

Tomahawk Destiny Association

Rules and Regulations amended in their entirety and effective as of January 24, 2011

Introduction

The peace and quiet enjoyment of our moorage is dependent upon the willingness of all Members/Residents to be courteous, cooperative and respectful of each other. With this in mind, you are politely asked to comply with the Rules and Regulations that are presented to you in this handbook.

Landlords: it is your responsibility to educate your renters on all aspects of life on the river.

If an undesirable situation arises or exists, your Board of Directors encourages your input and/or recommendations which the Board will consider as they carry out their responsibilities on behalf of each member.

Complaints regarding Members or their slips shall be confidentially addressed to the Board who shall then investigate and take corrective action. Anonymous complaints will not be considered.

Monetary fines may be assessed for non-compliance.

TOMAHAWK DESTINY ASSOCIATION

TOMAHAWK ISLAND FLOATING HOME COMMUNITY

RULES AND REGULATIONS

Formerly known as
RESIDENTS' COURTESY, SAFETY AND SECURITY RULES
Effective June 1, 1999 – Revised 2006
Current Revision January 24, 2011

1. Gates, Docks and Walkways

The moorage pedestrian and vehicular gates must be closed at all times. Exception - Members may request permission to prop the gate open for events such as open houses, special events for many guests, etc. Please submit your request to the Parking Lot Committee.

Do not put personal property on ramps, docks, and walkways that may obstruct safe passage. Make sure that your property does not affect the integrity of the moorage infrastructure, e.g. heavy planters or ornaments on docks or walkways. The Maintenance Committee may request you to remove items that are considered to be in violation of this Rule and Regulation.

Floating structures in total may not exceed 60 feet from the dock to the end of the structures. Homes that were in excess of 60 feet at the time the moorage was acquired by the Members are exempt, but only in their current configuration. New homes moving into the moorage or alterations to a non-conforming situation must comply with TDA Bylaws and Rules and Regulations in effect at the time of the change of home or alteration. (See TDA Bylaws, Article VI, Section 1 (b))

2. Personal Boats

You may keep personally owned boats tied to your floating home within the confines of your slip. Boats tied to a Member's property parallel to their dock may be in addition to the 60 foot limit.

Members must moor personal boats in such a way that they do not interfere with other member's access to their personal boats and floats.

Headwalks on the East moorage are off limits for tying up watercraft for more than 7 days for residents and 24 hours for guests.

Boat lifts, personal watercraft, rafts or any other apparatus to support the mooring of a boat may not be attached to moorage common property or docks.

3. Trash, Garbage and Oil Disposal/Hazardous Waste

Garbage must be placed in the garbage/recycling area located in the SE corner of the parking lot. It must not be left on your float or on common walkways. Please do not throw material of any kind into the river or moorage area.

Only household trash may be deposited in the garbage dumpsters. Disposal of building materials, batteries, paint, chemicals, petroleum products, old appliances, etc. are the responsibility of Members/Residents.

The moorage does not have facilities to dispose of oil or hazardous waste. It is the responsibility of each Member/Resident to dispose of hazardous waste in an appropriate manner, e.g. Metro Recycling (503-234-3000). Hazardous waste disposal and a drop-box for large garbage may be provided on Spring and Fall moorage clean up days. There is a public oil disposal system at Tomahawk Bay Moorage (left side of Tomahawk Drive going east).

4. Sewage and Water Connections

Your floating home must remain connected to the waste collection and water systems at all times. You are responsible for any leaks that occur from your home, including the connection to the moorage check valve. If connections are found to be in disrepair, you will be given a 72-hour notice to fix the situation. In the event of direct discharge into the river or moorage, you will have 24 hours to remedy the problem. If the matter is not remedied, the Maintenance Committee will have the problem repaired and you will be billed.

5. House Moorings

You are required to be diligent about your home's safety and security. The moorage attachments on your floating home, i.e. stand-offs, chains, belong to you, and their maintenance is your responsibility. New connections must be in compliance with the rules of the City of Portland, Title 28, Building Codes for Floating Property.

You will have 30 days to remedy any damage or undue wear and tear to the moorage infrastructure caused by your property, e.g. rubbing on pilings, improper flotation pulling on moorage walkways. TDA reserves the right to inspect Member's connections to moorage property and to require repairs for those in violation. If the matter is not

remedied, the Maintenance Committee will have the problem repaired and you will be billed.

6. Electrical disconnects

It is recommended that Members ensure that their homes have an exterior electrical disconnect for use by the Maintenance Committee, Dock Captains, or utility provider should an emergency necessitate a quick disconnect of your home from the main electrical supply. If you do not have an exterior electrical disconnect, TDA will attempt to contact you in an emergency, but TDA cannot be held responsible for damage caused by a “hot” disconnect should one become necessary.

7. Homeowner insurance certificate

It is the responsibility of each Member to ensure that TDA receives a certificate of homeowner insurance evidencing that TDA is a named additional insured on the policy and that liability coverage is in effect for not less than \$300,000. Failure to provide such proof of coverage on or before the date that your homeowner insurance expires will result in a fine of \$100.

8. Pets

Pet owners (Members and their guests) are responsible for the behavior of their pets and any damage caused by them. Pet owners shall not allow their pets to become a nuisance to others, and shall clean up after their pets in all areas they visit. Pet owners shall not allow their pets to urinate or defecate on moorage property including but not limited to walkways, ramps, landscaped areas or parking lot. No animal excrement shall be scraped, dumped, hosed or otherwise disposed of by putting it in the river. Pet owners may contact the Pet Committee (see TDA Directory) to purchase a gate key or to obtain the gate lock security code to the “pooping field” area (SE corner of parking lot). NOTE: the “pooping field” area is not TDA property and it may become off-limits as determined by the owner, Columbia Crossings.

Pets on Hayden Island are under the jurisdiction of Multnomah County Animal Control, responsible for enforcing the animal statutes. Dogs must be on a leash at all times while on moorage property.

9. Safety and Caution

No person shall swim, dive or water ski from the ramp or walkways of the moorage. Ramps and walkways are often wet, icy and slippery. Be alert and cautious when walking on the ramps or walkways.

Riding wheeled vehicles such as motorcycles, scooters, bicycles, roller skates or skateboards, *with the exception of vehicles required for mobility assistance*, is prohibited on the ramps and walkways. Running on the ramps and walkways is prohibited and TDA is

not responsible for accidents or damages that may ensue if you or your family members or guests run on the ramps or walkways.

Please observe the No Wake, 5 mph Speed Limit in all moorage areas and the entire length of North Portland Harbor from the beginning of the harbor up river on the East end to beyond the railroad bridge down river on the West end.

You are responsible for the safety of all people residing in or visiting your home. Children and all persons who cannot swim are encouraged to wear life vests when in the common areas and near water.

10. Appearance and Neighborliness

The exterior of your home and deck(s) must present a neat and orderly appearance, and must be kept clean and be repainted or re-stained periodically.

Personal property, including firewood, kept outside of your floating home, must be stacked or arranged in an orderly manner. No trash, junk or old appliances may be visible from the walkways or other floating homes.

Building materials may not be stored on your deck for longer than 30 days without written consent from the Board and/or the Architectural Review Committee. Under no circumstances shall building materials be stored on the moorage ramps and walkways. Building materials may be stored in the parking areas of the moorage for no more than a 48-hour period to facilitate their delivery and movement to your home. Please clean up any debris from your delivery.

Please ensure that contractors working on your home (i) do not use the residents' carts, (ii) clean up after themselves on the ramps and walkways, (iii) do not discard building materials, old appliances, etc. in the moorage garbage containers, and (iv) have access to your bathroom facilities as there are no public facilities on the moorage. Contractors working on the exterior of your home and making noise may only work between the hours of 8 a.m. and 6 p.m.

Outdoor clothes lines for the drying of household laundry are prohibited.

11. Peaceful Enjoyment

You may not behave in an obnoxious or offensive manner that causes annoyance or a nuisance to your neighbors. All persons shall refrain from creating any disturbance, making loud noise or using musical instruments, radios, television, amplifiers or other items that may disturb other occupants of the moorage.

Quiet hours are from 10 p.m. to 8 a.m. on weekdays and midnight to 8 a.m. on weekends. Parties and other activities may not disturb the peaceful enjoyment of the moorage by the other residents.

Soliciting, peddling or any other door-to-door solicitation is not allowed on moorage property.

Please refrain from feeding ducks, geese or other animals in the moorage area to help prevent an undesirable rodent population.

12. Guests

You are responsible for your guests' behavior and for where they park their cars. If the parking lot is approaching full capacity, particularly at weekends and holidays, you should direct your guests to park outside the TDA parking lot. Undue rowdiness on the docks, walkways, parking lots or boats will not be tolerated. Please remind your guests to be quiet when they arrive and leave. Children must be accompanied and supervised by adults while in the moorage.

13. Modification of Floating Homes

Any exterior structural change and/or modification subject to Architectural Review Committee (ARC) approval, as defined in the TDA Bylaws, must be approved by ARC before commencing the work. Prior to approval, all building or other permits required by city, county or state must have been obtained. Approval by ARC shall not be unreasonably withheld.

Members may not modify any moorage structures, docks, ramps, walkways or common areas.

After June 1, 1999, there will be no additional multi-family dwellings allowed in the moorage, either by converting existing single-family houses to multi-family dwellings, or by adding new tender houses, or by bringing in houses that are already multi-family dwellings.

14. Parking

The moorage has a total of 145 parking spaces comprised of 22 garages, 107 standard size spaces, 6 handicapped spaces, and the 10 spaces outside the gate. The moorage has 71 homes, many with multi-vehicle families, so parking is at a premium.

Each home is allocated two parking spaces. For garage renters, their garage constitutes one parking space, and an operable motor vehicle must be parked inside the garage.

Parking of Members' private passenger vehicles (no more than 2 per slip) shall be on a first-come, first-served basis. Additional vehicles (resident families with more than 2 vehicles, guests, contractor vehicles, etc.) may park in the gated parking lot only if there is sufficient space. It is the responsibility of all residents to be aware and to remove such additional vehicles should the parking lot approach full capacity.

Boats, motor homes, trailers, unlicensed or derelict vehicles, or oversized commercial vehicles (larger than a car or pick-up) are not allowed (Unauthorized Vehicles). A 48-hour exception for Unauthorized Vehicles to load and/or unload, clean, or perform light maintenance is permitted. Otherwise, Unauthorized Vehicles will be subject to towing at the owner's expense. Special parking needs may be addressed to the Board in writing for their individual consideration.

15. Garages (see Administrative Resolution #6 for full description of permitted garage use and restrictions)

Garages may only be rented by eligible Members who are current on all Association dues. Renters are not eligible for garages.

The use of garages rented from TDA by eligible members is limited to the storage of an operable motor vehicle and incidental storage of general use household items that do not constitute an extraordinary hazard.

No businesses shall be operated out of a garage, or any activities that require the continual use of electricity.

Non-compliance with the terms of the garage rental agreement may cause termination of said agreement.

Eligible Members may sign up on the garage waiting list for the next available garage. The official waiting list shall be posted at all times on the moorage bulletin board.

Potential garage renters are responsible for maintaining an accurate record of their address and phone numbers while on the official waiting list by notifying the Board of any change in their address and/or phone numbers.

When your name reaches the first position on the list, the Board will attempt to notify you through a letter, email and two phone calls directed to the last address and phone number on record at the moorage office. If there is no response within three days, the garage will be offered to the next person on the list and your name will be removed from the list. NOTE: If the person at the top of the list is traveling/out of touch for an extended period, the garage will be held available for their response for up to 30 days.

16. Security

All holders of security cards are registered with the TDA Board. A non-refundable fee will be charged for each security card issued and for each replacement security card. Security cards will only be issued to Members/renters and their families. On occasion cards may be issued to realtors and service providers.

Your diligence is most important in maintaining a secure moorage. *Please keep a watchful eye on suspicious activity and do not allow people or vehicles to tailgate through the gate unless you know them or their reason for entry is otherwise justified. It is okay to challenge them in a friendly/business manner.*

Please report any criminal or suspicious activity immediately by calling one or more of the following:

- A. Press #000 on the gate access pad to call 911
- B. Call Police non-emergency (503) 823-2120 – or EMERGENCY 911**
- C. Call/tell a Board Member (see TDA Directory for a list of the current Board)**

17. Signs

Residents may not erect or install any signs or advertising material on their home, in windows, on their floating property, or elsewhere in the moorage area. However, you may place and maintain on or in your floating home “For Sale” or “Open House” signs, or other signs pre-approved by the Board.

18. Complaint/Request/Maintenance/Comment Procedure

Please present your complaints, requests or comments regarding the moorage or these Rules & Regulations in person to a Board member or in writing to the TDA office. Anonymous complaints will not be considered.

19. Cold Weather Protection

- A. Please leave some water dripping inside your home if the temperature drops below 28 degrees. If the supply lines to homes freeze, the main supply line may also freeze.**
- B. DO NOT disconnect your “honey pot”. The entire sewer line may freeze if pressure and flow are not maintained within the line.**
- C. DO NOT touch any water valves anywhere on the main lines or in the parking lot. Qualified Maintenance Committee members and/or your Dock Captain(s) may open and monitor faucets at strategic locations. *TDA is responsible for the moorage main lines.***
- D. If you detect a line break or an open faucet, call the Maintenance Committee plumbing “GO TO GUYS” immediately. (See the list on the TDA notice board) If they are not available, call any of the other “GO TO GUYS” or a board member.**

- E. It is a good idea to let a neighbor know if you anticipate being out of town or away from your home during potentially freezing weather. It is suggested that you leave a key with a neighbor or leave instructions with them on how you may be contacted. In the event that a freeze does occur, the neighbor can turn on the water in your home which may help prevent your pipes from freezing. *You are responsible for the pipes to and from your house to the moorage main lines.*

20. Flammable Liquids

Avoid having flammable liquids on your property. Where it is essential, storage must be in approved containers.

21. Emergencies

Because our houses are so close together, we each have an increased responsibility to our neighbors as well as to ourselves for fire protection. For faster identification of your house address by a fireboat, it is recommended that you place house numbers at least 3” in height in a location clearly visible from the water.

We need to look out for one another in other potential problem areas, e.g. boat moorings, sewage and water leaks, storm and wind damage, etc. Therefore, it is incumbent on each of us to let our neighbors know where we can be reached and who is occupying our house, and to leave a spare key with a neighbor or the TDA office.

To assist with this, the Board issues a TDA directory and keeps it up to date with the names, addresses and telephone numbers of all homeowners of TDA, the names of renters and other occupants, and who to contact in case of emergency. This is made available to all residents to be used in emergencies and for contact between neighbors and TDA members. The directory is not to be used for any commercial purpose and shall not be copied for non-residents.

22. Rules Enforcement

All Rules and Regulations will be enforced by the Board who shall attempt to keep sources of complaints confidential in the interests of peace and tranquility.

23. Revisions and Amendments to Rules

TDA Members may petition the TDA Board to revise or amend the TDA Rules and Regulations. The Board will consider such requests and a majority vote of the Board Members will approve such changes.

24. Bylaw concurrency

The TDA Bylaws and any subsequent amendments are approved by a majority vote of the Membership. The Rules and Regulations and any subsequent amendments are approved

by a majority vote of the Board of Directors. In the case of a disagreement between the Bylaws and the Rules and Regulations, the TDA Bylaws supersede the Rules and Regulations.