

BARNSIDE CONDOMINIUM ASSOCIATION, INC.
POLICY RESOLUTION
RULES ENFORCEMENT PROCEDURES

WHEREAS, Article V, Section 3, of the Bylaws assigns to the Board of Directors all of the powers and duties necessary for the administration of the affairs of the Condominium and further states that the Board may do all such acts and things as are not by the Declaration or Bylaws directed to be exercised and done by the Unit Owners; and

WHEREAS, Article V, Section 3, of the Bylaws assigns to the Board of Directors the power to promulgate and enforce such rules and regulations and such restrictions on or requirements as may be deemed proper respecting the use, occupancy and maintenance of the Regime and the use of the general and limited common elements, and

WHEREAS, there is a need to set up formal procedures for the fair and equitable enforcement of rules against all Association owners and residents:

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby adopts the following rules enforcement procedures:


1. The rules enforcement process commences with a written complaint of an alleged rule violation, including the date and approximate time of the alleged violation, which is submitted to the Board of Directors.
 1. Complaints may be submitted by an individual owner or resident or by group (s) of owners or residents.
 2. The person(s) or group making the complaint must be identified in the complaint.
 3. The person(s) or group making the complaint shall be called to testify at any hearing related to the complaint.
2. Upon receipt of a complaint concerning an alleged rule violation, a notice shall be sent by the Association's managing agent, by certified mail return receipt requested, to the alleged violator which sets forth the circumstances of the alleged violation and establishes a time period within which the alleged violation must be abated to avoid a sanction. The abatement period shall not be for a period of less than fifteen (15) days.
 1. A blind copy of the violation notice shall be sent to the person (s) or group originating the complaint.
 2. If a second complaint letter concerning the same alleged violation is submitted to the Board of Directors at least fifteen (15) days but no more than twelve (12)

months, after the date of the original notice of violation, the Board of Directors will hold a hearing concerning the alleged violation. Notice of the hearing shall be sent to the alleged violator and complaining party. The alleged violator and the complaining party may produce witnesses at the hearing and may be represented by legal counsel at the hearing. A minimum of three members of the Board of Directors, or the Board's designated representatives, shall hear the testimony of the alleged violator and the complaining party. The hearing shall be held in executive session. After the hearing, the Board of Directors shall render a decision concerning whether the alleged violation occurred and determine the appropriate sanction, if any.

3. If the Board of Directors determines that a violation has occurred, the Board may impose sanctions, including but not limited to, levying a fine, suspending voting rights or suspending the right to use the Association's recreational amenities. Each reoccurrence of a violation, or each day that a violation continues, shall be deemed to be a separate violation for which a sanction may be imposed. If a sanction includes a fine, and the violator fails to pay the fine within the time period set by the Board of Directors, the fine shall be collected pursuant to the Association's standard collection procedures for non payment of any Association assessments, or by filing a lawsuit against the violator.

AND, BE IT FURTHER RESOLVED THAT this resolution shall be effective 30 days after the date of passage.

PASSED this 9 day of FEBRUARY 2004



President Date



Secretary Date

Jim Perrone

Print Name

Gerrie Bischoff

Print Name