

**Independence Airpark Homeowners Association
Common Property Usage Policy
9 November, 2024**

Common Property Usage Committee:

Ron Singh
David Ullman
Lee Nielson
Bob Spencer

DISCUSSION

CC&Rs are part of an HOA's governing documents. They are legally binding guidelines that outline the responsibilities and restrictions for homeowners within an HOA. They are designed to uphold aesthetic uniformity, quality of life, and property values within the community.

Policies, on the other hand, are the operating rules of an HOA community. They are more detailed and often establish rules for the use of common property. The Taxiways (and in some cases the sidewalks) in our HOA are common property. Policies may be updated as needs arise and are established by a Board vote.

IAHA establishes policy based on (in order of importance):

1. What is legal.
2. What is consistent with our TTF (Through The Fence) agreement.
3. What is most likely best to serve the community in the event of a dispute or lawsuit based on lawyer advice.
4. Domain expert advice.
5. Survey results.

Policy Enforcement: The Airpark is composed primarily of people who want the best for the community and their neighbors. Only in outlying cases will any of these policy concerns come into play. Only when a violation is brought to the Board will any action be considered. The Board is all volunteers and they do not want to waste their time or yours on petty violations.

POLICY

1: Types of vehicles on the taxiways

Only aircraft, pedestrians, leashed pets, bicycles, mobility aids/scooters, light-weight single-person transport devices (under 150lb), wheelchairs, walkers, and electric golf carts are allowed on the taxiways. Electric golf carts must have a gross weight of less than 2,000 lbs with pneumatic turf tires. No hard, off-road, aggressive, or open-lug tires are allowed, as they can damage the surface. ATVs are not allowed on the taxiways. Cars, trucks, buses, and other large vehicles that can harm the surface and be unsafe are prohibited.

The following equipment is permitted as an exception to the above:

- 1) Any IAHA equipment involved in the maintenance or repair of taxiways or other common property.
- 2) Any IAHA sanctioned contractor's equipment involved in the maintenance or repair of taxiways or other common property.
- 3) Lightweight aircraft tugs while towing aircraft. These tugs include golf carts or similar devices with a gross weight of less than 2,000 lbs. and with pneumatic turf tires.
- 4) Emergency vehicles such as police, fire, or ambulance.
- 5) Special cases approved by the IAHA maintenance committee. Special case approval can be sought by emailing the maintenance committee at least three (3) days before permission is needed.

2: Sidewalks

The sidewalks are intended for pedestrians, leashed pets, bicycles, mobility aids, mobility scooters, wheelchairs, and walkers. The speed limit is a brisk walking speed for all. No golf carts, ATVs, or similar are allowed.

3: Taxiway speed limit

The maximum speed for any use of the taxiways shall be 15 MPH.

4: Condition of use

Any individual who lacks capacity to understand and follow community rules and regulations concerning taxiway/sidewalk use and safety must be accompanied at all times by an individual with such capacity while using the taxiways/sidewalks.

5: Helicopters/VTOLs on taxiways

This section has been removed from this policy until further discussion.

6: Application

These provisions shall apply to all owners, occupants, guests, and invitees.

7: Penalties

Oregon law gives the Board the right to level fines for infractions of policy or CC&Rs providing they are clearly communicated and evenly enforced.

7.1 All penalties for violating the Taxiway Usage Policy will be \$100 per incident, except for "Types of Vehicles on Taxiways", and will follow the protocol detailed below:

- a) The complaint must be presented to IAHA in writing.
- b) IAHA will analyze the complaint and determine if it is a violation.
- c) IAHA will make direct personal contact with the member pointing out the violation and asking them to take corrective action.
- d) If no response, IAHA will follow with a written request with a timeline for compliance, notice of potential fine, and an invitation for the member to be heard before the Board regarding the violation.
- e) If still no response, IAHA will send member a letter via US mail with a fine and a timeline for compliance.
- f) If still no response, the fine is doubled.

7.2 In the case of a violation of "Types of Vehicles on Taxiways", the fine will be \$250 for that incident and will follow the protocol detailed below:

- a) Multiple witnesses or photo evidence of the violation must be presented to IAHA in writing.
- b) IAHA will analyze the complaint and determine its validity.
- c) IAHA will send the member a letter via US mail with a fine and timeline for payment.
- d) If the member is found to have a similar violation within a 6-month period, the fine is doubled.

7.3 In the case of non-payment of fines, the same protocol as for non-payment of annual dues will be followed.

Pursuant to Article 2 of the CC&Rs, should any damage to the taxiway result from the violation, the property owner associated with the violation shall be responsible for all repair or replacement

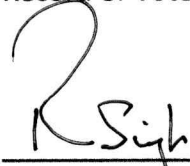
costs determined by a qualified pavement specialist. These costs will include any inspection or testing deemed necessary by the maintenance committee to determine potential damage.

All fines collected due to violations of this policy shall contribute to the General Fund.


Board Resolution

Date of Board Meeting: 7 November, 2024

Record of Vote: 8 YES 0 NO 1 ABSENT (Mike Rhodes)



Ron Singh
President



Robert English
Secretary