

Garden Homes At Charbonneau Green Townhome Association

Policy Resolution 2011-002: Enforcement of Rules

WHEREAS, the Articles of Incorporation of Garden Homes at Charbonneau Green Townhome Association state as purposes of the corporation the enforcement of the Covenants, Conditions, and Restrictions (CC&Rs) as set forth in the Declaration, and fostering a spirit of community pride and civic responsibility and a means for concerted action in solving problems; and

WHEREAS, the Charbonneau Country Club has recognized that each homeowner association within Charbonneau has primary responsibility to enforce both the Country Club's and the association's CC&Rs (Resolution 100); and

WHEREAS, the association's CC&Rs allow the Board of Directors to impose interest on late fees, fines, and penalties on delinquent assessments (Article V, Section 7 (c), revised 2011); and

WHEREAS, it is the intent of the Board of Directors to:

1. Ensure that residents who enjoy the benefits of membership in the Garden Homes at Charbonneau Green Townhome Association also accept the responsibility of preventing their actions from infringing on their neighbors' right of peaceful enjoyment, and
2. Ensure that residents understand that the Board is not a judicial body, capable of "deciding" the validity of one neighbor's complaint against another;

NOW, THEREFORE, BE IT RESOLVED that the following procedures will be followed:

WHEREAS, it is the intent of the Board of Directors to:

1. The Board is authorized to enforce the rules as stated in the Garden Homes At Charbonneau Green Townhome Association Bylaws (Article 4). See Exhibit A (following) for a more complete listing of activities subject to these enforcement policies.
2. Any violation of the Rules is to be reported to the Board in writing and signed by the complainant. The Board will investigate the complaint as soon as possible.
3. If the Board confirms the occurrence of a rules violation, written notice will be sent to the homeowner. The first notice of the violation will be regarded as a warning, unless otherwise stipulated in the Association Rules.
4. If, after ten (10) days, a second written complaint is received, or if the violation is not cleared, or is repeated, a second notice will be sent notifying the homeowner that serious action will be taken if the violation is not cleared immediately.

5. If, after another ten (10) day period, a third written complaint is received or if the violation is not yet cleared or is repeated, a Rules Enforcement Fee of \$25.00 per day or per occurrence, may be levied against the homeowner until the violation is cleared. Once the Rules Enforcement Fee reaches \$200.00 and remains unpaid, a lien may be filed with the Clackamas County Clerk against the unit of the homeowner who is in violation. The homeowner of this unit will be responsible for the costs of filing the lien and any legal or other costs connected therewith.
6. Penalty for each late payment of monthly Association dues is \$10.

BE IT FURTHER RESOLVED that any homeowner receiving notice of an infraction of any rules, or of any provision of the Declaration or Bylaws, who believes no violation occurred, may submit a written explanation to the Board of Directors, in care of the Board, explaining why the established procedures do not apply to the homeowner. Any homeowner who provides a written explanation shall have an opportunity for a hearing and no decision on whether an enforcement fee shall be imposed will be made until after the hearing is held.

BE IT FURTHER RESOLVED that failure to pay dues, assessments or fines when due shall be subject to an interest penalty as determined by the Board.

**ADOPTED BY THE BOARD OF DIRECTORS OF THE GARDEN HOMES
AT CHARBONNEAU GREEN TOWNHOME ASSOCIATION**

Recorded in the Minutes of the Board Meeting of April 20, 2011 (date)

Attested by: Madge Sempert (signature), President

Madge Sempert (printed)

Garden Homes At Charbonneau Green Townhome Association

EXHIBIT A: SCHEDULE OF FINES

Violations include, but are not limited to, the following items.

1. Unauthorized commercial activities	\$25
2. Obstruction, damage, or interference with use of Common areas	\$25
3. Offensive or unlawful activities	\$25
4. Animals not leashed while outside of unit, animals tethered and not attended, failure to pick up animal waste	\$25
5. Unauthorized exterior lighting or noise making devices	\$25
6. Unsightly appearance visible from exterior	
7. Unauthorized parking of a trailer, camper, boat, boat trailer, or any other recreational vehicle	\$25
8. Non-licensed and/or inoperable vehicle	\$25
9. Unauthorized exterior changes	
10. Outside display of decorative banners or flags other than the American Flag	\$25
11. Unauthorized parking of vehicles in guest parking areas for more than two consecutive days	\$25
12. Parking of golf carts in areas other than an owner's garage	\$25
13. Failure to follow the association's Pool Rules	\$25
14. Violation of Declaration, Bylaws, or Rules and Regulations not set forth above	\$25
15. A monthly dues payment not received by the 10 th of the month	\$25

Any of the above fines may be imposed on a one-time, each occurrence, or continuing daily, weekly, or monthly basis as determined by the Board. A more detailed statement of the architectural control standards and restrictions can be found in the "Charbonneau Country Club Architectural Control Standards and Resident's Directory."