

March 25th, 2014

Hello Bridgerland Home Owners!

Recently I had a conversation with a Real Estate agent from Garden City. During the conversation the topic of property values came up. They explained that the resale values of the property in Bridgerland Village were the highest in the valley, but they were not sure why.

As property owners, we know why! It's the same reason we bought in Bridgerland. Among the list of many reasons is pride of ownership, cost of services provided by the HOA, and the fact that you will not find a better HOA than the one here in Bridgerland. Thank you to the many residents who know and follow the Restrictive Covenants of our HOA. Those covenants play a major role in keeping Bridgerland the place that we love to live and visit.

Unfortunately there are always a few that feel the rules are meant for others or the rules don't apply to them. This has been the case recently as the board has tried to address some issues that affect all of us in Bridgerland. The response from the home owner involved was, "so, what are you going to do about it?"

As a result, the Board of Directors, along with our legal council, have addressed the issues at hand. Included in this mailing is a "Schedule of Fines and Violation Enforcement". As a Board we encourage each home owner to read and be familiar with the fines and penalties within the document. We have matched Garden City's fines where possible. In addition, please read and understand the section "Violation Enforcement Process". After reading and pondering that section I am comfortable that each one of you will understand where the Board of Directors is coming from. There have been many months of discussions and deliberations on your behalf.

Please take a few minutes to read and think about the attachment. If there are any questions that I can answer please feel free to email me and I will respond to your concerns.

Thanks,

Tim Ellis



President

ellistim57@yahoo.com

# Bridgerland Village Homeowners Association, Inc.

## Rules & Regulations

### Schedule of Fines & Violation Enforcement

The Bridgerland Village Homeowners Association, Inc. ("Association") has previously adopted certain restrictions, rules, and regulations. The Board of Directors ("Board") for the Association hereby adopts the following enforcement procedures and establishes fine amounts for violations of these restrictions, rules, and regulations:

#### I. Parking and Driving

1. Vehicles shall not be parked on any of Bridgerland Village roads. (\$25 Fine for each violation; after the first violation, subsequent violations may result in the vehicle being towed at the Owner's expense)

2. An Owner or its guests, tenants, invitees, etc. shall not violate any parking restrictions provided by Garden City Municipal Code. (\$10 Daily Fine)

3. Vehicles in extreme disrepair as reasonably determined by the Board shall not be abandoned or remain parked on any lot or on any common area. If an Owner or renter fails to remove an offending vehicle within five (5) calendar days following the date notice of the violation is mailed by the Association to the owner, the Association may cause the vehicle to be towed or otherwise removed from the premises and may assess the expense of such removal to the owner. In addition, the owner is subject to a \$10 Daily Fine.

i. The Board may contract with a towing business to remove any vehicle in violation of these Rules and Regulations. Such towing business shall be certified and licensed pursuant to all relevant state and local laws and regulations.

ii. The costs of towing and impoundment shall be the personal obligation of the vehicle owner or possessor of the vehicle. If the vehicle owner or possessor of the vehicle is a guest of an owner, such costs shall also be the personal obligation of such owner. If the owner does not reimburse the costs of towing and impoundment upon demand by the Association, such costs shall be an assessment lien on the property.

4. Motorized vehicles (cars, trucks, ATV's, motorcycles, snowmobiles, etc.) may only be driven upon the roadways or the Owner's property. (\$25 Fine per occurrence)

5. 20 MPH speed limit through Bridgerland for vehicles, ATV's, etc., as may be posted by the Association. (\$10 Fine per occurrence).

## II. Garbage Cans

1. Trash shall be kept in containers and in order. (\$10 Daily Fine)

## III. Exterior Maintenance

1. Owners shall maintain their properties in a reasonable state of appearance and preservation. (\$15 Daily Fine)

2. Owners shall keep their yards free from debris. (\$15 Daily Fine)

i. The term "debris" includes, but is not limited to, leaves, twigs, tree branches, rocks and rubble.

3. Exterior residence colors are restricted to earth tones and other colors that may conform to the area as determined and approved by the Board. (\$20 Daily Fine)

4. Before an Owner begins constructing any exterior building improvement, except for a garage or outbuilding less than 120 square feet, the Owner shall:

i. Submit a Construction Agreement to the Board,

ii. Pay any fees required by the Board for reviewing the Construction Agreement,

iii. Receive written approval from the Board, and

iv. Obtain a building permit from Garden City and comply with all municipal building and zoning laws and ordinances

1. (Violation of any of the foregoing shall result in a fine up to \$150 per week)

5. Barbed wire fencing is prohibited. (\$15 Daily Fine).

## IV. Noise

1. All Association members have the right to the quiet use and enjoyment of their property. Other Owners, their guests, tenants, invitees, etc. shall not interfere with this right. (\$10 Fine per occurrence)

2. Noise shall be kept to a minimum between the hours of 10:30p.m. and 7:00a.m. (\$10 Fine per occurrence)

## V. Miscellaneous Rules

1. The leasing or renting of any Unit in violation of the Declaration or Bylaws. (\$750 Fine for each day the Lot's lease results in a violation)
2. Dogs shall not run free and be unrestrained, except while under the direct control of an individual. (\$20 Fine per occurrence)
3. All pet waste must be picked up and be properly disposed of. (\$10 Fine per occurrence)
4. Fireworks are strictly prohibited anywhere within Bridgerland. (\$500 Fine per occurrence)
5. Firearms shall not be discharged within Bridgerland. (\$300 Fine per occurrence)
6. Camping is prohibited within Bridgerland (\$200 Fine per occurrence)
7. Living in a trailer on one's Lot is permitted up to a 2 year period of time, and only while the home on said lot is under construction. (\$15 Daily Fine)
8. Each Owner shall provide the Board with any and all telephone numbers at which he or she may be reached. This information will be used for Association purposes only, not any commercial purpose. (\$10 Daily Fine)
9. No Lots may be used for commercial purposes. (\$100 Weekly Fine)
10. Any assessments levied by the Association that are not paid within fifteen (15) days from the date first due shall be subject to a late fee fine of \$20 per month until the unpaid assessment, fine, and any interest are paid in full.
11. All other provisions of the Declaration or Bylaws, or any amendments thereto, shall be complied with. (\$15 Fine per occurrence)

### **Violation Enforcement Process**

1. **Complaint.** An Owner may file a written complaint with the Board regarding a violation of the Declaration, Bylaws, or Rules and Regulations by another Owner, tenant, or guest.
2. **Investigation.** The Board has the discretion to investigate the complaint and decide if it is valid.
3. **Violation and Notice.** If the Board finds that there is a violation, the Board shall send notice to the alleged offending Owner. The alleged offending Owner has the right to request an informal hearing with the Board within fifteen (15) days of receiving notice of the violation.

4. **Hearing.** If requested, the alleged offending Owner may present testimony or evidence regarding the violation at the next Board meeting.

5. **Fines.** The Board may impose fines outlined above if the violation is not remedied or ceased within the time specified in the notice, provided the Owner has the opportunity for a hearing.

### Repeat Violations

**Repeat Violations.** Owners who repeat any violation within a 12 month period of receiving a Notice of Violation are not entitled to an additional notice or hearing, regardless of whether or not the Owner participated in a hearing as a result of the first violation. For such repeat violations, the Board may automatically begin fines as outlined above.

### Other Legal Remedies

1. **Board Actions.** In addition to levying fines, action by the Board may include, but need not be limited to:

- i. Seeking injunctive or declaratory relief action against any alleged offending owner and/or tenants, guests, or other occupants of the owner's property; and/or
- ii. Taking immediate legal action, as the Board finds reasonably necessary, to stop conduct which it determines is in violation of the Declaration, Bylaws, Rules and Regulations, or applicable state or federal law.

### Owner Responsibility for Tenants, Guests, Invitees, etc.

1. **Renters and other Non-Owner Occupied Units and Guests.** The Owner of any Lot shall be responsible for the violations of any renter, tenant, guest, or family member who violates any portion of the Declaration, Bylaws, or Rules and Regulations.

### **BE IT FURTHER RESOLVED** that:

1. The foregoing Rules and Regulations are adopted by the Board of Directors.
2. A copy of these Rules and Regulations will be sent to each Owner at the address shown in the records of the Association.
3. Each Owner and/or occupant of a Lot shall be responsible for notifying any household member, renter, guest or other visitor of the restrictions, limitations, and prohibitions contained above.

Date: 1/11/14

ATTEST:




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Board of Directors  
Bridgerland Village HOA, Inc.



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