

**GLENWOOD VILLAGE HOME OWNERS ASSOCIATION  
RULES ENFORCEMENT PROCEDURES  
RESOLUTION # 3**

**WHEREAS**, Article VII of the Amended and Restated Declaration of Covenants and Easements for the Village of Glenwood (the "Declaration(s)") provides for the Council to establish and enforce rules and regulations governing Glenwood Village; and

**WHEREAS**, Section 5302 (a) (11) of the Uniform Planned Community Act permits the Association, after notice and an opportunity to be heard, levy reasonable fines for violations of the declaration, bylaws and rules and regulations of the Association; and

**WHEREAS**, the Glenwood Village Council wishes to clearly define the administrative procedures to carry out the enforcement of any such rules and regulations.

**WHEREAS**, The Declaration contains certain Use Restrictions or Rules, which also are to be enforced by the Council

**BE IT THEREFORE RESOLVED** that the following procedures apply:

1. Any Home Owner(s) or Village Council member(s) may submit a complaint to the Village Council alleging a violation by a Home Owner(s) of the Declarations or Rules and Regulations. Complaints must be submitted in writing, signed by the complainant, specify the Village Rule or provision of the Governing Documents allegedly violated, and set forth in reasonable detail the facts constituting the violation.
2. In the event that the Village Council determines that there has been a violation of the Declarations or Rules and Regulations, the Village Council shall make every effort to resolve the matter informally with the Home Owner.
3. If the Village Council's informal efforts to remedy a continuing violation are ineffective, the Village Council shall issue a Notice of Violation by registered mail to the Home Owner(s) found to be committing or having committed a violation. A copy of such Notice of Violation shall be sent to the complainant.
  - 3.1. Such Notice of Violation shall set forth, by citing relevant provisions of the Governing Documents or Village Rules and Regulations which have been found to be in violation, a statement of the basis for the charge of violation, a cease and desist order for any a continuing violation, and a statement describing the fine that the Village Council may impose against the Home Owner.
  - 3.2. If no Notice of Violation is issued, the Village Council advise the complainant of the resulting disposition of the matter.
4. The cited Home Owner(s) may elect to notify Village Council of their intention to cure a violation or, may request a hearing with the Village Council by written Notice of Appeal. If the Home Owner(s) fails to cure the violation, or fails to request a hearing or otherwise demonstrates to the satisfaction of the Village Council that the Home Owner(s) did not commit a violation or is not in violation, such violation shall be deemed proven to have occurred.

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5. If the Home Owner(s) files a Notice of Appeal requesting a hearing, such hearing shall be held before the Village Council within thirty (30) days after receipt of the Notice of Appeal. The HomeOwner(s) shall be notified of the hearing by a ten (10) day written notice to the HomeOwner(s) from the Village Council. The Home Owner(s) shall have the right to attend the hearing before the Village Council, and produce any statements, evidence, and /or witnesses on their behalf.
  - 5.1. The proceedings at any hearing shall be informal, and formal rules of evidence shall not apply. The parties attending the hearing, including the Village Council, may be represented by legal counsel. If either the complainant or the offending is a member of the Village Council, the HomeOwner(s) shall not participate in any deliberations of the Village Council concerning the alleged violation and shall not be entitled to vote on the matter.
6. After consideration of the evidence presented at the hearing, the Village Council shall issue its decision in writing to the Home Owner. Such decision shall be issued within ten (10) days after the conclusion of the hearing. Decisions of the Village Council shall be by majority vote of those members attending the hearing (not less than three [(3)]), and shall be final and binding.
7. If the Home Owner(s) fails to cure the violation or fails to request a hearing or otherwise demonstrate to the satisfaction of the Village Council that the HomeOwner(s) did not commit a violation or is not in violation, or the HomeOwner(s) is determined to be in continuing violation at the requested hearing, the Village Council may impose a fine to a maximum amount of Fifty Dollars (\$50.00) for each day of violation. In determining the amount of any fine, the Village Council shall consider the nature and severity of the violation and its effect on the health, safety, welfare, and peaceful enjoyment of the Village by the residents of the Village.
8. Any fine imposed in accordance with this Section shall, until fully paid, constitute a Common Expense Assessment and a lien against the Home Owner's House, and shall be collectible in the same manner as provided for in the collection of Assessments and enforcement of liens.
9. The enforcement procedures set forth in this Section shall not be exclusive of other rights and remedies available to the Association or the Village Council as provided by the Governing Documents or law. All legal fees, court costs and other expenses incurred by the Village Council in the enforcement of the Governing Documents or the Village Rules and in the collection of any fine imposed shall be the obligation of the Home Owner(s) against whom enforcement is sought or fine levied. Such costs or fines shall constitute a Common Expense Assessment and a lien against the House of such Home Owner(s) and shall be collectible in the manner set forth therefore in this Declaration.