Estates Homeowners Association Bylaws states, in part:

**“Powers.** The Association has such powers and duties as may be granted to it by the Act, including each of the powers set forth in ORS 94.630, as the statute may be amended to expand the scope of association duties and powers, together with such additional powers and duties afforded by the Declaration, the Articles of Incorporation, these Bylaws and the Oregon Nonprofit Corporation Act, including the following: (12) From time to time adopt, modify, or revoke such Policies and Procedures governing the conduct of persons and the operation and use of the Lots, the Common Maintenance Area or any Common Property as the Board of Directors may deem necessary or appropriate in order to assure the peaceful and orderly use and enjoyment of the Property; (13) Enforcement by legal means of the provisions of the Declaration, these Bylaws and any Policies and Procedures adopted thereunder.

**Governance:** The affairs of the Association shall be governed by the Board of Directors as provided in these Bylaws. Owners have no authority to act on behalf of the Association and may take action with respect to affairs of the Association as specifically provided under the Declaration, these Bylaws, or the Act.”

WHEREAS, Article 2 of the Articles of Incorporation of West Hill Estates Homeowners Association, an Oregon Non-Profit Corporation filed with the Oregon Secretary of State on February 22, 1995, states in part:

“The purposes for which said corporation is organized are: To promote the health, safety and welfare of the residents within the boundaries of WEST HILL ESTATES SUBDIVISION, and for this purpose . . . to fix assessments (or charges) to be levied against the property; to enforce any and all covenants, conditions and restrictions, and agreements applicable to the property; . . . and insofar as permitted by law, do any other things that, in the opinion of the Board of Directors, shall promote the common benefit and enjoyment of the residents of the properties.”

IT IS RESOLVED, the Policy Resolution #3-19 Maintenance and Appearance Standards be and hereby is adopted, ratified and confirmed.


The Board of Directors hereby adopts Policy Resolution #3-19 Maintenance and Appearance Standards, attached hereto as Exhibit A and by this reference incorporated herein.

The Board of Directors also repeals the remainder of West Hill Estates Homeowners Association Policy Resolution #1-18, Rules Enforcement Policy and Procedures, adopted on June 28, 2018, specifically all portions not already repealed with the adoption on August 29, 2019 of Policy Resolution #2-19 Rules Enforcement Policy and Procedures.

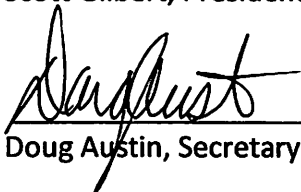
Duly adopted at a meeting of the Board of Directors of the West Hill Estates Homeowners Association held November 14, 2019. The Policy will be effective November 14, 2019.

<b>Board of Directors 2019-2020</b>	<b>Vote</b>
Scott Gilbert, President	Yes
Tom Gwynn, Vice President	Yes
Lorna O'Guinn, Treasurer	Yes
Doug Austin, Secretary	Yes
Sami Wright, member at large	Yes
Gudrun Hoobler, member at large	Yes
Steve Masten, member at large	Yes

ATTEST:

  
\_\_\_\_\_  
Scott Gilbert, President

November 14, 2019  
(date)

  
\_\_\_\_\_  
Doug Austin, Secretary

November 14, 2019  
(date)

**Exhibit A:****Policy Resolution #3-19 Maintenance and Appearance Standards**

Interpretation of Bylaws, CC&Rs and Policy Resolutions Pertaining to Maintenance and Appearance Standards

**BACKGROUND AND PURPOSE**

Among the responsibilities of the Board is management of the maintenance and appearance of the subdivision. The ultimate goal is to maintain our properties in optimal condition in order to preserve the value, desirability, and livability of our neighborhood. The information provided below is not all-inclusive, but highlights and clarifies provisions of the CC&Rs as they apply to some of the more common maintenance and appearance issues which affect Owners and residents.

Owners are responsible for maintaining the appearance of their Lots in accordance with the Bylaws, CC&Rs and Policy Resolutions. Interpretation of these documents pertaining to the standards for maintenance and appearance of buildings and grounds are provided below. These interpretations are intended to supplement, rather than replace, wording in the CC&Rs.

Standards for the subdivision appearance are herein established in keeping with the CC&Rs to ensure an overall pleasing atmosphere for the area and to ensure that all Owners' investment in their property is protected. The Architectural Control Committee was established as a mechanism for ensuring compliance with these standards as changes are made by homeowners.

**ARCHITECTURAL CONTROL COMMITTEE: (CC&Rs Section 8)**

The Architectural Control Committee (ACC) was established to review and act upon requests submitted by Owners for approval of exterior building and landscape additions or design changes. Requests for any new improvement or exterior change must be submitted in accordance with CC&R Section 8, and prior ACC approval is required before any project may be started in order to ensure all changes conform to the established standards.

**LANDSCAPING and BUILDING MAINTENANCE: (CC&Rs Sections 7.2, 7.7, 9.2)**

Each Owner is responsible for all maintenance, repair and replacement of Owner's Dwelling and Lot and any improvements thereon. An Owner shall cause landscaping to be kept in a neat, orderly and attractive condition, free of debris, unmaintained vegetation or excessive weeds. Grass shall be cut or mowed at sufficient intervals to keep it at a height conducive to an even, uniform and clipped appearance. The utility easement and any other easement areas of each lot and all improvements therein shall be maintained continuously by the Owner of the lot, except for those improvements for which a public authority, utility company, or the Association is responsible.

All grounds and related structures shall be maintained in harmony with surrounding homes and landscaping. No weeds, noxious plants, or unsightly vegetation shall be planted or allowed to grow. All lots or parcels shall be kept in a manner that ensures they do not detract from the appearance of the neighborhood. This shall include routine building and landscaping maintenance, mowing and clearing, appropriate weed control, and removal of litter and trash.

No lot shall be used as a dumping ground for trash, garbage, waste or debris. Standards for landscaping and maintenance of grounds and related structures are attached.

**OFFENSIVE ACTIVITIES:** *(CC&Rs Section 7.3)*

No Owner or occupant shall permit conditions on their Lot to become a nuisance or annoyance to the neighborhood. No owner or occupant shall permit, initiate, or carry on any noxious or offensive activities, nor may anything be done or placed anywhere which interferes with or jeopardizes any Owner's use and enjoyment of the subdivision. In general, activities that involve offensive noises and odors, unsightly areas, creation of dangerous, unsafe, or unhealthy conditions, or unreasonably interfere with the use of other property within the subdivision will be deemed as prohibited activities. The Board shall be the arbitrator of what is considered a nuisance or an obnoxious or offensive activity.

**EXTERIOR LIGHTING:** *(CC&Rs Section 6.4(b))*

No high output exterior lighting of any kind may be installed without prior approval of the ACC. Under no circumstances may lights be directed into the windows of any neighboring dwelling.

**TREES:** *(CC&Rs Section 6.4(e))*

No trees over ten feet (10') tall shall be removed without the prior approval of the Architectural Control Committee. No trees under the jurisdiction of the City of Salem may be removed or trimmed except in accordance with City tree ordinances. It is the Owner's responsibility to be sure such City approval has been secured when needed.

**ANIMALS:** *(CC&Rs Section 7.4)*

No animals of any kind shall be raised, bred or kept in the subdivision, except that dogs or cats or other household pets may be kept so long as they are not bred, maintained, or kept for commercial purposes. For the purpose of this section, the Board shall have final authority to determine whether an animal falls under the definition of an acceptable household pet. No animal of any kind, including dogs and cats, shall be allowed to interfere with the quiet enjoyment of the other residents in the subdivision, or permitted untended upon the streets or upon premises of other occupants of the subdivision. In particular, dogs must be leashed while off the Owner's property, and Owners are responsible to clean up the waste of any pets.

**COMMERCIAL USE OF PROPERTY and COMMERCIAL VEHICLES:** *(CC&Rs Section 7.1, 7.5, 7.6(b))*

Lots may only be used for single family residential purposes. No trade craft, business, profession, commercial or similar activities of any kind may be conducted in the subdivision without approval of the Board. See CC&R Section 7.1 for additional clarification. No commercial signs shall be erected on any property, except real estate sales signs of not more than five (5) square feet advertising property within the subdivision for sale or rent. Except with prior written permission of the Board, no commercial vehicle such as, but not limited to, log trucks, dump trucks, tractor trailer rigs, or any other vehicle except passenger automobiles (including pickups), shall be parked in the subdivision, unless screened from public view. Law enforcement vehicles and commercial vehicles temporarily parked while providing residential services are exempted.

**SCREENING OF ITEMS:** *(CC&Rs Sections 7.6(a), 7.7)*

The following shall be screened as indicated:

- Trash, rubbish, garbage and other waste shall be kept in appropriate sanitary containers for proper disposal and screened from public view except on the scheduled day prior to and the day of trash/recycling pickup. (NOTE: Screened from public view means they cannot be seen from ground level from the street or adjacent property.)
- Except during short periods of time not to exceed any part of three (3) days in any consecutive seven (7) day period for loading, unloading or cleaning, all boats, trailers, recreational vehicles, equipment, campers and the like, must be parked off the streets of the subdivision. Such items must be screened from public view from the streets and adjoining lots. (NOTE: "Equipment" includes things such as, but not limited to, any equipment used for household and grounds maintenance, barbeques, temporary storage units, pressure washers, dog pens, etc.)
- Screened from public view from the streets and adjoining lots means that the items are placed inside the garage or behind approved fencing/hedges. Fencing cannot exceed six feet in height and may not completely screen larger items from public view. This level of screening is considered adequate to meet the CC&R standard.

**INTERFERENCE WITH OTHER PROPERTY: (CC&Rs Sections 7.3, 7.8, 7.9)**

Owners or occupants within the subdivision shall not engage in nor continue uses which unreasonably interfere with or jeopardize any other Owner's or occupant's use and enjoyment of property within the subdivision. The following activities shall conclusively be deemed to unreasonably interfere with other property in the subdivision:

- Construction of passive solar systems which reflect the sun or other lights onto other subdivision property.
- Construction and maintenance of exterior radio transmission and reception towers and antennae, and television antennae and other receptors (including large dish satellite antennae except satellite dish type antennae not greater than 24 inches in diameter may be installed in a location approved by the Architectural Control Committee);
- Construction and maintenance of flagpoles, defined as a separate vertical pole, is not allowed unless permitted under rules adopted by the Board. A flagstaff attached to the side of a home is permitted.

Attachment: Landscaping and Building Maintenance and Appearance Standards.

# West Hill Estates Homeowners Association

## LANDSCAPING and BUILDING MAINTENANCE and APPEARANCE STANDARDS and MINIMUM REQUIREMENTS

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*Sources:* West Hill Estates Bylaws, Covenants, Conditions & Restrictions (CC&Rs), and Policy Resolutions.

Owners are responsible for maintaining the appearance of their Lots in accordance with the Bylaws, CC&Rs and Policy Resolutions. Interpretation of these documents pertaining to standards for the most common issues regarding maintenance and appearance of buildings and grounds are provided below. These interpretations are intended to supplement, rather than replace, wording in the CC&Rs.

- **Landscaping Design:** All Lots shall be landscaped in a manner that is in harmony with surrounding landscaping, as well as harmonious and compatible with the overall landscaping policy as noted herein.
- **Minimum Landscaping Requirements:** All front and side yard areas shall be planted with one or more of the following: deciduous or coniferous trees and shrubs, ground cover, ornamental grass, turf grass, annual and perennial bedding plants. All exposed yard areas shall, at a minimum, be covered with bark mulch or similar material. Mounding of planting beds and lawn areas will be permitted if graded so as to blend with adjacent property and/or landscaping. Special care shall be taken to ensure proper surface drainage to eliminate casual water pockets, so as not to infringe on neighboring property. Extensive areas of sparsely planted shrub beds covered with bark mulch or similar materials will not be permitted in front yards or in front and side yards on corner lots.
- **Landscaping and Building Maintenance:** Each owner shall maintain the landscaping and yard area in an attractive appearance free from weeds, harmful insects, and diseases. Each owner shall provide for the timely replacement of grass, lost plant life, bark mulch (or similar material), and for trimming and pruning of plant material to prevent an overgrown look. Lawns will be mowed at sufficient intervals to maintain a neat, trim, uniform clipped appearance, sufficiently watered and fertilized so as to maintain them in a healthy condition during normal growing seasons. Owners shall also provide ongoing maintenance of buildings and related structures in order to preserve the appearance and value of the neighborhood.
- **IMPORTANT NOTE:** All exterior building or landscape designs or changes, including the planting of ANY tree, must be submitted to the West Hill Estates Architectural Control Committee (ACC) for review and approval before any project may be started. The ACC application approved by the Board can be downloaded from the HOA website: [www.whehoa.com](http://www.whehoa.com)
- **Vacant Lots and Construction in Progress:** All vacant lots and lots with partially constructed improvements shall be kept reasonably clean, in a workmanlike order free of brush, vines, excessive weeds and unnecessary debris. Any weeds and grass shall be kept mowed to prevent them from going to seed or from creating a fire hazard. In any event, weeds and grass shall not be allowed to grow to a height of more than ten (10) inches.
- **Yard, Building, and Holiday Ornamentation:** Ornamental features such as statuary, decorative flags, door wreaths and fountains will be in good taste and complement the home's architecture. Seasonal holiday decorations must be removed within 30 days after the holiday.

- **Trees:** Fallen tree leaves must be routinely raked and removed. No trees over 10' tall shall be removed without prior approval of the Architectural Control Committee. In some circumstances, trees may be considered as City Trees by definition and are subject to City of Salem ordinances. Since following City rules is the Owner's responsibility, careful review of city ordinances is appropriate before requesting approval to trim or remove a tree. Visit the City of Salem website for more information.
- **Sidewalks & Driveways:** All sidewalks and driveways must be maintained in good condition, clear of debris, overgrown shrubbery, and weeds. Any deteriorated areas must be repaired. Walk and driveway areas must be swept and cleared of dirt and trash including the curb and gutter area.
- **Play and Sports Equipment:** No play or sports equipment may be permanently installed in front yards or on driveways or attached to the house, other than the professional quality installation of permanent metal basketball poles with backboards and hoops approved by the ACC, as long as their use does not unduly interfere with or damage adjacent property. If installed in side or back yards, play and sports equipment must be screened from public view at ground level from the street and adjacent property. Non-permanent basketball backboards in good condition may be placed on driveways as long as their use does not unduly interfere with or damage adjacent property. All recreational swimming or wading pools must be screened from view from ground level of the street and adjacent property.
- **Equipment Storage:** All garden, maintenance, or other equipment and/or toys, when not in use, must be stored in such a way that they are screened from public view from ground level of the street or adjacent property. (NOTE: "Equipment" includes things such as, but not limited to, any equipment used for household and grounds maintenance, barbeques, temporary storage units, pressure washers, dog pens, etc.)
- **Screening of items:** The following are some additional common screening issues.
  - Trash, rubbish, garbage and other waste shall be kept in appropriate sanitary containers for proper disposal, screened from public view except on the scheduled day prior to and the day of trash/recycling pickup. (NOTE: Screened from public view means they cannot be seen from ground level from the street or adjacent property.)
  - Except during short periods of time not to exceed any part of three (3) days in any consecutive seven (7) day period for loading, unloading or cleaning, all boats, trailers, recreational vehicles, equipment, campers and the like must be parked off the streets of the subdivision. Such items must be screened from public view from the streets and adjoining lots. (See above NOTE under **Equipment Storage** for examples of "equipment.")
  - Screened from the street and adjoining lots means that the items are placed inside the garage or behind approved fencing/hedges. Fencing cannot exceed six feet in height and may not completely screen larger items from public view. This level of screening is considered adequate to meet the CC&R standard.

Board of Directors  
West Hill Estates HOA  
Updated 11/14/2019

*Certified True Copy*  
*Doug Austin*  
*WHEHOA Secretary*