

ISSUE #1

Section 1: [Article VI, Section 6.5] Requirement for Irrigated Green Lawns Year-Round

Every Owner shall maintain the front and side yards of his Lot in a neat, green, and irrigated turf lawn condition at all times. Failure to keep lawns green during summer months or replacement of grass with bark dust, rock, or drought-tolerant groundcover shall constitute a covenant violation.

MARKUP #1 ->

Section 2: [Article VII, Section 7.4] Electric Vehicle Charging Stations

No exterior electrical vehicle charging station or wiring conduit may be installed on the exterior of any dwelling, carport, or driveway visible from the street.



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. Article VI, Section 6.5 (p. 1): [FLAGGED FOR COUNSEL REVIEW - SAFE RESOLUTION GATE] Mandating irrigated green turf lawns year-round and prohibiting xeriscape/drought-tolerant groundcover.

Statutory / Legal Reference: ORS 94.779(1)-(2)

Statutory Comparison: Under ORS 94.779(1), a provision in the governing documents of a planned community is void and unenforceable to the extent that it requires irrigation of a lawn or prohibits low-water / drought-tolerant landscaping when a state of drought is declared or local water restrictions are in effect, or unreasonably restricts water-conserving groundcover.

CURRENT WORDING IN DOCUMENT:

[Article VI, Section 6.5] Requirement for Irrigated Green Lawns Year-Round - Every Owner shall maintain the front and side yards of his Lot in a neat, green, and irrigated turf lawn condition at all times. Failure to keep lawns green during summer months or replacement of grass with bark dust, rock, or drought-tolerant groundcover shall constitute a covenant violation.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Amend Section Article VI, Section 6.5 ([Article VI, Section 6.5] Requirement for Irrigated Green Lawns Year-Round - Every Owner shall maintain the front and side yards of his Lot in a neat, green, and irrigated turf lawn condition at all times. Failure to keep lawns green during summer months or replacement of grass with bark dust, rock, or drought-tolerant groundcover shall constitute a covenant violation.) to conform with ORS 94.779(1)-(2) and the manual attorney audit recommendations for Oak Hills Homeowners Association.