SILVERCREEK TOWNHOMES ASSOCIATION
Resolution of the Board of Trustees

Resolution # 25-02

Resolution to Establish Rules and Associated Schedule of Fines

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This Resolution (the "***Resolution***"), is hereby adopted by majority vote of a duly constituted Quorum of the Board of Trustees of the Silvercreek Townhomes Association on this 21st day of August, 2025 (the "***Resolution Date***").

RECITALS

WHEREAS; ARTICLE II Section 5 of the Declaration states: ***"The Trustees shall have the authority to promulgate rules and regulations for the governance of the Properties, and persons within the Properties."***

WHEREAS; SECTION 3.8 of the Bylaws states: ***"A majority of the number of Trustees in office shall constitute a Quorum for the transaction of business at any meeting of the Board of Trustees. The act of a majority of the Trustees present at any meeting at which a Quorum is present shall be the act of the Board of Trustees."***

WHEREAS; On the Resolution Date, a Quorum was present and a majority of that Quorum did vote on this Resolution to wit;

THEREFORE BE IT RESOLVED; the **Silver Creek Townhomes Rules and Regulations Summary** (attached as Exhibit A), with its accompanying **Schedule of Fines** (attached as Exhibit B), are hereby approved and ratified.

CERTIFICATION

I, THE UNDERSIGNED, do hereby certify that I am the acting President of The Silvercreek Townhomes Association, a Utah nonprofit corporation, and that the Board of Trustees thereof have adopted this Resolution as set forth herein.

IN WITNESS WHEREOF;

Adam Witt – Board of Trustees President

Exhibit A

Silver Creek Townhomes Rules and Regulations Summary

Ratification Date: 8/21/25

Section 5, of Article II of the Declaration states:

> *"Rules. The Trustees shall have the authority to promulgate rules and regulations for the governance of the Properties, and persons within the Properties. These rules of the Association shall be compiled and copies shall be made available for inspection and copying by the Trustees."*

This **Silver Creek Townhomes Rules and Regulations Summary** document (the ***"Rules"***), effective as of the **Ratification Date** noted above, *supersedes* all earlier versions of the same. They are provided herewith by the Trustees in an effort to establish for each Owner a general summary of the fundamental rules and regulations for the Silver Creek community. The Rules will be posted on the Silver Creek website. It is the responsibility of each Owner to be conversant with the provisions of all the Governing Documents, which provide more comprehensive inclusions, definitions and explanations of the rules and regulations. The Governing Documents include: The Declaration, The Articles of Incorporation, The Bylaws and these Rules. All of the Governing Documents, including the most current Rules, are available on the Silver Creek website, at;

https://www.silvercreek-hoa.org/

Unless specifically set forth herein, the Definitions used in this document are the same as those used in the Declaration.

1. **Lease Restrictions**:

   Leasing of any Lot or Townhome is expressly prohibited, subject to certain limited exceptions (see Amendment #3 to the Declaration).

2. **Quiet Enjoyment**:

   No activities shall be permitted which may be or may become an annoyance or nuisance (including those caused by pets), which shall in any way interfere with the Quiet Enjoyment of each of the Owners.

3. **Appearance**:

   The Association provides regular landscape maintenance for each Lot, however, each Owner is ultimately responsible for maintaining the appearance of their Townhome and Lot. Trash must be removed from all Lot areas. Any items which are unsightly or which detract from the beauty of the subdivision, such as; building materials, vehicle parts, appliances, broken or discarded items, general clutter, etc., shall not be allowed. Owners shall keep structures, landscaping and improvements maintained and in good order. Owners are responsible for keeping lots free from rubbish, litter and noxious weeds.

4. **Roadways - Parking:**

   a. The designated speed limit on all interior roads is fifteen (15) miles per hour (mph).

   b. No vehicle of any kind may remain parked on the roadways for more than 72 hours.

   c. No recreational vehicles, trailers, boats, motorhomes, etc., can be parked inside the

Properties, unless they are parked inside of a garage out of public view.

5. **Architectural Changes:**

Any changes, improvements, alterations or modifications to the exterior of a Townhome or Lot (including landscaping) must have the prior written approval from the Board of Trustees. The application process for the same is set forth in the Architectural Standards and Regulations (the "ASR") The ASR can be found online at:

https://www.silvercreek-hoa.org/

6. **Pets:**

No animals of any kind shall be raised, bred or kept on any Lot or Townhome, except that dogs, cats or other household pets, two or less in total number, may be kept provided that they are not kept, bred or maintained for any commercial purpose. Within the Common Areas, pets must be kept on a leash. Pet owners are responsible for cleaning up after their pets including all pet waste.

7. **Guests:**

Townhome/Lot Owners are responsible for their guests. Any Rules violations by any guest will be considered a violation by the affiliated Townhome/Lot Owner.

8. **Signs:**

a. No advertising signs, billboards, objects of unsightly appearance, or nuisances shall be erected, placed, or permitted to remain on any Lot or any portion of the Properties.

i. During the time a particular Townhome is actively offered for sale, the Owner of said Townhome may display one (1) for sale sign on their Lot that does not exceed two (2) square feet in surface area.

b. A Townhome Owner may display one (1) political sign on their Lot that does not exceed two (2) square feet in surface area.

c. Any sign that contains obscene, profane, or commercial content is not allowed.

9. **Flags:**

a. An authentic flag of the United States of America may be displayed on a Lot that does not exceed 3' x 5.'
b. Flagpoles, exterior wall mounts or exceptions to 9.a., must be approved in writing by the Board of Trustees through the ASR application and approval process set forth in rule 5 above.
c. In addition to 9.a., one (1) flag, no larger than two (2) square feet, that does not include obscene, profane or commercial content, may be displayed on a Lot.

10. **Holiday Decorations:**

a. Holiday decorations, including lighting, may be displayed 30 days prior to any given holiday and must be removed within 10 days following said holiday.
b. Any decorations must not contain any obscene, profane or commercial content.

c. No strobe or flashing lights are allowed.
d. Decorations cannot be placed on Lot areas that are subject to regular maintenance by the Association.

11. <u>Pool Rules and Regulations:</u>

a. POOL HOURS are 7 a.m. to 10 p.m. daily.

b. There is no lifeguard on duty. Bathers swim at their own risk. Bathers should not swim alone.

c. Pool use requires the presence of the Owner or the Owners Registered Responsible Representative (defined as an immediate member of the Owners family who is 18 or older), and displaying an authorized Use Pass.

d. The maximum number of bathers allowed under any single Use Pass is eight (8).

e. Both access gates located on the perimeter fence of the outdoor pool are restricted to the use of maintenance/service personnel. No Owner access is allowed.

f. All diving (head-first into the water) and flips into the pool are strictly prohibited.

g. Registration or "Sign In" is required prior to using any of the pool facilities.

h. Bathers must comply with all posted rules and ordinances.

i. No food of any kind is allowed in the pool areas.

j. No drinks of any kind are allowed in the pool areas unless contained in an unbreakable container.

k. No alcohol is allowed in the pool areas.

l. No smoking or vaping are allowed in the pool areas.

m. Proper swim attire must be worn at all times. No cutoffs.

n. Bathers must take a cleansing shower before using any pool (State Law).

o. No pets/animals are allowed in the pool areas.

p. Owners and Guests must comply with all posted rules and regulations.

q. Use common sense and good manners.

Exhibit B

SILVERCREEK TOWNHOMES ASSOCIATION

SCHEDULE of FINES and DEFINITIONS

1. **Violation**. A "***Violation"*** is defined as the failure of an Owner or Guest of an Owner to comply with the provisions of the Governing Documents, which include the Declaration, Bylaws, Articles of Incorporation and the current, published Rules and Regulations, which will be collectively referred to as the ***"Rules"*** or ***"Rule."***

2. **Notice of Violation**. The ***"Notice of Violation"*** is the written notice from the Board of Trustees issued to an Owner evidencing the nature of the Violation and right to cure.

3. **Notice of Fine**. The ***"Notice of Fine"*** is the written notice from the Board of Trustees issued to an Owner as the result of a Continuing Violation or a Repeat Violation. The Notice of Fine will reflect the nature and amount of the Fine being assessed in accordance with the Schedule of Fines, including Owner's right to appeal.

4. **Types of Violations**:

    a. **Initial Violation**. An "***Initial Violation"*** is the Violation of any Rule or Rules occurring within a one (1) year period, in which no other Notice of Violation was issued for a similar Violation.

    b. **Continuing Violation**. A ***"Continuing Violation***" is any Violation that remains uncured or unresolved following the Cure Period set forth in the Notice of Violation.

    c. **Repeat Violation**. A "***Repeat Violation"*** is a Violation of the same Rule for which a Notice of Violation has been previously issued and occurs within one (1) year of said Notice of Violation.

5. **Fines**:

Schedule of Fines

Nature of Violation	Action Taken
Any violation of the Rules, excepting a Violation of Lease Restrictions noted below.	**Initial Violation: Notice of Violation** is sent as a "courtesy notice," with right to cure. No Fine is assessed. **Continuing Violation:** $50 Initial Fine and $20 per day from the date of Notice of Fine until Violation is cured and all fines are paid in full. **Repeat Violation:** $200 Fine and $50 per day from the date of Notice of Fine until Violation is cured and all fines are paid in full.
Violation of Lease Restrictions	**Initial Violation:** 50% of the annual assessment in effect as of the date of Violation, plus $50 per day from Notice of Fine until Violation is cured and all Fines are paid. **Repeat Violation:** 50% of the annual assessment in effect as of the date of Repeat Violation, plus $1,000, plus $100 per day from Notice of Fine until Violation is cured and all Fines are paid.
Violation of Pool Rules	In addition to any Fines imposed above, deactivation of key fob until all Fines are paid.

6. **Request for Hearing.** An Owner who is assessed a Fine may request an informal hearing before the Board of Trustees to dispute the Fine. A Request for Hearing must be made within 30 days of receipt of a Notice of Fine. A Request for Hearing must be in writing and hand delivered to a member of the Board of Trustees, or sent via certified mail to:

   Silver Creek Homeowners Association
   1732 W. 540 N. #163
   St. George, UT 84770