Dogwood Lake Lot Owner's Association
Operating Procedure
Violations & Assessing Fines

DWL-PRO-004
Revision: New
Issue Date: June 7, 2023
Supersedes: N/A

Purpose/Summary:

To define the process:

- To ensure compliance with restrictions, rules and regulations
- Issue warnings
- Assess & collect fines

Applies To:

All Lot Owners

Process Owner:

Environmental Chairperson, DWLOA Board of Directors

Authority Reference:

1. Declaration of Covenants, Dogwood Lake
2. By-Laws, Paragraphs 2.5, 4.1, 6.1, 6.2 & Addendum – Violation Fine Schedule
3. Dogwood Lake Campground Rules and Regulations
4. DWL-POL-001, Lot Improvement Policy
5. Guest Policy of Dogwood Lake Lot Owner's Association

Definitions:

1. Lot Owner: Any Lot Owner within Dogwood Lake Campground.
2. Board of Directors: Elected or appointed members charged with the responsibility of governing Dogwood Lake Campground.
3. Repeat Violation: Any specific violation by a Lot Owner that has occurred in the past 24 months or repeat notice to correct.
4. Suspension of Privileges: Revocation of Dogwood Lake privileges and suspension of access devices for the electric gate.

A. **Requirements:**

1. Per the By-laws, The Dogwood Lake Owner's Association (DWLOA) Board of Directors has the authority to manage the affairs of the Association. This includes the enforcement of restrictions, rules and regulations as defined in the Covenants, Rules & Regulations and other Policies.
2. Action may be taken as a result of Lot Inspections, Complaints or if violations come to the attention of the Board by other means.
3. Violations & Complaints will be recorded in the associated log. The Environmental Chairperson and Secretary will monitor the logs to ensure resolution.
4. Written communication to Lot Owners shall be filed in the corresponding Lot Owner's file.

B. **Process**

1. Lot Inspections

a. An inspection of privately owned lots in Dogwood Lake Campground shall be performed at least annually. The purpose of this inspection is to ensure established regulations are being followed. The inspection shall be performed by the members of the Environmental Committee with assistance, when necessary, from other Board members. Follow-up inspections and interim inspections may be

performed throughout the year as deemed appropriate by the Board. Complete objectivity must be always exercised to avoid what could be viewed as inconsistencies in reporting violations.

b. Lots shall be inspected from the road for such things as trash and debris, RV cleanliness, improper disposal of wastewater, and any other conditions addressed by the Covenants, By-Laws, Rules and Regulations, Lot Improvement Policy and other policies or procedures. The purpose of this inspection is to identify obvious violations, and to affect resolution as soon as possible.

c. If a suspected violation requires closer observation, the inspection team shall enter the property to confirm. No one from the inspection team shall enter any property that is posted "No Trespassing", or that has been marked per Missouri's "purple paint statute" unless observation from outside the property lines strongly indicates a violation.

d. Those lots determined to be in violation of regulations shall be photographed and the violations recorded. A list of these lots and violations will be provided to the Secretary to record in the Violation Log. The Environmental Chairperson shall review the violations for Repeat Violations.

e. The Secretary or Environmental Chairperson shall prepare and send a written warning to each Lot Owner whose lot is determined to be in violation of policies as defined in Paragraph 4 below. If the violation is a Repeat Violation, a fine shall be assessed with the first letter.

f. A follow-up inspection should take place after the time frame for compliance has passed. If the lot has been brought into compliance, the Environmental Chairperson shall inform the Secretary to close the violation in the Violation Log. If the lot has not been brought into compliance, a second letter shall be issued as defined in Paragraph 4 below.

g. A follow-up inspection shall be completed after the time frame for correction in the 2nd letter has passed. If the lot is not in compliance a 3rd letter shall be issued stating the Lot Owner is considered no longer in good standing. It should also advise that if the lot is not brought into compliance in the next 30 days, the board may exercise their right to have the lot cleaned up, bill the Lot Owner for the cost and place a lien on the lot.

h. If the lot is not in compliance after the 3rd letter, the board shall issue a letter informing the Lot Owner that the lot will be cleaned up. The board may choose to hire an outside contractor to clean-up the lot or perform the work themselves. If the work is performed by an outside contractor, the amount of the bill will be charged to the lot owner. If the work is performed by the board, the board will keep track of hours spent in the volunteer log and charge the lot owner a rate of $200 per hour.

2. Complaints

a. If a Lot Owner files a complaint regarding another Lot Owner's violation of the restrictions, rules or regulations, the Secretary shall record the complaint in the Complaint Log, determine if it is a repeat violation and assign the complaint to the appropriate Board Member for investigation.

b. If the complaint is validated, the Board will determine if a written or verbal warning should be issued and if a fine is justified. The violating Lot owner will be notified as defined in Paragraph 4 below.

c. The Secretary & Environmental Chairperson will monitor the complaint for resolution. Additional notifications and/or fines shall be issued as defined in Paragraph 4 below. When the complaint is resolved, the Secretary will close the complaint in the Complaint Log.

3. Other Violations

a. Violations brought to the Board's attention shall be reviewed by the board for action and follow the notification process listed in paragraph 4 as applicable. The Board may elect to issue verbal or written warnings or immediately assess a fine depending on the severity of the violation. Violations and action taken will be recorded in the violation log.

4. Notification Process

a. Verbal warnings shall be issued by a Board Member. Details of the verbal warning shall be communicated to the Secretary to record in the Complaint or Violation Lot.

b. Written warnings shall be issued by the Environmental Chairperson or Secretary. The letter shall include the timeframe for correction and photograph (if applicable). A copy of the letter shall be filed in the Lot Owner File.

c. Violation Letters shall be issued by the Environmental Chairperson or Secretary. The letter shall include the timeframe for correction, the fine amount and due date, photograph (if applicable) and the appeals process defined in the Covenants. The amount of the fine shall be communicated to the Treasurer to record in the Lot Owner List.

- Fines shall be assessed as defined in the By-laws, Addendum, Violation Fine Schedule. Fines shall be progressive for repeat notice to correct a violation.

5. Appeals

a. A Lot Owner has the right to file an appeal if he or she disagrees with the violation. The appeal must be submitted in writing to the Environmental Chairperson within 30 days of the notification and shall contain a brief statement of the facts and the reasons why the appellant feels the violation is unjustified.

b. The Board will review the appeal and determine if the appeal is valid. If it is determined to be valid, the violation shall be voided in the violation log.

Approved by:

/signed Tom Bauer

Tom Bauer, Environmental Chairperson
DWL Board of Directors