

**RULES ENFORCEMENT POLICY AND PROCEDURE FOR WORTHINGTON  
HOMEOWNERS ASSOCIATION**

WHEREAS, the Declaration gives the Board the power to adopt Rules and Regulations;

WHEREAS, for the benefit and protection of the Association and of the individual Members, the Board deems it desirable to establish and operate by a procedure to assure due process in cases where there is a question of compliance by a Member, his family, his guests, tenants or contractors with the provisions of the legal documents, thereby attempting to minimize the necessity of seeking action in or through a court of law; and

WHEREAS, it is the intent of the Board to establish procedures for the Board where they must take action relative to questions of compliance by an individual within the provisions of the legal documents;

NOW THEREFORE, BE IT RESOLVED THAT THIS RESOLUTION shall be adopted in accordance with the following procedures:

To be acted upon all alleged violations of the Policies, Rules and Regulations, By-Laws or Declaration must be documented in writing. This documentation could be a letter or note from any unit owner or a management representative or documented in the minutes of a Board of Directors meeting. E-mail identifying the sender and a statement in the minutes of any Meeting are also acceptable. The documentation must state the following:

- 1) The nature of the violation;
- 2) The date and approximate time of the violation;
- 3) The approximate location of the violation;
- 4) The name and/or unit address of the offending party;
- 5) The name and unit address (or position) of the person reporting the violation (whose name may be withheld at the Board's discretion);
- 6) A written, signed statement that the reporting person actually observed the violation; and
- 7) Any other information that may aid the Board of Directors in resolving the violation.

The sequence of events in enforcing the Rules will be as follows:

If, in the opinion of the Board of Directors or its authorized Representatives, the reported violation does not immediately endanger other residents or property and can best be cured by a warning, the Board or its authorized Representatives shall send a letter to the offending party describing the alleged violation and if the report is correct, requiring (1) that any such violation cease immediately and (2) (if appropriate) any areas damaged by the violation be restored to the original condition within 10 to 30 days depending on the complexity of the repair.

If the violating party does not comply with the above warning letter, or if, in the opinion of the Board or its authorized Representatives, the violator could immediately endanger other residents or property or if the violation was a single occurrence or, in any case, that a warning letter would prove ineffective, then the Board or its authorized Representatives shall send to the offending party a written notice of the violation and pending fine containing essentially the following information:

- 1) A description of the nature, the approximate time and place of the violation.
- 2) A requirement that the violation cease and that any damage to the area be restored or other required actions to abate the violation.
- 3) A statement that A FINE IN THE AMOUNT OF FIFTY (\$50.00) SHALL be imposed on the offending party, TEN (10) DAYS FROM THE DATE OF THE LETTER OR IMMEDIATELY, IF APPROPRIATE.
- 4) A statement that if the offender wishes to appeal such sanction, the offender must contact the Board, or its authorized Representatives in writing, within ten (10) days from the date of the letter, requesting a hearing with the Board of Directors.
- 5) A warning that if the violation continues past the ten (10) day period, fines of Five Dollars (\$5.00) per day thereafter will be imposed until the violation has been cured.
- 6) That damage caused by any violation will be assessed against the offending party and that *all costs of enforcing compliance and attorney's fees may be assessed to the owners involved.*
- 7) A statement that the Board may impose such other sanction which it deems appropriate in its reasonable discretion.

The alleged violator is entitled to a hearing before the Board for any alleged violation that is contested by the accused party. A written statement mailed to the Board or its Representative requesting a hearing to present their position may accomplish this.

If requested, the hearing shall be held in executive session. The minutes of the meeting shall contain a written statement of the result of the hearing and the *fine or sanction imposed, if any.*

Any written request for appeal before the Board shall stay the imposition of any fine until the Board disposes of the case.

If the violation continues beyond the ten (10) day period described above and no request for a hearing has been submitted in writing within such ten (10) day period in addition to other sanction imposed by the Board, the offending party will be assessed the fine of Fifty Dollars (\$50.00) and Five Dollars (\$5.00) every day thereafter until the violation has been cured. Said fine and/or other sanction imposed shall become a lien on the property, *to be enforced as set forth in the Declaration.* During the imposition of such continuing fines, the offending party may request in writing a hearing before the Board of Directors at any time up to thirty (30) days after the initial notice that a rule violation has been alleged. Upon such request, the daily fines will stop accruing until after the hearing at the next scheduled hearing date of the Board of Directors. After the thirty (30) day appeal period, the opportunity to appeal will have expired.

At such time when the level of fines against the offender reaches Two Hundred Fifty Dollars (\$250.00) and have not been paid and/or violation is continuing, a collection action will begin or the case may be turned over to the Association attorney for collection, and/or a court order issued to enforce the rule.

If the violation has ceased but the fine has not been paid, legal action may be initiated to collect the outstanding fines.

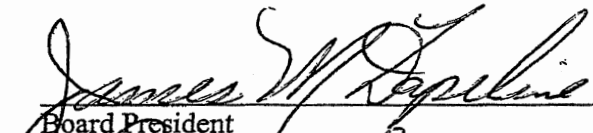
Costs for repair of any damage to common areas or other Association property caused by a reported violation will be assessed against the offending party.

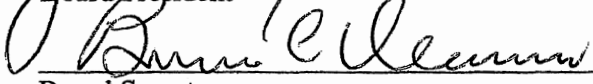
All court costs, attorney's fees and miscellaneous costs of enforcement or collection will be charged to the offending unit owner.

If at a hearing the Board rules in the favor of the unit owner, the occurrence shall be removed from the file and not be held, in the future, as a violation under this policy.

Any Lot Owner who is more than thirty (30) days delinquent at the time of the annual meeting, shall not be permitted to vote at any meeting or mail ballot.

ATTEST:

  
Board President

  
Board Secretary

12/26/06  
Date

12/26/06  
Date

**ADDITIONS TO THE RULES AND REGULATIONS**  
**OF**  
**WORTHINGTON HOMEOWNERS ASSOCIATION**

**REVISED AND ADOPTED December 14, 2006**

The Worthington Homeowners Association, Board of Directors appreciates homeowners undertaking projects to beautify their homes and enhance the community.

However, in an effort to maintain the integrity of the overall appearance of the community, and still allow for homeowners to exercise their own tastes, the previous and current Board of Directors have established the following guidelines.

**SECTION C. FRONT FLOWER and TREE BEDS**

1. Beds shall be no more than to be more than 5 feet wide from the front porch, (or front walk for building 6 only) and may extend no more than 30 inches wide along the sidewalk to the driveway. The bed may be extended out around the existing lamppost to a distance of 2'-0".
2. Flowers and shrubs in containers are permitted within above limits, and may be hung from the lamppost.
3. In ground bed edging is permitted of wood, brick, plastic, and metal, etc., as long as the height is less than the grass height, so as to not interfere with grass cutting.
4. Acceptable plantings in the bed are as follows:
  - a) Small ornamental bushes, trees, and evergreens.
  - b) Annual and perennial flowers and shrubs.
5. No vegetable or fruit plantings, large trees, or climbing vines or trelliswork on or against the building.
8. No garden ornaments taller than 12 inches of any kind to be placed in, or around the bed, such as statues, fountains, birdbaths, ornamental fencing, etc. (Limit of 3).
9. No low-voltage lighting.

**The homeowner is responsible for weeding, pruning, and shrub and flower replacements!**

#### **SECTION D. USE OF FRONT PORCH**

- Items approved for use on the front porch are:
  1. Garden and lawn furniture.
  2. Flowers and shrubs in containers and baskets.
  3. Welcome signs and decorative wall hangings.
  4. Small garden statues and ornaments.
  
- Items NOT approved for use on the front porch are:
  1. Storage bins and containers.
  2. Furniture not intended for outdoor or garden use.
  3. Illuminated signs, figures, statues, or other objects, except for recognized holiday decorations during the holiday seasons only.
  4. No storage of items such as bicycles, garden tools, wheelbarrows, etc.

#### **SECTION E. HOUSE NUMBERS**

House numbers must be visible from the street in accordance with Township ordinances.

#### **SECTION F. FLAG POLES**

As each unit has been supplied with a flagpole holder, patriotic, ornamental and holiday flags are permitted. National and theme flags are permitted during the appropriate season. Flags are only permitted on the flagpoles.

#### **SECTION G. SEASONAL DECORATIONS**

Seasonal decorations are permitted but they must be removed within 1 week of the celebration except for the December holiday, which must be removed by January 15<sup>th</sup>.

#### **SECTION H. FRONT LIGHTPOLE**

For safety and uniform appearance, lightpole lamps must be kept in good operating condition with lamps that light at dusk.

#### **SECTION I. STORM DOORS**

Storm doors for the front door are to be uniform. The approved storm door is a Pella Ashford- Model #4601- Cranberry color. These have been available from Lowes, who also install.