



Ridgewater Homeowners' Association
C/O Peterman Inc.
P.O. Box 8748
Bend, OR 97701

Policy Resolution 2007-2: Rules Enforcement

WHEREAS Article III, Section 3.3 of the Declaration of Protective Covenants, Conditions and Restrictions (CC&Rs), paragraph H grants the Board of Directors with the power to enforce the provisions of any rules made hereunder and to enjoin and seek damages from any Owner for violation of such provisions or rules.

WHEREAS Article IX, Section 11.2 says, “In addition to any other remedies available to the Association hereunder, the Association shall have the right to impose **reasonable** fines upon an Owner who violates the Declaration, Bylaws and any rules or regulations of the Association, in the manner and amount the Board deems appropriate in relation to the violation.”

WHEREAS the previous resolution (2003-2) adopted for CCR Violations included out of date language, was unsigned or dated by the Board passing it, and was insufficient in detail for efficient Board operations.

LET IT BE RESOLVED THAT the following rules enforcement procedures will be followed:

1. The Board of Directors is authorized to enforce the Rules as outlined in the CCRs.
2. Rules violations are to be reported to the Board of Directors in **writing** and signed by the complainant. The Board will investigate the complaint as soon as possible.
3. If the report of violation is accurate, **written notice** will be sent to the Owner. The first notice of the violation will be regarded as a warning notice, unless otherwise stipulated in the Association Rules.
4. If, after 10 days or for the grace period stated in the warning notice, the violation is not cleared or **is repeated within six (6) months of the date of the warning notice**, a Penalty & Enforcement Fee will be levied against the Owner as follows until the violation is cleared according to this:

Schedule of Fines for Violations

1. CCR 9.9-Parking in unauthorized areas on streets or on commons area, \$ 20 for first violation, \$50 for second violation, \$75 for third and subsequent violations.
2. CCR 9.8-Trash Cans and bins not shielded or removed from street-curbs within 48 hours of trash pickup \$ 20 for first violation, \$50 for second violation, \$75 for

third and subsequent violations.

3. Violation of CCR 9.6A through E-\$50 for first violation, \$75 for second violation, \$100 for third and subsequent violations.
4. CCR 9.1-Pedestal violations, \$20 per violation.
5. CCR 5.1 through 5.9 (Architectural Review and Approval) violations- \$200 per day or \$5000 per occurrence.
6. Construction without an ACC approval will result in a court order to cease and desist, the imposition of the \$5000 fine and all fees will be charged to the violator.
7. For all other violations of CCRs not listed in 1-4, the fine schedule will be:
 - a. First Time Fine-\$50.00
 - b. Second occurrence fine- First Time Fine-\$50.00 plus an additional \$75.00
 - c. Third occurrence fine-Second occurrence fine plus an additional \$100.00
 - d. Failure to correct after third fine, Board reserves the right to correct the problem and bill the property owner.
8. For violations that are determined by the Board as extraordinary violations, the Board may impose penalties, conditions and fine amounts on a case-by-case basis.

Appeal Process: Any Owner receiving a Rules Violation Notice may submit a **written appeal** to the Board of Directors within 10 days of the date of the notice. To appeal mail or hand-deliver a copy of this notice to any Board Member with your reasons for appeal, along with a check for the total amount of all fines assessed. Failure to accompany your appeal with this check will result in the appeal not being accepted. Failure to submit the appeal in writing will result in the appeal not being accepted. The Board or a subcommittee of the Board will hear the appeal within 15 days of the appeal being accepted. The appeal hearing is an open meeting where other Association members may attend, but not participate in the proceedings unless the Board grants permission. Once a decision is reached, the check will be applied to the fines if the appeal is denied. If the appeal is upheld, any amount to be refunded will be sent by separate check to the appellant.

Recorded in the Minutes: April 10, 2007

Signed: April 11, 2007

Carlton S. Yee
Secretary-Treasurer