Section 6 - Sample Provision Excerpt (Public Preview)

these regulations will be towed at the owner's expense and fines may be levied on the owner of the vehicles. The location of handicap parking will be shown at your orientation.

Patios and Balconies

1.

Owners of condominiums with attached decks or balconies must obtain written

ISSUE #1

n the Board prior to painting, enclosing, remodeling, or altering...

MARKUP #1 ->

MARKUP #1 · POTENTIAL ISSUE FOR REVIEW

BOARD & COUNSEL REVIEW

Sec. 6 (p. 4): Potential Issue for Review: Fining or enforcement clause grants authority to levy fines or penalties without spelling out the statutory notice, cure, fine schedule, and hearing procedures under Mont. Code Ann. § 35-2-521 & § 70-23-308; ARM 24.210.641 - look for this language in other governing documents (such as a standalone Fining/Enforcement Policy, Rules & Regulations, Bylaws, or amendments) that were not included in this review.

Statutory / Legal Reference: Mont. Code Ann. § 35-2-521 & § 70-23-308; ARM 24.210.641

Statutory Comparison: Under Mont. Code Ann. § 35-2-521 (Montana Nonprofit Corporation Act) and § 70-23-308 (Montana Unit Ownership Act), any proceeding or procedure challenging or disciplining a member - including suspending membership privileges or imposing disciplinary fines - must be carried out in good faith and in a fair and reasonable manner, requiring at least 15 days' prior written notice by first-class or...

CURRENT WORDING IN DOCUMENT:

these regulations will be towed at the owner's expense and fines may be levied on the owner of the vehicles. The location of handicap parking will be shown at your orientation. Patios and Balconies 1. Owners of condominiums with attached decks or balconies must obtain written approval from the Board prior to painting, enclosing, remodeling, or altering...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Look for the required notice, cure, fine schedule, and hearing language in other governing documents not included in this review. If not already set forth in another document, incorporate: Personal property, signage, displays and other items must not be visible through windows from outside the building. Vehicle and Parking Regulations VEHICLES PARKED IN THE PARKING SPACES THAT ARE ASSIGNED...