

Section Clause #1 - Sample Provision Excerpt (Public Preview)

CHESTNUT

GLEN

PARKING ADVISEMENT

Dear Neighbors,

Recently the Board has had quite a bit of discussion regarding parking in the neighborhood.

After a significant amount of research and reaching out to our Wilson County resources, we

ISSUE #1 We take a minute to communicate regarding parking regulations and enforcement.

Street parking over 48 hours is...

MARKUP #1 ->



MARKUP #1 · POTENTIAL ISSUE FOR REVIEW

BOARD & COUNSEL REVIEW

Sec. Clause #1 (p. 1): 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 Tenn. Code Ann. § 48-56-302 & § 66-27-402(a)(11) - 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: Tenn. Code Ann. § 48-56-302 & § 66-27-402(a)(11)

Statutory Comparison: Under Tenn. Code Ann. § 48-56-302 & § 66-27-402(a)(11), an association may levy reasonable fines or suspend member rights only after providing prior written notice and a fair opportunity for the owner to be heard before the sanction becomes effective.

CURRENT WORDING IN DOCUMENT:

CHESTNUT GLEN PARKING ADVISEMENT Dear Neighbors, Recently the Board has had quite a bit of discussion regarding parking in the neighborhood. After a significant amount of research and reaching out to our Wilson County resources, we wanted to take a minute to communicate regarding parking regulations and enforcement. Street parking over 48 hours is...

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: SECTION: NOTICE AND HEARING BEFORE FINES OR SUSPENSIONS (Tenn. Code Ann.