

**RESOLUTION
OF THE
TERRY LAKE RECREATION ASSOCIATION
REGARDING POLICIES AND PROCEDURES FOR ENFORCEMENT OF THE
RULES AND REGULATIONS**

Terry Lake Recreation Association hereby adopts the following procedures to be followed when enforcing the By-Laws and Rules & regulations of the Association:

1. Reporting Violations

Complaints regarding alleged violations may be reported to a TLRA board member or the Board of Directors by a member or by an individual with lake use privileges, a group of such individuals, or any Board member. Complaints may be either in writing or oral.

2. Complaints

Preferably complaints shall be in writing. The complaining individual shall have observed the alleged violation and shall identify who is complaining, the alleged violator, if known, and provide a description of the alleged violation, what rule or regulation was violated, when observed, and any other pertinent information.

If the complaint is not in writing, or does not contain sufficient information to warrant an investigation, the Board may, at its discretion, decide not to investigate or pursue the matter.

3. Investigation

Upon receipt of a complaint by the Board, if additional information is needed, the complaint may be returned to the individual submitting the complaint, or may be investigated further by a Board designated individual or committee. The Board shall have sole discretion in appointing an individual or committee to investigate the matter.

4. Initial Warning Letter

If a violation is found to exist, an initial warning letter shall be sent by certified mail to the Violator explaining the nature of the violation.

The Violator will have 10 days from the date of the letter (or such other reasonable timeframe as stated in the letter) to come into compliance.

The foregoing procedure will not be used, however and no initial warning letter shall be necessary in the event the violation is determined by the Board to be a Repetitious

Violation (as explained in Section 11). In such event, the procedure outlined for Repetitious Violations (see Section 11) shall be followed.

5. Continues Violation After Initial Warning Letter

If the alleged Violator does not come into compliance within the timeframe set forth in the initial warning letter, this will be considered a second violation for which membership rights and/or lake use privileges may be suspended (see Section 10) may be imposed following notice and opportunity for a hearing.

A second (and possibly subsequent) letter(s) shall then be sent to the alleged Violator, providing notice and an opportunity for a hearing, and explain that if a violation is found to exist membership rights and/or lake use privileges may be suspended..

The letter(s) shall further state that the alleged Violator is entitled to a hearing provided that such hearing is requested in writing within 10 days of the date of the violation letter.

If the Board determines that the violation is a Repetitious Violation this procedure shall not apply. Instead, the procedure outlined for Repetitious Violations shall apply.

6. Notice of Hearing

If a hearing is requested, the Board will serve a written notice of the hearing to all parties involved at least 10 days prior to the hearing date.

7. Hearings

Hearings will be held by the Board. Any Board member who has a direct personal or financial interest in the outcome will recuse themselves from participation in the hearing as a decision maker.

Unless otherwise determined by the Board, all hearings shall be open to attendance by all members of TLRA.

After all testimony and other evidence has been presented at a hearing, the Board shall, within a reasonable time thereafter, render its written findings and decision.

8. Failure to Request A Hearing in a Timely Manner

If the alleged Violator fails to request a hearing in writing within 10 days of any letter, or fails to appear at any hearing, the Board may make a decision with respect to the alleged violation based on the complaining individual, results of the investigation, and any other available information without the necessity of holding a formal hearing.

9. Notification of Decision

The decision of the Board shall be in writing and provided to the Violator and the complaining individual within 30 days of the hearing, or if no hearing is requested, within 30 days of the final decision.

10. Enforcement Schedule

The following fine schedule has been adopted for all recurring violations:

First Violation	Warning Letter
2 nd Violation (same rule)	Warning Letter
3 rd Violation (same rule)	Suspension of membership rights and/or lake use privileges or expulsion from the Association by vote of the Board pursuant to By-Laws.

Third and subsequent violations may, at the discretion of the Board, result in either (1) the temporary suspension of an individual's lake use privileges (or for all individuals using the lake under a given membership), or (2) expulsion from TLRA.

If warranted, the Board may decide to turn the matter over to the Association's attorney to take appropriate legal action.

11. Repetitious Violations

Repetitious Violations are defined as a series of identical or substantially similar violations that occur repeatedly or continuously within a period of time to be determined at the discretion of the Board, with each individual violation separated by a period of no less than one day, nor more than 90 days, the result of which is a pattern of violations of the same rule or regulation.

In the event of such Repetitious Violation, in the discretion of the Board, each instance of noncompliance may constitute a separate violation, and the Board shall not be required to provide a period of 10 days from each violation to come into compliance.

A warning letter shall be sent for the first violation in the series. After the warning letter, the Board may cause violation notices to be sent for each violation in the series and giving notice and an opportunity for a hearing. The Board shall individually consider each violation for which a hearing is requested, but is permitted to combine any and all hearings requested for Repetitious Violations on one date.

12. Other Enforcement Means

This enforcement process is adopted in addition to all other enforcement means which are available to the Association through its Articles of Incorporation, By-Laws, Rules & Regulations and Colorado law. The use of this process does not preclude the Association from using any other enforcement means.

All correspondence shall be by certified mail.

13. Deviations

The Board may deviate from the procedures set forth in this Resolution if in its discretion such deviation is reasonable under the circumstances.

14. Amendment

This policy may be amended from time to time by a 2/3 vote of the Board of Directors.