

Resolution #2008-24
Rules Enforcement Procedure
Powhatan Community Services Association (PSCA)

WHEREAS the Association has a Declaration, Bylaws and Rules and Regulations, and,

WHEREAS Article XII of the Bylaws of the Association empower the Board of Directors to enforce the Declaration, Bylaws and Rules and Regulations, and,

WHEREAS the Title 55 Chapter 26 Property Owners' Association Act specifics (Section 55-513) how to enforce the Declaration, Bylaws and Rules and Regulations,

NOW, THEREFORE, BE IT RESOLVED THAT the Association will enforce said Declaration, Bylaws, and Rules and Regulations with the following procedure:

A. The **PSCA** Board of Directors through its **ALPB (Architectural and Land Preservation Board)** shall determine whether or not a violation of the rules has occurred based on the available information received.

1. Members of the **ALPB** have the responsibility to bring violations to the **ALPB**.
2. Non-**ALPB** Association Members should address their complaints to the **ALPB** in writing with details of the alleged violation.

B. Category of Violation:

1. Lawn and Yard:

- a. If the **ALPB** determines that a probable violation has occurred, through its Property Manager it will send a letter to the alleged violator with the details of the alleged violation and a time frame of not less than 3 days which to abate such violation without sanction.
- b. In the event that the violation has not been resolved, a hearing notice will be sent to the alleged violator stating: the nature of the violation; the time and the place of the hearing; an invitation to attend the hearing and produce any statement, evidence or witnesses on his or her behalf; a statement that a sanction may be imposed; and the maximum amount of any sanction.
 - (1) The notice for the hearing is to be sent at least 14 days prior to the meeting.
 - (2) The maximum fine is \$50 for each single offense or \$10 per day for continuing nature but no longer than a 90 day period
 - (3) Repeat offenses of the same nature within the same calendar year will result in an automatic fine without any further hearing [following the structure noted in 1b(2), above] after a repeat notice of violation has been sent to the homeowner. It shall be the responsibility of the homeowner to notify the Property Manager that any violation has been corrected.

2. All Others:

- a. If the **ALPB** determines that a probable violation has occurred, through its Property Manager it will send a letter to the alleged violator with the details of the alleged violation and a time frame of not less than 10 days in which to abate such violation without sanction.
- b. If the violation has not been resolved within the grace period, a second and final notice shall be sent.
- c. In the event that the violation has not been resolved 10 days after the receipt of the second notice, a hearing notice will be sent to the alleged violator stating: the nature of the violation;

the time and the place of the hearing; an invitation to attend the hearing and produce any statement, evidence or witnesses on his or her behalf; a statement that a sanction may be imposed; and the maximum amount of any sanction.

(1) The notice for the hearing is to be sent at least 14 days prior to the meeting.

(2) The maximum fine is \$50 for each single offense or \$10 per day for continuing nature but no longer than a 90 day period.

d. The **ALPB** will hear all public testimony and deliberate in executive session before rendering a decision. All affected parties will be notified of the decision in writing.

F. Should a fine be imposed on the violator, standard collection action following the procedure set forth in Resolution #24 Collection Policy for Delinquent Account, will be pursued which includes filing a lien of the unit for nonpayment of the fine and, ultimately, foreclosure, if necessary.

G. In the case of non-owner-occupied properties, all residents and owners will be provided with copies of all correspondence.

H. Resolution #23 is hereby withdrawn automatically upon the effective date of Resolution #2008-24 (1st day of May 2008) with proper notice provided to each homeowner on file.

BE IT FURTHER RESOLVED that a copy of this resolution shall be made available to all homeowners via the **PCSA** web site [www.powhatansecondary.org].

This resolution was adopted by the Board of Directors on the 18th of March 2008 and shall be effective on the 1st day of May 2008. Approved and recorded in the Minutes of the meeting on the 18th of March 2008.

Powhatan Community Services Association (PCSA)

By: Louise J. Pearson
LOUISE PEARSON, President – Board of Directors

Certified By: Anthony G. Ward, Vice President for
DANIEL DILLON, Secretary – Board of Directors

STATE OF VIRGINIA
CITY/COUNTY OF JAMES CITY

The foregoing instrument was acknowledged before me this 26 day of MARCH, 2008, by:

Elizabeth Ann Sneeringer 7165183
Notary Public

My commission expires: June 30, 2012