



## **Country Village Townhouse Association Fine Policy Resolution**

**WHEREAS**, the Country Village Townhouse Association, Inc. (“Association”), through its Board of Directors (“Board”) is empowered to govern the affairs of the Association pursuant to Article II, Section 2.0 of the By-Laws of the Association (“By-Laws”).

**WHEREAS**, the Association has the duty and obligation pursuant to Article Fifteen of the Declaration of Covenants, Easements and Restrictions (“Declaration”) to (a) enforce provisions of the covenants, restrictions and easements in the Declaration for the benefit of the Association and the owners, and (b) fix, levy, collect and enforce payment by any lawful means all charges or assessments pursuant to the terms of the Declaration and the By-Laws necessary for the Association to enforce the provisions of the Declaration and perform its obligations.

**WHEREAS**, the Article V, Section 9.0 of the By-Laws states that:

“In order to provide for the congenial occupancy of the LAND and for the protection of property values of the LOTS, the use of the LAND shall be restricted to and shall be in accordance with the RULES AND REGULATIONS concerning the use of the LOTS and the DECLARATION PROPERTY may be promulgated and amended from time to time by the BOARD OF DIRECTORS provided the copies of such RULES AND REGULATIONS are furnished to each OWNER not less than five (5) days prior to the time they become effective.”

**WHEREAS**, Article II, Section 2.0 of the By-Laws states:

“The BOARD OF DIRECTORS shall have the powers and duties necessary for the administration of the DECLARATION PROPERTY and may do all such acts and things permitted by law and by the CERTIFICATE OF INCORPORATION, the DECLARATION and by these BY-LAWS. Such powers and duties of the BOARD OF DIRECTORS shall include, but not be limited to, the following:

(H) the power to adopt and amend the RULES AND REGULATIONS;

(P) the power to enforce the DECLARATION and any easements and deed restrictions placed on the LOTS;”

**WHEREAS**, Article I, Section 3 of the By-Laws provides that “All present and future OWNERS, lessees and occupants of LOTS and their families, and any other persons, partnerships, corporations or other entities who may use said LOTS in any manner are subject to these BY-LAWS, the DECLARATION and the RULES AND REGULATIONS. The acceptance of a deed or conveyance or the entering into of a lease or the act of occupying a LOT shall constitute an agreement that these BY-LAWS, the RULES AND REGULATIONS and the provisions of the DECLARATION, are accepted, ratified, and will be obeyed.”

**WHEREAS**, there is a need to establish certain rules and regulations governing the use of the Lots and Declaration Property, and to establish penalties for violations of such rules and regulations pursuant to the aforementioned provisions of the Declaration and By-Laws, in order to maintain high standards for the continued attractive appearance of the Lots and Declaration Property, the protection of property values, and the perpetuation of cordial neighborly relations.

**NOW, THEREFORE BE IT RESOLVED THAT** all owners, lessees and occupants of Lots, and their families and any other persons, partnerships, corporations or other entities who may use such lots in any manner are subject to the (a) rules and regulations, (b) violations and fines, and (c) enforcement procedures, as set forth below.

1. Trash: Trash cans are to be put at the curb on Tuesday evening and are to be stored out of sight, after collection, by Wednesday evening.
2. Vehicle Parking
  - a. As per the Vehicle Resolution Policy, parking of commercial vehicles for extended periods of time is prohibited, unless work is actively being done.
  - b. Parking any vehicle on lawns is prohibited.
3. Material and Equipment Storage: Front porches, decks, patios, or other such areas of Lots exposed to public view from the street should not be used for storage. The storage of material and equipment, including but not limited to, snow blowers, recycling bins, trash cans, ladders, firewood, gardening implements, on the front porches, decks, patios, or other such areas of Lots exposed to the public view from the street is prohibited.
4. Appearance of Lots: Landscaping, lawns, shrubs and trees of Lots should be kept neatly trimmed and mowed, and not overgrown.
5. Basketball Hoops: Portable basketball hoops are only allowed from April 1 through October 31 of each year and shall only be placed on Lot driveways on such areas of the backyard of a Lot that may be appropriate, and not in the street. (Permanently installed hoops are not permitted)

6. Use of Declaration Property: The storing of personal materials, erecting of fire pits, mowing or plowing, planting vegetable gardens, flower beds, shrubs, trees or any other such vegetation of Declaration Property is prohibited.
7. Holiday Decorations: Decorations for Christmas for Christmas, Hanukkah, Kwanzaa, Easter, Halloween, New Years, and other days of religious, national, patriotic, memorial or other such observance, must be removed within two weeks of such holiday or day of observance.
8. Violations of any of the rules and regulations set forth above are subject to an immediate fine payable within 30 days of the issuance of written notice of violation by the Board to the violating owner, lessee, or occupant (“Violator”).
  - a. If payment of the fine becomes more than 30 days past due, a final letter or statement for payment will be sent to the Violator from the Association’s Managing Agent.
  - b. If payment of the fine becomes more than 60 days past due, the Association’s law firm will send a collection letter which will be billed to the Violator’s account at the current billing rates of the law firm retained by the Association.
  - c. If payment of the fine becomes more than 90 days past due, the Association’s law firm may take additional legal action including, but not limited to, the filing of lien against the Lot, and the initiation of collection proceedings or litigation in court. All associated costs with the lien and any legal action will be billed to the Violator’s account at the current billing rates of the law firm retained by the Association.
9. Goals of the Rules and Regulations, and Corresponding Fines: The goal of the rules and regulations provided for herein, and the corresponding, fines and enforcement is not to enrich the Association’s treasury but to minimize if not extinguish the costly and time consuming problems created by a small minority of Lot owners, lessees, and occupants. In addition, these policies should not send a harsh or unpleasant picture of Country Village to current or prospective owners, lessees, or occupants. Rather they are intended to send a message that Country Village is serious about maintaining its high standard and property values and the inactions of a few will not negatively impact the majority.

Board of Directors  
Country Village Town House Association

(Draft 10-04-2016) January 10, 2017