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2002-2 Policy: The implementation of a Collection Fee for delinquent accounts.

2002-3 Policy: To permit the Association through its personnel or designated agent(s) to enter upon a lot(s) and/or real property for certain intended purposes in the Indian Rocks Development.

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2003-1 Policy: Adopting a Board policy to permit Property Owners to blacktop their driveways past their property line to the edge of the road.

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2004-7 Policy: Amends Resolution 1998-2. Adopting a Board policy assessing a fine to Property Owners' account for not displaying a current Indian Rocks vehicle sticker.

2004-10 Policy: Amends Resolution 2002-6. Adopting a board policy for the limited use of fencing as a means of protecting a Property Owner's landscaping from non-domesticated animals.

2005-3 Policy: Adopting a fine for cutting trees on a property without the proper approval and requiring a tree to be planted to replace every tree cut down over three (3) inches in diameter.

2005-5 Policy: To disallow the act of aiding or abetting another individual who is avoiding or circumventing any Indian Rocks Rules and Regulations.

2005-8 Policy: A resolution to add court costs. Other costs and attorney fees incurred as a result of any legal action taken against anyone violating Indian Rocks Rules and Regulations.

2007-2 Policy: A Resolution to replace Resolution #1994-6 and Resolution #2000-3, governing procedures and conduct for Property owner(s) at a monthly Board meeting and/or an Annual meeting.

2007-3 Policy: Amends Resolution 1993-3. Adding the Indian Rocks website, along with the Indian Rocks newsletter as the official means of communication by and from the Board of Directors to any and all Association members.

2007-5 Policy: A Resolution to amend Resolution No. 2007-1, paragraph titled Indian Rocks Water Valves.

2007-6 Policy: A Resolution imposing all legal fees and costs against adverse parties in litigation.

2007-7 Policy: A Resolution to amend Article VII, Section I of the By-Laws of the Indian Rocks Property Owners Assoc., Inc. of Ledgedale.

2007-10 Policy: A Resolution amending Article X, Section 2 of the By-Laws of Indian Rocks Property Owners Assoc., Inc. of Ledgedale.

2008-1 Policy: A Resolution amending Article VIII, Section 6 of the By-Laws of Indian Rocks Property Owners Assoc., Inc. of Ledgedale.

2008-2 Policy: A Resolution creating a standing Grievance Committee and outlining its duties.

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2008-3 Policy: A resolution establishing written procedures for the collection of water service billings and the resolution of disputed water bills.

2008-4 Policy: A resolution adopting a written process for conducting elections for the Board of Directors.

2008-5 Policy: A resolution establishing policy and procedures for the operation of the Association's swimming/bathing facilities.

2008-6 Policy: A resolution establishing policy and procedures for the use of the Association's boat docks and boat ramp.

2008-9 Policy: A resolution to ban the use of outdoor furnaces in Indian Rocks.

2008-11 Policy: A resolution establishing the 2009 Budget.

2009-1 Policy: A resolution replacing Resolution 2003-7 adopting the requirement to sign an Oath of Office.

2009-2 Policy: A resolution replacing Resolution 2007-2 governing procedures and conduct for property owners at a monthly board meeting and/or an annual meeting.

2009-3 Policy: A resolution replacing Resolution 2007-4 establishing the criteria for candidates, contents of resumes, and limits on campaigning.

2009-4 Policy: A resolution removing the requirements for a nominating committee by removing Sections 2, 3, and 4 of Article VIII from the By-Laws and amending Section 5.

2009-5 Policy: A resolution implementing a Stormwater Management Program

2009-6 Policy: A resolution adopting changes to the current by-laws, rules and regulations and resolutions.

2009-7 Policy: A resolution rescinding Resolutions 2003-12 and 2004-8 pertaining to swimming pools in Indian Rocks.

2009-8 Policy: A resolution amending prior by-laws, resolutions, and rules and regulations containing specific fees and fines.

2009-10 Policy: A resolution regarding the rules and regulations pertaining to the installation and maintenance of a hot tub on an individual lot or legal combination of lots within a living unit.

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2009-12 Policy: A resolution to amend Resolution No. 2008-2 - creating a standing Grievance Committee and outlining its duties.

2009-14 Policy: A resolution adopting the 2010 Budget.

2009-16 Policy: A resolution to amend Resolution No. 2009-12 - creating a standing Grievance Committee and outlining its duties.

2010-2 Policy: A resolution to amend Article VII, Section 1 of the By Laws and Resolution 2007-7

2010-3 Policy: A resolution establishing a 30 day time period to request a meeting with the grievance committee.

2010-4 Policy: PA motor vehicle Code Title 75 and PA Crime Code Title 18.

2010-5 Policy: A resolution adopting the 2011 Budget.



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### **1991-1 Adopted October 12, 1991**

BE IT RESOLVED, that the budget for the Association for 1992 and thereafter shall include a line item for capital reserves, in an amount equal to ten (10%) of the budget or a minimum of fifteen thousand and no/100 (\$15,000) dollars, whichever the Board chooses at the time the budget is adopted. All interest or other income on the Capitol Reserve Fund shall be used for current expenses if needed or can accumulate in the Capitol Reserve Account for a specific need, replacement or improvement. Designated by the Board of Directors.

### **1991-2 Adopted October 12, 1991**

BE IT RESOLVED, that on all delinquent dues collections the delinquent property owner or owners shall pay all costs and attorney fees, including all costs and attorneys fees attributable to Sheriff's Sale, if applicable. The Board of Directors, through its attorney may assess same against the lot or lots to the delinquent owners in question and this amount shall be collectable upon Sheriff's Sale or in any Court of Law.

### **1993-5 Adopted December 11, 1993.**

BE IT RESOLVED, the Board authorized the Property Manager and the Association Attorney to proceed with the collection of delinquent Assessments, special Assessments or any other type of financial delinquency by a Property Owner, as dictated by the Protective Covenants. The Board authorizes the Property Manager to appear at any court hearings and proceedings and represent the Association at such hearing(s). A report shall be provided to the Board in a timely fashion, of all proceedings, including court hearings, Judgments entered, liens, transfer of liens and any other occurrences in relation to the collection of the delinquency.

### **1994-3 Adopted March 26, 1994**

BE IT RESOLVED, the corporation shall file with the Pennsylvania Corporation Bureau the required document to amend both its name and registered office. The corporation shall be known as Indian Rocks Property Owners Association, Inc. of Ledgedale. The registered office of the Corporation shall be PO Box 540 Greentown, PA 18426, geographical location PA State Rte 3006 Ledgedale, Lake Ariel, PA 18436. The amendment shall take effect on April 1, 1994.

### **1994-4 Adopted May 21, 1994**

BE IT RESOLVED, the Association hereby wishes to recognize, acknowledge and ratify the existence of certain rules, regulations, by-laws and covenants, conditions and restrictions of the former Indian Trails Property Owners Association, Inc. And the development of Indian Rocks and that the same shall remain in full force and effect, to be enforced and upheld in the same fashion as before.

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### **1994-5 Adopted June 25, 1994**

BE IT RESOLVED, no unlicensed, uninvited peddlers, traveling sales persons and/or individuals engaged in general solicitation shall be allowed within the confines of the aforementioned development. Any persons violating this Resolution shall be treated as trespassers under the criminal laws of the Commonwealth of Pennsylvania.

### **1995-2 Adopted June 24, 1995**

BE IT RESOLVED, that the entire costs of the enforcement of rules, regulations, By-Laws, Protective Covenants shall be assessed to and borne by the owner(s) of the lot(s) or living units and the violating party(ies), jointly and severally, and shall be added to and become a part of the annual assessment or charge to which such lot(s) or living unit(s) is subject under Article VI of the Protective Covenants, and as part of such annual assessment or charge, it shall be a lien and shall become due and payable in the same manner as provided in Article VI of the Protective Covenants recorded in Wayne County Deed book 351, page 1148. The term entire costs shall include any and all court work, filing fees, attorney's fees, administrative costs and any and all expenses associated therewith.

### **1996-3 Adopted March 23, 1996**

BE IT RESOLVED, Indian Rocks Property Owners Association, Inc. Of Ledgesdale shall be entitled to collect all attorneys fees, filing costs, including the costs and fees involved in transferring a judgment to another county or state, as well as any and all finance charges, late charges and penalties involved by the Association pursuant to the restrictive Covenants, By-Laws, rules and Regulations, or resolutions. Furthermore, the finance charges imposed by the Association shall run from the date of delinquency until the date of payment, regardless of whether or not the delinquency was reduced to Judgment.

### **1996-4 Adopted March 23, 1996**

BE IT RESOLVED, Any property owner who contests or defends any lawsuit in a court of competent jurisdiction for the second or succeeding times, after having been unsuccessful on the first occasion, shall be assessed and be obligated to pay an additional sum of \$200.00 per hearing or trial, to compensate the Association for its office, administrative and secretarial costs associated herewith.

### **1996-5 Adopted April 20, 1996**

BE IT RESOLVED, that the Board of Directors of Indian Rocks Property Owners Association, Inc. Of Ledgesdale affirm the binding effect and enforcement of the restrictive covenants, by-laws, regulations and resolutions of the Development and the Property Owners Association at Indian Rocks, and confer unto the Association's Property Manager, Attorney and employees the right to proceed to enforce these obligations on all parties concerned without further direction from the Board.



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### **1996-6 Adopted September 15, 1996**

BE IT RESOLVED, Vehicular traffic over all Indian Rocks maintained roads during the months of December, January, February, March and April of every year be restricted in such a manner as to exclude traffic or access over such roads by vehicles whose gross vehicle weight exceeds 10,000 lbs., due to the severe weather conditions and unsettled road surfaces. This restriction may be temporarily lifted at times during the above-mentioned months at the discretion of the Maintenance Manager, who shall notify the Association office of such decision.

Violators of this Resolution shall be subject to a fine not to exceed \$500.00 for offense and be responsible for all damages to roadways in question.

The fine and damages above stated shall be assessed against the property owner(s) directly or indirectly responsible for the violation, and said fines and damages shall be subject to collection in the same manner as the collections of delinquent Assessments.

### **1996-8 Adopted September 15, 1996**

BE IT RESOLVED, that all Property Owners and members of the Association notify the Association office as to the current mailing address of said Property Owner or member, which shall be the official address to which correspondence from the Association shall be sent. In the event the Property Owner or member of the Association changes his or her address it shall be that person(s) responsibility to notify the Association office in writing of said change. Till such time as the Association receives such change of address in writing, all such correspondence may be properly and lawfully sent to the current address on file.

### **1997-1 Adopted April 26, 1997**

BE IT RESOLVED, the Association will allow all property owners, for any lawful construction, the ability to combine two (2) or more lots into one (1) lot and eliminate the boundary lines or line between them for the purposes of the Indian Rocks Architectural Control Guidelines regarding set backs, etc., provided that the following procedures are complied with: (a) A survey of said lot(s) is completed by an engineer or certified land surveyor. (b) A new deed is prepared with a complete description of the combined lots. (c) The Indian Rocks Architectural Control Committee reviews and approves copies of the above and a copy is kept in the property owner's file in the Association office. (d) The new survey of the lot(s) and deed is recorded in the Wayne County Court House on the county sub-division map and in the Recorder of Deeds office. This combination does not eliminate the property owner(s) from paying an Annual Assessment on each lot as established policy prior to the combination. This does not decrease the number of Assessments due and payable to the Association.

### **1997-2 Adopted April 26, 1997**

BE IT RESOLVED, there is a need for the Association to establish comprehensive regulations for the lease of all houses in the Indian Rocks Community and the procedures are outlined in the attached policy (copy in another section of this handbook), which is a part thereof this Resolution and

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whereas the Property Owner(s) is the responsible party for the enforcement of said regulations and has the legal, binding responsibility to see that said policy is adhered to, that all fees and required information is on file in the Association Office within the required time constraints and any and all fines for the failure of the Property Owner to comply to said policy will be attached to the Property Owners account and collectable as per the Protective Covenants.

### **1997-5 Adopted October 25, 1997**

BE IT RESOLVED, that there shall be assessed against every Property Owner or party delinquent in his/her/their delinquent dues/assessments for a second or successive filing of a magistrate or other law suit for the collection of said delinquent dues/assessments, provided that written notification of such shall be sent to such delinquent dues/assessment payer prior to the assessment of this charge.

### **1998-1 Adopted February 28, 1998**

BE IT RESOLVED, there shall be assessed an administrative cost against any Property Owner who requests a search of Association records, for any year or years prior to the current year. Except that this provision shall not apply to any Property or proposed Property Owner who is purchasing the subject premises, including his or her agent or agents, and who in good faith is seeking financial and or other relevant information. The Association shall not consider request unless made in writing, signed by the Property Owner and received in the Association Office at least 72 hours in advance.

### **1998-3 Adopted February 27, 1998**

BE IT RESOLVED, there shall be assessed a fine for each violation issued to any type of contractor employed by an Indian Rocks Property Owner(s) to do any type/kind of work on said property or house, internally or externally, who (a) does not display a current contractor identification vehicle sticker on any and all vehicles associated with the contractor, (b) does not have a current certificate of insurance on file in the Association Office. The above is to be in place before the commencement of the work. Any Property Owner(s) whose contractor violates either (a) or (b) shall be assessed the fine. The Property Owner(s) is assessed this fine regardless of who engages the services of the contractor(s). The Property Owner(s) shall be the responsible person to see that both (a) and (b) are in place before the work begins.

### **1999-2 Adopted February 27, 1999**

BE IT RESOLVED, That all improved property in the Development of Indian Rocks, in all of the sections of the Development, shall be identified on a uniform numbered sign constructed by the Association and affixed to the improvement per Association guidelines, for the purpose of 911 identification. The cost of the sign per property owner shall be not less than \$4.00 and not more than \$7.00 and shall be collected in the same manner as the Association Assessment and fees. This fee will be paid upon receipt of the sign. The sign shall be affixed in a visible year round location from said road(s). Notice of this Board Resolution

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will be sent to all property owners in the April/May 1999 Indian Rocks Newsletter, the official communication of the Board of Directors. Property Owners of developed property will have from that date to October 1, 1999 to affix the identification sign to the improvement (dwelling). All new construction from the date of notice will affix the sign to the dwelling at the time the construction is completed and before the Indian Rocks certificate of occupancy is issued.

In the event a Property Owner subject to this Resolution does not comply herewith, the Association shall have the right to affix the said sign to the improvement and charge the Property Owner the cost of the sign and the cost of affixing the sign to the premises, which shall not be less than \$50.00 and not exceed \$75.00 total and shall be collectible in the same manner as the Assessment.

### **1999-4 Adopted July 24, 1999**

BE IT RESOLVED, a.) Any property owner who, for whatever reason, find it necessary to re-locate an existing water line and requires the association to move, re-locate and/or supply a new water shut off/on valve will be charged the basic fee three-hundred and seventy-five dollars(\$375.00). If a problem arises, for instance blasting is required; the property owner(s) will pay any and all additional costs beyond the basic fee, to the association. All fees will be billed to the owner(s) account and payable from the owner(s) within fifteen (15) days of completion of the work by the association

b.) A property owner(s) whose account is delinquent as of May 1st of any given year will have their water disconnected until the delinquent balance is paid in full. The cost of disconnection and reconnection is twenty-five (25) dollars each time and will be a charge against the property owner(s) account. All monies owed including the disconnect and reconnect fee must be paid in full before the water service will be reconnected.

### **2000-1 Adopted January 22, 2000**

BE IT RESOLVED, The Association shall keep in its corporation office the following records which shall be open for inspection by any member of the Association upon written request under oath stating the purpose thereof during regular business hours for any proper purpose. 1. A record of proceedings of the members and Directors of the Association which shall consist of minutes of said meetings, resolutions, and official decisions of said body. 2. A copy of current by-laws of the Association including any amendments there due to date, certified by the Secretary of the corporation. 3. A current membership register listing the names of the members and their geographic address at Indian Rocks. 4. A copy of the current year's budget and a listing of the classification or grouping of all income and expenditures on a monthly basis; income and expense statements being those similar to those which are given to the Board of Directors prior to each board meeting. A proper purpose shall mean a purpose reasonably related to the interest of such person as a member and unless such purpose given falls within this category the Association may refuse access to these records. Any member who qualifies to examine these corporation records either in person or

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by agent or attorney shall also have the right to request and receive photocopies of any records stated herein at a cost to said member per page copied. The Association is required to make said copies within a reasonable time of payment by said Member and mail these documents to the address given by the Member but in no event shall this be done until the written request is received in the Association Office and payment is received. Reasonable time is defined as minimum ninety-six (96) hours (4 days). Any Member requesting such records shall be required to submit the sum of five (5) dollars in addition to the *above* page copied fees, to the Association for postage to which said documents will be mailed. In the event the actual postage and mailing costs exceed five (5) dollars then the requestor of the records will be required to pay said amount in excess of five (5) dollars in advance, prior to the Association mailing the records. The cost of mailing said records should include sufficient documentation from the United States postal service that the documents have in fact been mailed to the requestor. Documentation as proof of mailing shall mean certified mail return receipt requested or any such other form of receipt as dictated by the United States postal service. Failure to remit the above stated fees within the ninety-six (96) hours (4 days) time frame will relieve the Association from responsibility in mailing these documents.

### **2001-3 Adopted November 7, 2001**

BE IT RESOLVED, That notwithstanding any thing in the By-Laws and/or Protective Covenants to the contrary, the composition of the Architectural Control Committee shall consist of individuals appointed by the Board of Directors which may include the Maintenance Manager and/or one person from the maintenance department, whether or not said maintenance manager or maintenance person is a member of the Association. He/she shall have all the rights, powers, duties or privileges afforded to all such individuals serving on this committee. In addition to those individuals appointed to this committee by the Board of Directors, the Community Manager of the Association shall serve as an ex officio member of this committee without the necessity of any official appointment. The Community Manager shall be entitled to access information relevant to this committee, shall be entitled to full participation in discussions and opinions regarding all matters brought before this committee, but shall not be entitled to cast a vote on any matters that requires same.

### **2002-1 Adopted February 23, 2002**

BE IT RESOLVED, the Association will impose a Capital Improvement Fee, but no other fees, on the resale or transfer of units (lots) in accordance with the following:

1. The capital improvement fee for any unit (lot) shall not exceed the annual assessments for general common expense charged to such unit (lot) during the most recently completed fiscal year of the association; provided that:
  - a. In the case of resale or transfer of a unit (lot) consisting of unimproved real estate, the capital improvement fee shall not exceed one-half of the annual assessments for general common expenses

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- charged to such unit during the most recently completed fiscal year of the association.
2. Capital improvement fees allocated by the association must be maintained in a separate capital account and will be expended only for new capital improvements or replacement of existing common elements, and will not be expended for operation, maintenance or other purposes. The determination of what a CIF is shall be set forth by a majority vote of the Board of Directors.
  3. No capital improvement fee shall be imposed on any gratuitous transfer of a unit (lot) between any of the following family members: spouses, parent and child, siblings, grandparent and grandchild.
  4. No fees may be imposed upon any person who:
    - a. Acquired a unit (lot) consisting of unimproved real estate and signs and delivers to the association at the time of such person's acquisition a sworn affidavit declaring the person's intention to re-convey such unit within 18 months of its acquisition; and
    - b. Completes such re-conveyance within 18 months.
  5. The Association on an annual basis designates the numerical amount of the CIF for each year.

### **2002-2 Adopted on March 23,2002**

BE IT RESOLVED, there shall be imposed a collection fee to be added to the account of any Property Owner that is more than ninety (90) days delinquent in paying his, her or its dues, assessments, fines or other charges to the Indian Rocks Property Owners Association, Inc. Said fees shall be collectible by the Association in every manner as permitted by the By-Laws, Rules and Regulations, Protective Covenants and laws of the state of Pennsylvania with respect to collections of delinquent assessments. Said collection fee shall cover the reasonable costs of the Association office personnel and other office costs with regard to the collection of delinquent accounts including letters, postage, telephone calls, photocopies, etc. Said fee shall be inclusive of collection costs to the Association up to the filing of a Magistrate Complaint, after which there shall be an additional collection fee. Said collection fees shall be in addition to all service and filing fees, court costs, attorney fees and any and all authorized fees as provided for by the By-Laws, Rules and Regulations, Protective Covenants and PA State Act 180.

### **2002-3 Adopted on March 23, 2002**

BE IT RESOLVED, The Association through its personnel or designated agent(s) may enter upon any lot or real property in the Indian Rocks Development, for the purposes of investigating or verifying a complaint involving a property owner, guest or occupant of any Indian Rocks Property, to investigate and/or take remedial steps to correct situations on any lot(s) or property that would effect the Association use and operation of its common facilities and also to investigate and conduct tests if necessary concerning the suitability of any property to be utilized for its intended purpose.

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### **2002-4 Adopted on March 23, 2002**

BE IT RESOLVED, WHEREAS, nothing shall preclude the Association through its Board of Directors from purchasing or acquiring lots when, in the sole discretion of the Board of Directors such purchase or acquisition is considered to be in the best interest of the Association, secondly, approval by a majority of the Board of Directors at a Board meeting. Such meeting shall be a regularly scheduled meeting or a special meeting with sufficient notice of the meeting served to the Board members. The decision of the Board is final and un-appealable, thirdly, before any such property or properties are to be accepted or acquired in the form of a deed, the Association shall pay no consideration to a record owner to take back such lots other than a cancellation of dues and assessment obligation, fourthly, that all real estate taxes shall be current on the lot or in the case of acquisition of a lot(s) through another process be cancelled and there shall be no other liens against subject premises.

### **2003-1 Adopted on June 28, 2003**

BE IT RESOLVED, whereas an owner of a property in Indian Rocks signs a legal release absolving Indian Rocks Property Owners Association Inc. of Ledgesdale, its Board of Directors and employees from any liability for damage caused by the Association snowplowing, cindering, salting or any other winter maintenance. The release will also include digging up the blacktop to repair water lines, ditch work and any other work necessary to maintain and repair the roads. Whereas, an owner of a property in Indian Rocks may blacktop his/her driveway past the property line to where the driveway abuts the edge of the road providing said Property Owner signs the release and submits application to the Architectural Control Committee with the following information shown on an accurate plot plan:

1. Length and width of the blacktop per Indian Rocks Rules and Regulations.
2. Dimensions plotted on a plot plan.
3. Description of the material to be applied, including the preparation of the driveway, base material used, thickness and number of layers of blacktop.

The costs of any and all repairs and/or maintenance of the section from the property line to where the blacktop abuts the road are the full responsibility of the Property Owner. He/she assumes this responsibility when he/she makes the decision to blacktop the driveway to the road. The maintenance staff and the Community Manager will make the final determining decision regarding the need for any and all repairs to said portion of the driveway.

### **2003-6 Adopted October 25, 2003**

BE IT RESOLVED, the Association has established rules and regulations regarding recreation motorized vehicles, which now call for revisions as to the schedule of fines and the amount thereof as follows:

Violations:

1. No identification

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2. No Insurance on file in the Association Office
3. No current registration
4. Vehicle not registered in the Association Office
5. Under-age operation
6. Excessive speed
7. Reckless driving
8. Loud, excessive noise
9. No muffler
10. Hours of operation not obeyed
11. Riding with passenger on ATV

### **2003-11 Adopted on December 13, 2003**

BE IT RESOLVED, the Association has established rules and regulations regarding exterior maintenance to homes requiring an approved application submitted to the A.C.C. Any Property Owner doing exterior maintenance without submitting an application to the A.C.C. and receiving a permit will be fined. Any exterior maintenance that does not comply with the established regulations in relation to approved color or other regulations will bear a fine and the Property Owner may be required to specifically convert such violation within a reasonable time. The Association may enforce this provision in law or in equity, and all costs and attorney fees of suit or enforcement shall be borne by the Property Owner(s).

### **2004-7 Adopted on August 28, 2004**

BE IT RESOLVED, there shall be assessed a fine issued to an Indian Rocks Property Owner upon the occasion of a vehicle with a relationship to their property not displaying a current Indian Rocks identification sticker while parked on, or traversing any of the common grounds of Indian Rocks. Relationship includes any vehicles owned by a Member's immediate family, relatives or guest(s). In the case of a vehicle owned and/or operated by an Indian Rocks Property Owner, the sticker is to be permanently affixed to the rear portion of the vehicle in a manner that may make it obvious and easily distinguishable. In the case of a vehicle of a guest, the Guest Pass shall hang from the rear view mirror mount. The issuance of a citation for the violation will be by a Security Patrol personnel or any employee of the Indian Rocks Property Owners Association.

### **2004-10 Adopted on September 25, 2004**

BE IT RESOLVED, a decorative type of natural split rail fence will be permitted. This can be used at corners of the property, limited to 2 corner pieces, and is to consist of 2 sections with ends joined together with one post and the other ends in the ground. This is not to be considered fencing or as an enclosure of the property. Also, sections of split rail fence, 2 or 3 sections can be used in conjunction with decorative items such as flowerbeds or shrubbery plantings, but cannot be all encompassing of the total property. An application to the Architectural Control Committee is required with detailed plans to be approved at a regular A.C.C. meeting. A Property Owner is entitled to protect his shrubs, bushes and/or other vegetation from the animals with appropriate

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screening, either added to sections of split rail fence or with an approved thin green post, as approved by the Board of Directors through the Architectural Control Committee, upon submission of a detailed plan and a sample of the material to be used. Failure to comply with this Resolution shall submit the non-compliant Property Owner(s) to a fine imposed upon the Property Owner and the property.

### **2005-3 Adopted on May 21, 2005**

BE IT RESOLVED, whereas the Protective Covenants of Indian Rocks Property Owners Association, Inc. of Ledgesdale states that "No trees which exceed three inches in diameter shall be removed or cut without written approval of the Architectural Control Committee", and the Rules and Regulations of Indian Rocks Property Owners Association, Inc. of Ledgesdale further states that "...no trees or brush may be cleared from a lot, for whatever reason, unless approval is received from the Architectural Control Committee." This Resolution establishes a fine per tree for cutting any tree over three (3) inches in diameter without proper approval and requires replanting a tree, of a size and type approved by the A.C.C. representative. For proper approval, the procedure is as follows: 1. A signed written request is submitted to the Administration Office. 2. All trees to be cut must be marked with colored ribbon or paint. 3. A representative of the A.C.C. will inspect and approve all trees to be cut. 4. A telephone call or written message will be sent from the office as to the decision of the A.C.C. representative of approval or rejection of the request.

### **2005-5 Adopted September 24, 2005**

**WHEREAS**, any lot owner(s) of a property in Indian Rocks, and/or individual(s) using or occupying a lot at Indian Rocks, will be assessed a fine for any conduct that allows, aids, or abets another individual in avoiding or circumventing any rule, regulation, by-law, or protective covenants in the Indian Rocks development.

**THEREFORE**, said fines are to be as follows:

**A 24-hour oral or written notification will be given.**

**After the initial notification, a \$50/day fine will be levied.**

**NOTE:** Each day said violation continues shall be a separate offense, subject to the above fine schedule.

### **2005-8 Adopted October 28, 2005**

BE IT RESOLVED, any individual or entity that causes Indian Rocks P.O.A., Inc. to incur court costs and/or other costs and/or attorney fees as a result of any collection or enforcement procedures shall also be required to pay any such court costs and/or other costs, and/or attorney fees actually incurred by Indian Rocks Property Owners Association, Inc. of Ledgesdale.

### **2007-2 Adopted January 12, 2007**

**WHEREAS**, these procedures are necessary to assure that the agenda for the meetings can be followed without undue interruption,



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### **THEREFORE, BE IT RESOLVED:**

1. Members in good standing will be permitted to attend the Board meetings. All attending members will sign the "sign-in sheet".
2. If the member has a question or comment to bring up at the meeting, the question or comment must be submitted to the administration office in writing at least five (5) days prior to the meeting. Only two questions per property owner will be allowed.
3. Each member speaking is to state his/her name and lot number, and a time limit of three (3) minutes will be allowed each property owner. Concerns and issues will be brought before the Board only once. Submitted questions will be answered, deferred to another time, or dismissed. If a reply to a question cannot be given at the particular meeting, the Board has the right to take it under further advisement, and give their reply in writing. No further questions on that particular question will be entertained.
4. No questions or statements will be entertained regarding personnel.
5. No statements or comments of any type will be tolerated that are deemed abusive to an employee, Board member, volunteer or professional.
6. The time period for the "Open Forum" portion of the meeting will be limited at the discretion of the President of the Board or presiding officer.
7. Any member who abuses the rules of conduct will be requested to leave the meeting. If the person does not leave, he/she will be considered a "defiant trespasser" and legal action will be taken.
8. Handouts available for members in good standing at these meetings will consist of minutes of the last meeting, the agenda for the present meeting, and other written materials as the Board of Directors deems appropriate.

### **2007-3 Adopted on February 24, 2007**

BE IT RESOLVED, 1. Any and all notices to members of the Association required in the fulfillment of its appointed task shall be made to members by and through the newsletter and/or the website. 2. This designation of the newsletter and the website as the official means of communication shall not be construed to prevent the Association from also notifying members of the Association by posted notices, special mailings and/or like communiqués. 3. Any and all notices of Association business made through the newsletter and the website shall be construed to have been effectively served upon any and all Association members on the mailing list then in effect.

### **2007-5 Adopted May 26, 2007**

BE IT RESOLVED, that the paragraph titled: INDIAN ROCKS WATER VALVES be removed, and in its place the following paragraph will be added: **Water shut-off valves, water meter pits and water meters** are the property of Indian Rocks Water Works and any tampering with this equipment will be subject to a **fine plus damages**. Call the Office to arrange to have your water turned on or off. Indian Rocks personnel or their designated agents are the only persons allowed to service this equipment. If water is turned off because of non-payment of assessments or water bills or other miscellaneous charges, payment

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in full of all balances plus a reconnection fee of must be paid before water service will be restored. .

### **2007-6 Adopted July 28, 2007 and revised on August 25, 2007**

BE IT RESOLVED, that Indian Rocks Property Owners Association, In. of Ledgesdale shall be entitled to collect all attorney's fees, filing costs, court related costs and administrative costs associated with either pursuing or defending any law suit or administrative action in which it is involved. All such fees and costs shall be added to the member account of any property owner involved in said case or action and shall be collectible as either a Statutory Lien or subsequent law suit. If said responsible party is not a member or property owner of the Association, said fees and costs are collectible in any subsequent legal action.

### **2007-7 \*Adopted September 22, 2007**

BE IT RESOLVED,

1. That Article VII, Section I of the By-Laws of the Indian Rocks Property Owners Assoc., Inc. of Ledgesdale be amended as follows:

#### **Board of Directors**

**Section 1. The affairs of the Association shall be managed by a Board of nine (9) Directors who must be members of the Association, in good standing. Directors shall be elected for a term of four (4) years until their respective successors are elected and qualify. Any vacancy occurring in the initial or any subsequent Board of Directors shall be filled at any meeting of the Board of Directors by the affirmative vote of a majority of the remaining Directors. Any Directors elected to fill a vacancy shall serve as such until the expiration of the term of the Directors whose position he was elected to fill.**

### **2007-10 Adopted December 15, 2007**

BE IT RESOLVED, that whereas the Board of Directors has been increased to nine members, Article X, Section 2 is hereby amended to read, "Six members of the Board of Directors shall constitute a quorum thereof".

### **2008-1 Adopted March 29, 2008**

**NOW, THEREFORE BE IT RESOLVED**, that Article VIII, Section 6 of the Bylaws be amended as follows:

**Section 6. Each member shall receive one ballot per assessment to be mailed by office personnel, with a return envelope addressed to "Indian Rocks Property Owners Assn., Inc. Attention: Tellers of Election".**

### **2008-2 Adopted March 29, 2008**

**BE IT RESOLVED**, that the Board of Directors of the Indian Rocks Property Owners Association amends Article XIII, Section 1 of the Association By-Laws to add to the existing standing committees of the Association a "Grievance

*\*Amended by a by-laws change at the 12/17/11 Board of Director's meeting to a 7 member board*

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Committee". The duty and function of this committee will be to hear member's grievances and make findings in accordance with the governing documents of the Association. Owner's grievances will first be submitted to the Grievance Committee in writing and then the grievant will be given the opportunity to appear before the Committee and present their case in person to the Committee. Decisions made by the Committee will be final and binding.

### **2008-3 Adopted May 24, 2008**

**RESOLVED**, that Board of Directors will develop written procedures that will dictate the collection of water service bills and the resolution of disputed water bills. These procedures may be amended from time to time without resolution when it is deemed necessary.

### **2008-4 Adopted May 24, 2008**

**RESOLVED**, that a written process for conducting the elections for the Board of Directors will be established in accordance with the By-Laws. This written process may be amended from time to time without resolution when it is deemed necessary.

### **2008-5 Adopted May 24, 2008**

**RESOLVED**, that Board of Directors will develop written procedures in accordance with this policy for the operations of the swimming and bathing facilities. These policies may be amended from time to time without resolution when it is deemed necessary.

### **2008-6 Adopted May 24, 2008**

**RESOLVED**, that Board of Directors will develop written procedures for the leasing of boat slips and the use of the Association's boat docks and boat ramp. These policies may be amended from time to time without resolution when deemed necessary.

### **2008-9 Adopted August 23, 2008**

**RESOLVED**, that Indian Rocks will not permit any member to install an outdoor furnace on their property.

### **2008-11 Adopted December 13, 2008**

**NOW THEREFORE, BE IT RESOLVED THAT THE BOARD** does hereby this date adopt the attached budget for the calendar year 2009.

#### **AND BE IT FURTHER RESOLVED THAT:**

1. The Board is hereby authorized to commit **ASSOCIATION** funds, as limited herein, to the management agent.
2. The Board may delegate the authority to commit **ASSOCIATION** funds, as limited herein, to the management agent.
3. This Resolution shall expire at such time as the annual budget for calendar year 2010 takes effect January 1, 2010

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### **2009-1 Adopted January 24, 2009**

**THEREFORE, BE IT RESOLVED**, all members of the Board of Directors shall be required to swear to and sign an Oath of Office each year at the first Board of Directors meeting. The Oath of Office will be administered and taken by an Officer of the Board following the attached format.

### **2009-2 Adopted January 24, 2009**

**THEREFORE, BE IT RESOLVED:**

1. Members in good standing will be permitted to attend the Board meetings. All attending members will sign the "sign-in sheet".
2. Each member speaking is to state his/her name and lot number.
3. If a question from a member cannot be answered at the meeting, the Board will investigate and answer the member's question at a later time.
4. No questions or statements will be entertained regarding individual personnel matters.
5. Appropriate behavior and statements are expected from all participants at meetings.
6. The time period for the "Open Forum" portion of the meeting will be limited at the discretion of the President of the Board or presiding officer.
7. Handouts available for members in good standing at these meetings will consist of minutes of the last meeting, the agenda for the present meeting, and other written materials as the Board of Directors deems appropriate.

### **2009-3 Adopted January 24, 2009**

**THEREFORE, BE IT RESOLVED,**

1. Any candidate must be a member in good standing with the association for a term of not less than two years prior to the September 25th date when candidate's resumes are due each year.
2. Only resumes submitted by candidates themselves and distributed to members through Indian Rocks POA are permitted.
3. The resumes should include but are not limited to the following:
  - a. The reason you would like to serve on the Board.
  - b. Expertise that you can bring to the board and the community that would be beneficial.
  - c. Experience that will enable you to contribute productively.
4. Limit resumes to two pages.
5. Campaigning shall be limited to:
  - a. A possible "Meet the Candidate's Night" sponsored by Indian Rocks POA.
  - b. No campaign signs or mailings are permitted.
6. Any member wishing to contact a candidate may do so by calling the candidate at the number provided on his or her resume.
7. If the above guidelines are not followed, disciplinary actions will occur. Disciplinary actions may include but are not limited to the cancellation of any and all votes cast for that candidate.

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### **2009-4 Adopted January 24, 2009**

**BE IT RESOLVED**, that the Board of Directors of the Indian Rocks Property Owners Association hereby eliminates the Nominating Committee and amends the by-laws through the removal of all references to the Nominating Committee from the by-laws and any and all resolutions.

### **2009-5 Adopted January 24, 2009**

**THEREFORE, BE IT RESOLVED**, that the Architectural Control Committee shall develop requirements for managing storm water drainage and prior to obtaining an Indian Rocks Building Permit, builders must submit a "Sediment and Erosion Control Plan" and a "Drainage Control Plan" with their building application. These plans shall meet the storm water drainage requirements of Indian Rocks and Salem Township Codes as deemed applicable by the Architectural Control Committee.

### **2009-6 Adopted January 24, 2009**

**BE IT RESOLVED**, that the Board of Directors of the Indian Rocks Property Owners Association hereby adopts the revised by-laws, resolutions, rules and regulations attached hereto as appendix A. These by-laws, resolutions, rules and regulations may be amended from time to time by a vote of the Board without resolution when it is deemed necessary.

### **2009-7 Adopted January 24, 2009**

**THEREFORE, BE IT RESOLVED**, that Resolution 2003-12, 2004-8 and Resolution 1997-4 be repealed and are no longer valid resolutions of the Association.

### **2009-8 Adopted February 21, 2009**

**THEREFORE, BE IT RESOLVED**, that all references to specific fees and fines contained in by-laws, resolutions and rules and regulations shall be deleted and amended to read, "check this year's approved Fees and Fine Schedule for current fees or fines".

### **2009-10 Adopted June 27, 2009**

**THEREFORE, BE IT RESOLVED:**

1. An Exterior Changes Application must be submitted to the Architectural Control Committee for approval.
2. All applicable Salem Township permits for a hot tub and deck must be obtained and submitted to the Architectural Control Committee with the applications
3. Setbacks are to be maintained in accordance with the setbacks for structures in place at time of application.

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4. Color of the hot tub, safety railing, decking as well as any cover or winterizing cover must conform to Indian Rocks rules in place at time of application.
5. Trees can be cleared in accordance with current Architectural Control Committee regulations. Any trees to be cleared must be shown on the application.
6. A plot plan is required that must clearly show the following:
  - a. Location of hot tub
  - b. Trees to be removed
  - c. Offsets
  - d. Perimeter of hot tub
  - e. Finished contours
7. The pump and filtration system and any heating systems must be concealed in the same manner as Indian Rocks requirements for gas tanks.
8. There are to be no solar structures for heating of the hot tub.
9. A deck structure must surround the hot tub and be attached to the rear of the house. The hot tub may not be located in the front of the property. This deck must also include a wooden railing surrounding the deck similar to any deck attached to a house. Any steps or ladders must be designed to be secured, locked or removed to prevent access.

### **2009-12 Adopted September 26, 2009**

**WHEREAS, THE BOARD OF DIRECTORS OF INDIAN ROCKS PROPERTY OWNERS ASSOC., INC. OF LEDGEDALE** has created a standing Grievance Committee and outlined its duties and now WISHES TO AMEND RESOLUTION 2008-2, PARAGRAPH TITLED: WHEREAS, the Board of Directors of the Indian Rocks Property Owners Association, Inc. of Ledgesdale desires to create a standing committee of the Association, namely a Grievance Committee. This committee's purpose will be to resolve minor disputes for members of the Association pertaining to violation of Protective Covenants, By-Laws, Resolutions, or Rules and Regulations.

**BE IT RESOLVED**, that the Board of Directors of the Indian Rocks Property Owners Association amends this paragraph to remove "This committee's purpose will be to resolve minor disputes for members of the Association pertaining to violation of Protective Covenants, By-Laws, Resolutions, or Rules and Regulations." And will replace with "This committee's purpose will be to resolve minor disputes for members of the Association pertaining to fines issued by the Indian Rocks Property Owners Association, Inc.". Further, Resolution 2008-2 reads "The duty and function of this committee will be to hear member's grievances and make findings in accordance with the governing documents of the Association. Owner's grievances will first be submitted to the Grievance Committee in writing and then the grievant will be given the opportunity to appear before the Committee and present their case in person to the Committee. Decisions made by the Committee will be final and binding". This will be replaced with "The duty and function of this committee will be to hear member's grievances and make recommendations in accordance with the governing documents of the Association. Owner's grievances will first be submitted to the Grievance Committee in writing and then the grievant will be given the

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opportunity to appear before the Committee and present their case in person to the Committee. Recommendations made by the Committee will be subject to Board review and are not final and binding until Board approval”.

### **2009-14 Adopted November 21, 2009**

**WHEREAS**, Article IX, Sections 1-c & 2-c (1) of the BY LAWS grant the Board of Directors all powers for the conduct of the affairs of the ASSOCIATION which are granted by law and the Indian Rocks Property Owners Association, Inc. of Ledgesdale documents; and

**WHEREAS**, there is a need to provide a sound financial plan for the ASSOCIATION; and

**WHEREAS**, it is the intent of the BOARD to adopt an Annual Budget as its financial plan for the year 2010;

**THEREFORE, BE IT RESOLVED**, that the BOARD does hereby this date adopt the attached budget for the calendar year 2010;

**AND BE IT FURTHER RESOLVED THAT:**

1. The BOARD is hereby authorized to commit ASSOCIATION funds;
2. The BOARD may delegate the authority to commit ASSOCIATION funds, as limited herein, to the management agent;
3. This Resolution shall expire at such time as the annual budget for calendar year 2011 takes effect January 1, 2011.

### **2009-16 Adopted December 12, 2009**

**WHEREAS, THE BOARD OF DIRECTORS OF INDIAN ROCKS PROPERTY OWNERS ASSOC., INC. OF LEDGEDALE** has created a standing Grievance Committee and outlined its duties and now WISHES TO AMEND RESOLUTION 2009-12, PARAGRAPH TITLED: WHEREAS, the Board of Directors of the Indian Rocks Property Owners Association, Inc. of Ledgesdale desires to create a standing committee of the Association, namely a Grievance Committee. This committee’s purpose will be to resolve minor disputes for members of the Association pertaining to violation of Protective Covenants, By-Laws, Resolutions, or Rules and Regulations.

**BE IT RESOLVED**, that the Board of Directors of the Indian Rocks Property Owners Association amends this paragraph to remove “The duty and function of this committee will be to hear member’s grievances and make recommendations in accordance with the governing documents of the Association. Owner’s grievances will first be submitted to the Grievance Committee in writing and then the grievant will be given the opportunity to appear before the Committee and present their case in person to the Committee. Recommendations made by the Committee will be subject to Board review and are not final and binding until Board approval” and will replace with “The duty and function of this committee will be to hear member’s grievances and make findings in accordance with the governing documents of the Association. Owner’s grievances will first be submitted to the Grievance Committee in writing and then the grievant will be given the opportunity to appear before the Committee and present their case in person to the Committee. Decisions made by the Committee will be final and binding”.

### **2010-2 Adopted August 28, 2010**

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A RESOLUTION TO AMEND ARTICLE VII, SECTION 1 OF THE BY-LAWS OF THE INDIAN ROCKS PROPERTY OWNERS ASSOC., INC. of Ledge Dale AND RESOLUTION 2007-7.

**WHEREAS**, the Board of Directors of the Indian Rocks Property Owners Association, Inc. of Ledge Dale has determined it to be beneficial to the management of the affairs of the association to change the board members terms in office.

**WHEREAS**, an election for vacant positions on the Board will be held on a yearly basis.

**NOW, THEREFORE, BE IT RESOLVED**, as follows:

1. That Article VII, Section 1 of the By-Laws of the Indian Rocks Property Owners Association, Inc. of Ledge Dale be amended as follows:

### **Board of Directors**

**\*Section 1. The affairs of the Association shall be managed by a Board of nine (9) Directors who must be members of the Association, in good standing. Directors shall be elected for a term of three (3) years until their respective successors are elected and qualified. If a vacancy occurs during a Board members term, the Board will go back to the last election held and appoint the person with the next highest votes to fill that seat for the remainder of the term. If there are no viable candidates from the last election, the Board will advertise the open seat for 30 days and appoint a new member by majority vote of the Board of Directors at a regular Board meeting.**

2. That, in the election scheduled for November 15, 2010, there will be a total of four (4) open seat for the Board of Directors, which shall be filled as follows: The two candidates with the highest number of votes will serve a three year term, the candidate with the third highest number of votes will serve a two year term, the candidate with the fourth highest votes will serve a one year term.

### **2010-3 Adopted August 28, 2010**

**WHEREAS**, this rule change is being put into place so we will not receive request from homeowners to go in front of the grievance committee after an extended period of time has passed.

**WHEREAS**, if a violation is issued and the property owner wants to go in front of the grievance committee they have 30 days from the date of the violation to pay the amount of said violation, and request in writing that they want their violation to be heard by the grievance committee. If the property owner fails to take action within 30 days, the amount will be billed to their account and must be paid.

**BE IT RESOLVED**, at a regularly scheduled meeting of the Board of Directors, of Indian Rocks Property Owners Association hereby resolves the following: This 30 day grievance rule will be added as part of the Indian Rocks official handbook and will be used by the staff when sending notice to homeowners that have received a violation.

*\*Amended by a by-laws change at the 12/17/11 Board of Director's meeting to a 7 member board*