

HOA Specifications and User Guidelines for Hot Tubs at WW3HOA

The purpose of this document is to provide all unit owners with both city codes and HOA guidelines for installing/maintaining/using hot tubs within the Westwood III Townhomes Homeowners Association. The unit owner is responsible for assuring that all hot tub code requirements are met.

INSTALLATION GUIDELINES

The City of Eugene requires a building permit and any appropriate electrical or plumbing permits to install or move a hot tub. Any building permit fees are the responsibility of the unit owner. Visit the following link to Eugene Building and Permits Services for complete information on city permit requirements: <http://www.eugene-or.gov/index.aspx?nid=858>

HOA Specific Requirements

- The HOA requires that all hot tubs be installed in the back patio area of the respective unit. Hot tubs shall not be installed on any front yard or common use areas.
- Location of all hot tubs require at least 5 feet (1.5 m) of clearance between the unit building structure.
- All hot tubs shall be at least 10 feet (3 m) away from any overhead power lines, as well as 5 feet (1.5 m) removed from the spa panel.
- All hot tubs shall be installed on a solid foundation such as concrete or a prefabricated spa pad.
- Any electrical wiring or outlets that need to be created or relocated must comply with city codes. No exposed conduit shall be used to relocate wiring and all outlets and receptacles shall be flush mounted.
- The colors of the hot tub, cover and any accessories be neutral earth tones that match or blend with the exterior colors of the unit and complex.
- No pump, heater, or other mechanical equipment used in the operation of the hot tub which produces noise at a level higher than 80 decibels, shall be allowed in any Building Lot or Building Structure.
- Any damages incurred on Common grounds (such as the tearing of grass/damage to bushes) caused by the installation of the hot tub will be repaired by the HOA and the cost of such repair will be billed to the homeowner.
- The top rim of the hot tub must be at least 2 feet under the height of the surrounding fence.

Architectural Review Committee (ARC) Approval

- Prior to commencement of any installation activities related to any hot tub to be installed or modified on any unit property, the owner of the unit constructing the hot tub shall apply to the ARC for approval. Such application shall also contain copies of applicable permits or applications for permits if the permits have not been obtained at that time.
- As per standard policy, the ARC may request any additional information and, once all requested information has been received, the ARC shall thereafter approve or deny such application within fifteen (15) working days of receipt of the last information requested by the ARC. If the ARC does not act upon any application within fifteen (15) working days of receipt of last information requested, the application will be deemed approved. Provided no approval or deemed approval shall NOT relieve the unit owner from complying with city requirements or from complying with these Specifications and Guidelines.
- As per standard policy, the hot tub and installation can be subject to a final inspection by the ARC to verify compliance with these specifications. Copies of the City permits and the Certificate of Completion shall be provided to the ARC prior to the ARC's compliance inspection. Once

compliance has been verified, no changes may be made to the hot tub or installation without prior written approval from the ARC.

LONG TERM REQUIREMENTS

The unit owner is solely responsible for any and all damages or liabilities resulting from the placement, operation and use of a hot tub. Note: if a hot tub is installed on a patio such that it is located under the gutters or roofline there is a potential safety hazard from falling snow or ice.

Maintenance Issues

- The unit owner is responsible for keeping the hot tub locked at all times and maintaining the proper sanitization procedures (chemicals, Ph level, etc) as required by the State of Oregon.
- All hot tub water that is drained from the spa is to be drained to the common street area located in the front of the unit.
- Hot tub water is not allowed to be drained on to the unit front yard, backyard, side yard, or neighboring yards.

Removal of the Hot Tub

- Any owner can remove a hot tub at any time with ARC approval.
- The grounds and yard must be returned to an ARC approved condition and the ARC is permitted to inspect the yard at the end of the process.
- Any damages incurred on Common grounds (such as the tearing of grass/damage to bushes) caused by the installation of the hot tub will be repaired by the HOA and the cost of such repair will be billed to the homeowner.

USE OF THE HOT TUB

- No nude bathing
- No unsupervised use by minors
- No use after 11pm
- Please keep noise at a minimum to avoid disturbing your neighbors.
- The HOA assumes no liability for use and owners are encouraged to take all safety precautions.

Waiver by Owner of HOA Liability

All Statements made herein regarding city or county requirements are intended to provide owners with help but owners are responsible for compliance with any/all city/county codes and regulations. In no event will the WW3HOA, nor its board members or members of any committee created by the board, be liable for any inaccuracies or changes regarding those regulations. No review of planned installation guidelines, nor any inspection by the board or any designated committee creates any liability regarding the installation or use of the hot tub.