



Bayshore Beach Club, Inc.

1512 N.W. Oceania Drive Waldport, OR 97394

Ph. (541) 563-3040 - Fax (541) 563-6489

E-mail: baybeach@peak.org Website: <http://www.pioneer.net/~baybeach>

February 29, 2017

Dear Bayshore Member,

The Bayshore Board of Directors approved the enclosed Resolutions at their February 18, 2017 Board of Directors' meeting. All Bayshore members are being notified of the revision to the C & R Violations and Fine System relating to the placement of sand on the public right of way.

- Public right of way, as established by Lincoln County, is a given distance from the center of the road to your property line.
- The right of way is provided to permit public utilities to install and service buried or overhead wiring and piping and for road and road maintenance.
- Property owners are responsible for the care and maintenance of the right of way adjoining their property.
- Sand placed on the right of way creates a hazard for emergency vehicles and others using the roadways.
- Property owners, with property on the west side of Oceania, may obtain a remedial permit to place sand that has accumulated on their driveway and around their home back on the beach.
- For permit information please contact Lincoln County Planning Department at 541-265-4192.

Thank you.



Julie Sedlachek
Corp. Sec., Board of Directors
Bayshore Beach Club, Inc.

Encl.

Bayshore Beach Club, Inc.
Board of Directors

Resolution to modify the Policies & Procedures Section C-1d
(pursuant to BOD approval 11/19/2016, to move Section M-4 to C-1d)

WHEREAS, "Declaration" is the Declaration of the Covenants and Restrictions of Bayshore Division No.1, along with the Declarations and Restrictions for each subsequent division of Bayshore through Division No. 7, "Guidelines" is the Bayshore Beach Club Guidelines for Determination, "Act" is the Oregon Planned Community Act, Oregon Revised Statutes Chapter 94, "Association" is Bayshore Beach Club, Inc. and "Policies" is Policies and Procedures.

WHEREAS, ORS 94.630(1)(a) allows the association to adopt rules and enforce compliance with the Declarations, Bylaws and Rules and Regulations;

WHEREAS, Article V, Section 2 of the Declaration authorizes the Board to enforce provisions of the Declaration, Bylaws and Rules and Regulations;

WHEREAS, the Board deems it in the best interest of the Association to revise the text of C-1d, of the Policies and Procedures, C & R Violations and Fine System relating to the Placement of Sand on the Public Right of Ways;

A. The Bayshore Beach Club, Inc. Planning Committee as described in the Bylaws, Article V, Section 5 and the Declarations Article II, Section 7, requests an addition to the existing Declarations Violations and Fine System.

B. The Bayshore Beach Club, Inc. Guideline Definitions state that Right of Ways established by the Lincoln County Department of Planning and Development, Building Division are a given distance from the center of the road and is provided to permit public utilities to install and service buried or overhead wiring and piping and for road and road maintenance. Property owners are responsible for the care and maintenance of Right of Ways on their property.

C. Disposal of sand in the public Right of Ways creates a hazard for emergency vehicles and others using the roadways.

NOW, THEREFORE IT IS RESOLVED, that based upon the study and recommendation of the Policies & Procedures Committee, the Board finds that it is in the best interest of Bayshore Beach Club, Inc. to impose a fine of \$2,000.00 on those who place sand on or in the Right of Ways.

NOW, BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to all Owners at their last known address.

Dated this 27th day of February, 2017



President, Board of Directors



Secretary, Board of Directors

Bayshore Beach Club Inc.
Board of Directors

Resolution to modify the Policies and Procedures Section C-1d
Relating to the Timeline for Violation Letters for Placement of Sand on Right of Ways

WHEREAS, "Declaration" is the Declaration of the Covenants and Restrictions of Bayshore Division No.1, along with the Declarations and Restrictions for each subsequent division of Bayshore through Division No. 7, "Guidelines" is the Bayshore Beach Club Guidelines for Determination, "Act" is the Oregon Planned Community Act, Oregon Revised Statutes Chapter 94, "Association" is Bayshore Beach Club, Inc. and "Policies" is Policies and Procedures.

WHEREAS, ORS 94.630(1)(a) allows the association to adopt rules and enforce compliance with the Declarations, Bylaws and Rules and Regulations;

WHEREAS, the Board deems it in the best interest of the Association to revise Section C-1d, of the Policies and Procedures, How are Violations Dealt With, relating to numbers and types of letters sent and the timeline of the Fine Schedule, the Board adopts the following notice provisions:

The first letter shall be a Notification of Violation letter that will be sent via first class mail and giving 21 days to respond.

If 21 days expires with no response or no resolution of the violation, a Notice of Intent to Fine Letter will be sent via certified mail and the same letter will be sent via first class mail.

If 21 days expires from the Notice of Intent of Fine Letter without a response or no resolution of the violation, the Planning Committee will make a recommendation to the Board of Directors to issue a Fine. The Board will then send a letter by certified mail and first class mail to the owner advising the owner that a fine has been recommended by the Planning Committee. The owner shall have 21 days to notify the Board in writing that the owner is challenging a recommendation of levying a fine and ask for a hearing in front of the Board. The notice may be sent to the office of Bayshore Beach Club by mail, fax or email. If the Board receives such a notice, the Board shall advise the owner of the date and time of the meeting. If the owner does not request a hearing, the Board may determine if a violation exists and, if a violation exists, impose a \$2,000.00 fine. If the owner or a representative of the owner attends the hearing, they shall be given an opportunity to be heard and then the Board shall determine if there is a violation and, if so, impose a \$2,000.00 fine.

NOW THEREFORE IT IS RESOLVED that for placing sand in and on the right of ways, the procedure set forth above is hereby adopted.

NOW IT THEREFORE BE RESOLVED that a copy of this Resolution shall be mailed to all Owners at their last known address.

Dated this 27th day of February, 2017



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Secretary, Board of Directors

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