

ISSUE #1

MARKUP #1 ->

5.13 House Numbers and Signage

IMPORTANT: ALL YARD SIGNAGE IS TEMPORARY

House Numbers:

House numbers, size, style, and color should complement the style and color of the house. New homes and remodels that wish to change their house numbers should include their proposed changes as part of their application.

House numbers are not to be painted or otherwise indicated on street curbs.

General Signage Guidelines:

- (a) All signs displayed from the home's interior but visible from the exterior and any exterior signs aside from those listed below must be reviewed and approved by the ARC before installation.
- (b) Signs cannot be attached to structures, fences, traffic posts, trees, mailboxes, or Association-owned signposts.
- (c) Placement of signs in the right-of-way is prohibited.
- (d) Signs shall not obstruct any traffic sight lines.
- (e) Signs advertising a home-based or off-site business are expressly prohibited.
- (f) The sign should be no larger than necessary to accommodate the proposed text.
- (g) Signs must be well constructed with suitable quality materials and must always be maintained in an orderly manner.
- (h) Signs must be well maintained, erected, etc., while on display.
- (i) Lighted signs are prohibited.
- (j) The Association shall retain the right to remove unauthorized signs without notice and/or require the lot owner to remove the sign(s).
- (k) Commercial signs, general notices, and other signs are prohibited in Forest Heights except as authorized elsewhere in the Association's general rules and regulations. The ARC provides exceptions for new businesses in the Village Center on a case-by-case basis. Exceptions must be applied through the ARC and are limited to 6 months of installation unless otherwise mutually agreed. The application must follow the requirements of *Policy Resolution No. 14, Temporary Marketing Signage for Village Center Merchants*.
- (l) Signs expressing hate, racially charged, or expressions of disrespect to another group, race, ethnicity, or belief are prohibited.
- (m) Signage for Association-sponsored events is excluded from this policy.
- (n) Signage that is not explicitly referenced in this document may be considered by the ARC by submitting a request outlining details of the sign, its purpose, intended duration, and size of the sign.

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. 5.13 (p. 52): Fining provision authorizes immediate or unscheduled fines without written notice, an opportunity to be heard, or a previously adopted and distributed schedule of fines in violation of Oregon law.

Statutory / Legal Reference: ORS 94.630(1)(n) & ORS 100.405(4)(k)

Statutory Comparison: Under ORS 94.630(1)(n) (Oregon Planned Community Act) and ORS 100.405(4)(k) (Oregon Condominium Act), an association may levy reasonable fines for violations of the declaration, bylaws, and rules and regulations only after giving the offender written notice and an opportunity to be heard, and only if the fine is based on a schedule of fines adopted by a resolution of the board that has been delivered to each lot or unit.

CURRENT WORDING IN DOCUMENT:

House Numbers and Signage IMPORTANT: ALL YARD SIGNAGE IS TEMPORARY House Numbers: House numbers, size, style, and color should complement the style and color of the house. New homes and remodels that wish to change their house numbers should include their proposed changes as part of their application. House numbers are not to be painted or otherwise indicated on street curbs. General Signage Guidelines:

- (a) (b)
- (c) (d)
- (e) (f)
- (g) (h)
- (i) (j)
- (k) (l)
- (m) (n) All signs displayed from the home's interior but visible from the exterior an

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Pursuant to ORS 94.630(1)(n) and ORS 100.405(4)(k), the Association may levy reasonable fines only in accordance with a schedule of fines adopted by resolution of the Board of Directors and delivered to each owner, and only after providing the owner written notice of the alleged violation and a fair opportunity to be heard.