



## Silver Woods Community Association

7 Luzerne Drive, Ocean View, DE 19970

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### **Violation and Fine Policy Board Resolution**

#### **Silver Woods Community Association**

**Whereas** Section 6.2 of the Bylaws states that the Board shall have all of the powers and duties necessary for the administration of the affairs of the Association.

**Whereas** the purpose of this Policy is to establish fines to enforce the rules extracted from the governing documents of the Silver Woods Community Association (SWCA) and the Delaware Uniform Common Interest Ownership Act (DUCIOA) to preserve the character and quality of our community for the common good.

**NOW, THEREFORE,** be it resolved that any and all property owners that violate the governing documents may be subject to:

- Courtesy Notice

Written Notice (regular or electronic Communication with 14 days (date of letter) to respond/comply – if an extension is requested and approved for a reasonable reason a second notice will be issued upon expiration of extension date if issue is not rectified.

- First Notice

Letter with 7 days (date of letter) to comply sent to the authorized e-mail or legal address of the owner. Will receive a \$50 fine assessed to your SWCA account. Plus, any key fobs will be deactivated until issue is rectified.

- Second Notice

14 days after First Notice  
\$100.00 fine accessed to your  
SWCA account with Letter to property  
owner. Compliance immediately  
expected.

- Third and Subsequent Notices

14 days after First Notice  
\$250.00 fine accessed to your  
SWCA account with Letter to property  
owner. Compliance immediately  
expected.

The property owner is liable for any fines/violations that may occur, even when a unit is rented or occupied by a non-owner. The SWCA rules (attached) must be provided to any tenant. SWCA reserves the right to cure the violation if not addressed by the property owner at the property's owner's expense.

This policy was voted on and approved at the monthly meeting of the Board of Directors as noted below:

Date of Meeting Approval: May 2, 2023

Date Effective: June 1, 2023

Marjorie Beatty, President

Diane Seeger, Secretary

## Rules from Initial Governing Documents

Topic	Citation	Rule
<b>Lot Improvements</b>	RC Art.VI,Sec3	All improvements on a lot shall be in conformity with the Silver Woods Architectural Guidelines
<b>Trailers, RV's, Tents</b>	RC Art.VI,Sec4	Trailers, mobile homes, and tents to be used for dwelling prohibited at all times
<b>Home Businesses</b>	RC Art.VI,Sec5	"No-Impact" home offices only.
<b>Rentals</b>	RC Art.VI,Sec6	"Single Family "tenants only, provide copy of lease to HOA
<b>Lot Improvements</b>	RC Art.VI,Sec9	Seek SWARC permit for any proposed building, structure, improvement, fence, wall, erection, addition or alteration
<b>Signs and Advertising</b>	RC Art.VI,Sec12	No signs, notice or advertising of any nature or description without prior SWCA approval
<b>Garbage Receptacles</b>	RC Art.VI,Sec13	Garbage receptacles must be stored in the garage.(Note - SWCA Architectural Guidelines allow for outdoor "approved" garbage can enclosures, a SWARC permit is required before construction. See also Rules Adopted by SWCA below
<b>Storage Receptacles</b>	RC Art.VI,Sec14	No fuel tanks or similar storage receptacles may be exposed to view, may be installed within dwelling or buried in accordance with Silver Woods Architectural Guidelines
<b>Fences</b>	RC Art.VI,Sec16	No fence may be erected or allowed to remain except as provided by the Silver Woods Architectural Guidelines (permit required)
<b>Nuisance</b>	RC Art.VI,Sec17	"Unclean, unkempt, or unsightly conditions of buildings or grounds" prohibited. Livestock and non-domestic animals prohibited. Remove disabled and unlicensed vehicles within 15 days.
<b>Weeds, Trash</b>	RC Art.VI,Sec19	No noxious weeds or trash shall be allowed to grow or accumulate.

Topic	Citation	Rule
<b>Parking</b>	RC Art.VI,Sec21	"Long term and regular parking on community roadways is strictly prohibited". Temporary parking on community roadways not to exceed 48 hours. Parking on cul-de-sacs prohibited at all times.
<b>Exterior</b>	SW Arch. GuiArt.V.A.7.	No exterior appendages or apparatus such as (but not limited to) "antennas, towers, clotheslines, free-standing flagpoles, or yard decorations".
<b>Dog Kennels</b>	SW Arch. GuiArt.V.C.10.	"Dog kennels are not allowed."
<b>Colors and Materials</b>	SW Arch. GuiArt.V.C.11.	Exterior paint colors, color schemes, and materials used for exterior surfaces- Changes from initial colors and materials must be approved by the SWARC. See permit by rule for front doors

RC = Restrictive Covenant from Declaration

SW Arc Gui = Silver Woods Architectural Guidelines

### Rules Developed and Adopted by SWCA

Topic	Date Adopted	Rule
<b>Community General*</b>	April 12, 2021	Members are fully responsible for the actions of their guests, their guest's pets, tenants and tenants' pets.
<b>Community General*</b>	April 12, 2021	No hunting
<b>Community General*</b>	April 12, 2021	No discharge of firearms, air rifles or pistols.
<b>Community General*</b>	April 12, 2021	No routine storage of tools, materials, supplies, kayaks, grills, firewood, etc. in any location that is closer to an adjoining sidewalk than the home structure itself. This means that the living unit becomes the storage "setback" for all front yards, and for the side yards bordering sidewalks for corner properties.
<b>Community General*</b>	April 12, 2021	No commercial dog or animal breeding
<b>Community General*</b>	April 12, 2021	Pets must be controlled and leashed at all times unless contained within a fenced area. Pet owners are responsible for the cleanup and disposal of excrement from their pets. With the exception of the grass strip between the sidewalk and street, dog walkers must prevent dogs from walking on or relieving themselves on the front, side or back yard of any property other than the dog owner's property.
<b>Community General*</b>	April 12, 2021	Common areas may be used by Silver Woods residents, and their current tenants and guests only.

Topic	Date Adopted	Rule
<b>Community General*</b>	April 12, 2021	Quiet hours are 11:00PM to 7:00AM. During this time there should be no loud activities or music that disturbs neighbors.
<b>Community General*</b>	April 12, 2021	No open burning of garbage or yard waste
<b>Community General*</b>	April 12, 2021	Rentals-Minimum allowable lease term for a living unit is 3 months.
<b>Community General*</b>	April 12, 2021	Pets-The maximum allowable combined number of dogs and cats maintained at any living unit is 3.
<b>Community General*</b>	April 12, 2021	The "Permit by Rule" allows for construction of trash container enclosures without an individual Silver Woods Architectural Review Committee (SWARC) application, provided that the enclosure complies with minimum prescribed material/construction standards as provided by the SWCA Trash Container Enclosure Permit document on the Silver Woods website (on website after rules adopted).
<b>Community General*</b>	April 12, 2021	Recreational vehicles and trailers may be parked in driveways for no more than 48 hours but, in accordance with existing restrictive covenant, may not be used as housing.
<b>Community General*</b>	April 12, 2021	<p>Choice Flag - Each living unit may display one non-political flag, banner or pennant of choice, attached to the living unit, at any time. During election seasons only, the choice flag, pennant or banner may reflect political content. Or if desired, a political sign may be placed in the yard in lieu of the Choice flag, banner or pennant. Per Ocean View Ordinance 140-63, "Political signs may be displayed no more than 60 days prior to a political event or election and shall be removed within seven days of the completion of the political event or election." Flags, banners, and pennants may not exceed 3'x5' dimensions. Maximum allowable political sign dimensions are 18"x24." Free standing flag poles are not permitted at any time.</p> <p>Second Flag - In addition to the Choice Flag, each living unit may display one US flag, attached to the living unit, not to exceed 3'x5' dimensions, in accordance with DUCIOA §81-320. The second flag must be a US flag only.</p>
<b>Clubhouse &amp; Pool</b>	April 12, 2021	Children under 16 years old must be supervised by an adult in clubhouse, gym and pool.
<b>Clubhouse &amp; Pool</b>	April 12, 2021	Trash must be removed after each use and leave space reasonably clean.
<b>Clubhouse &amp; Pool</b>	April 12, 2021	No smoking inside the clubhouse pool deck, or within 20 feet of clubhouse and fenced pool area
<b>Clubhouse &amp; Pool</b>	April 12, 2021	No removal of furniture from clubhouse or from pool deck.

<b>Topic</b>	<b>Date Adopted</b>	<b>Rule</b>
<b>Clubhouse &amp; Pool</b>	April 12, 2021	No pets (except service animals) allowed at anytime.
<b>Clubhouse</b>	April 12, 2021	Exercise room equipment users must wipe down equipment following each use.
<b>Pool</b>	April 12, 2021	No glass or breakable containers, dishes, or items that could shatter and leave fragments or shards.
<b>Pool</b>	April 12, 2021	No running or diving.
<b>Pool</b>	April 12, 2021	No personal radios or music devices, unless personal earphones are used.
<b>Ponds</b>	April 12, 2021	No entering of pond waters by residents for any reason other than maintenance. This includes, but is not limited to swimming, wading, boating, or walking or skating on ice.
<b>Ponds+ Drainage Swales</b>	April 12, 2021	Feeding of geese or ducks is prohibited.
<b>Ponds + Drainage Swales</b>	April 12, 2021	No adding fish or other life forms into ponds, pond banks or swales without prior approval from SWCA BOD to ensure addition is beneficial to pond health.
<b>Ponds+ Drainage Swales</b>	April 12, 2021	No disposing of yard waste, trash or other debris into ponds, pond banks or swales.
<b>Walking Trail</b>	April 12, 2021	No bicycles or motorized vehicles.
<b>Walking Trail</b>	April 12, 2021	Open sunrise to sunset. Closed sunset to sunrise.
<b>Walking Trail</b>	April 12, 2021	Open to Silver Woods residents and their current guests and tenants only.
<b>Walking Trail</b>	April 12, 2021	No smoking, no open flames.
<b>Walking Trail</b>	April 12, 2021	Pets must remain leashed.