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| Quorum not defined | Article I, Section 1, Paragraph P. now defines Quorum | Quorum is now defined, and matches the definition in the By-laws |
| What constitutes a legal Board | Defined in the by-Laws, not the Declaration | Not part of the CCRs … please refer to the by-laws. |
| Concerns around Board being able to charge for use of the commons area  Admission fees | Article III, Section 1, Paragraph C  Article III, Section 1 Paragraph E | 1. Removed any explicit reference to charging fees for use of common areas 2. Gave board ability to create rules and regulations around usage of the common areas… which could include fees if they see fit 3. Gave Owners ability to revoke any rule created by the board with 25% vote of owners. |
| Replacement of any play area equipment or benches | Article III, Section 2 | Explicitly stated that the Association is not required to replace any common area equipment (or benches)… but we are required to maintain safety, so we may have to remove any equipment in disrepair. |
| Annual Assessment could increase in unlimited fashion | Article IV, Section 3 | Went back to ’77 limit of 10% increase… unless the Board gets 2/3 vote in support of larger. |
| Request to implement ‘fall-back’ to decreasing quorum in event of lack of participation | Article I, Section 1, Paragraph P | Definition of Quorum now includes decreasing % of Owners required at each successive meeting if Quorum not met in prior meeting |
| Garden Fences permitted? … and permitted in front yard?  Landscaping beds / timbers for raised gardens  Neighbor approval should be required  Stockade and shadow-box fencing  Fence limited to width of house | Article V, Section 11.  Article V, Section 15. | Reverted to the ’77 position of leaving all Fences needing the approval of the ACC and otherwise not allowed.  Removed explicit reference to Garden Fences  However, All Fences require ACC approval.  All landscaping (to include beds and raised beds) shall be kept well maintained and free of weeds.  Removed all width restrictions on fences |
| Association able to get costs for legal fees… why can owners not get the same. Should be decided by the court. | Article VII, section 3. | Removed clause preventing Owners from recovering fees and costs from the Association. |
| Association needs to provide 30, 60, 90 days notice to Owner before abatement activities or charges | Article VII, Section 4 | Concern is now mostly moot as we removed the Association’s rite to abate on any Owners Lot, and restricted their right to Abate to the Common Areas only.  Fees/Fines must be published ahead of time. |
| Limits on number of dog / cat / pet  Barking dogs  Animals need to be controlled  Disposal of fecal matter | Article V, Section 14 | Removed many pet and animal restrictions, especially if ‘indoors’.  Animals must not be allowed to become objectionable or offensive due to noise, odor or unsanitary conditions.  City of Novi has pet regulations that limit the number to three.  Owners responsible for collection and disposal of fecal matter. |
| Cannot prohibit signs to the extent it becomes a freedom of speech issue | Article V, Section 18 | Signs (and Flags) are now restricted to appropriate times of the year / seasons, and durations of time left up.  We avoided topics where possible.  Signs and flags must be kept in good repair. |
| RV / Motor home temporary presence should not be restricted to 48 hours, suggested 96 as compromise  … no language for Trailers | Article V, Section 22 A | Changed to 72 hours to align with the City of Novi Ordinance.    Added trailers to the 72 hour temporary presence limit. |
| Objectionable sights | Article V, Section 24 | Removed “board approval” … it is just no allowed |
| Board making rules and regulations | Article V, Section 25 | Restricted this section to the Commons Areas. Removed any reference to Owner’s Lots |
| Recreational facilities  Pool | Article III, Section 2 | Removed this |
| Dumping | Article III, section 2 | No dumping in the common’s areas |
| Costs recoverable from owner…  Court should decide who can or cannot recover from whom… | Article VII, Section 3 | Changed ‘actual legal fees’ to ‘reasonable legal fees’    Removed restriction on Owners not being able to recover legal fees from the Association. (This leaves all suits and judgements open both ways.) |
| Why is the Board allowed to interpret the Declaration    Safety should be included | Article I, Section 2 | Left the ’77 approach intact.  The board was elected, and the interpretation of the Declaration needs to be entrusted to someone.  Added ‘safety’ to this Section. |
| Nuisance noise prohibition should be added  Dumping needs to be prohibited | Article III, Section 2 | City ordinances address noise levels    Dumping expressly prohibited |
| Board should notify owners before granting easements | Article III, Section 6 | ‘Board will notify owners”, was added in. |
| Typo in 2nd sentence  Annual increases must be capped | Article IV, Section 2 | Re-wrote entire section    Restricted to 10% increase without 2/3 vote of Owners |
| What is the definition of a Dwelling in this context | Article V, Section 11 | Removed restriction on Fences being no wider than the residence. |
| Does this intend to prevent day-care workers    What constitutes bulk storage?  … inside or outside? | Article V Section 1 | Restriction on Day-care removed    Bulk storage restriction removed… as long as everything can be stored inside the residence and garage  Restrictions on type of home business mostly removed. Retained restrictions on increased pedestrian or vehicular traffic or other impacts on the subdivision and your neighbors. |
| Ornamental materials defined  Bird bath allowed | Article V, Section 15 | Struck almost all of Section 15.  Essentially down to: landscaping must be well maintained and free of weeds |
| Co-owner introduced here | Article V, Section 17 | Removed “co”… Owner includes joint owners in the definition. |
| Garage Sale Signs? | Article V, Section 18 | Garage Sale signs not specifically addressed.  City of Novi ordinances do address. |
| Non-responsiveness is not an acceptable disapproval | Article VI, Section 4 | This is now Article VI, Section 3…  Removed reference to 30 day limit. ACC will usually respond quickly, especially if you convey the urgency of the response.  Owners need to work with the ACC (and Vice versa) to gain approval. |
| Entering an owner’s lot or property without consent | Article VII, Section 4 | Removed Boards right to enter any Lot or Residence.  … restricted their rights to the common’s areas only |
| Grandfathered Fences and other structures? | Article VII, section 5 | Must be kept in good repair |
| Cumulative Rights need better description | Article VII, Section 6 | Cumulative just means that exercising any one section does not mean that the association chose to not exercise any other section… they can all be used ‘cumulatively’  … typical legal speak in a contract… |
| Subjective rules  ‘Difficult to prove rules’ | Article VII, Section 7 | Tried to remove as many ‘subjective’ rules as possible… but there is no way to make it perfect.  Most subjective items that were left in are in alignment with City Ordinances |
| Does it need to be signed by the duly elected president to be legal? | Signature block at the end | It just says “Title: President” …  It will be signed once approved by the Owners. |
| Right of the board to convey / Transfer portions of the common areas to public or quasi-public agencies | Article III, Section 1, Paragraph F (soon to be E) | Wording was updated by the lawyer, but retained the same meaning. |
| Wording around Assessments and special/additional assessments is abhorrent | Article IV, Section 1 & 2 | Put 10% cap back in  Removed Additional Assessments  Added quorum logic to Special Assessments |
| Why are the sections on wells and power wiring needed? | Article V, section 10 and 19 | Section 10 Just says everything needs to be underground.  Section 19 still prohibits wells… 2010 had the well prohibition… and the lawyer kept it also. We didn’t have an objection, so we left it.  If several owners feel strongly, the language could be changed. |
| Knowledge of City ordinances and how to properly report/refer | Misc | City ordinance numbers and state laws can change so we did not reference any particular code/ordinance/law.  The CCRs are not intended to be an index to the city/county/state rules… or how to report against them, or who to report to… this information is easily searchable on google, or by visiting the civic center. |
| Garbage cans  … other subs have issue with new larger cans not being able to be hidden, thus viewable from the street… | Article V, Section 20 | Now allow cans inside of the residence, or back of the house, or side of the house if stored on a stable, flat surface.  Novi ordinance says cans must be stored totally enclosed or inside, or in the back or side of the residence, so as to not create a nuisance to the surrounding residents. |
| ’77 version only allows for sale signs  ’23 versions gives more types of signs, but allows board to approve more exceptions, but in general restricts free speech | Article V, Section 18 | Further expanded types of signs and flags allowed, but restricted the duration of their display, and required that they be kept in good repair during their use. |
| Commercial Vehicles in sub | Article V, Section 22a | Commercial vehicles defined to match Class 4/5 LARGE trucks.  … company names and logos do not make a vehicle a commercial vehicle. |
| Vehicle / Car maintenance | Article V, Section 22 | Maintenance or repair of vehicles shall not be permitted in the Subdivision for up to 48 hours |
| Interest charges vs Late fees |  | Shifted to a late fee on each successive invoice/statement, not more often than monthly.  Needed to give the association some teeth to enforce non-payment of assessments… within limits. |
| Who controls how much the fines are… seems like a lot of power to the board. | Article VII, Section 7. | Fines to be set and conveyed to owners before they can be levied. |
| Concerned that the word ‘interpret’ should be ‘enforce’ | Article I, Section 2 | Many of the CCR sections spell out the enforcement rights of the board. This Section (article 1, section2) gives the Board the right to interpret the document.  Someone needs to have the right to interpret the document otherwise we have no way to resolve a dispute over the wording and meaning of the document.  The board is elected by the owners, and is the proper body to have the right to interpret. |
| Restrictions on un-married couple living in a residence. | Article V, Section 1 A  Article V, Section 1 B | Single-Family residence is in reference to the type of building not he occupants.  No restrictions on the occupants other than the City’s limit on number of occupants, not type or relationships. |
| Need to allow vinyl siding | Article V, Section 4 | Added Aluminum and vinyl siding as allowable building materials. |
| Sheds are listed in the ‘77 as not allowed to be lived in  What if you purchase a house with a shed? | Article V, Section 5 | Sheds are not allowed, without approval from the Architectural Control Committee.  All existing structures (including Sheds) need to be kept in good condition and repair. |
| Tents for kids or parties | Article V, Section 5 | Tents for recreational or entertainment purposes are allowed for no more than 48 hours. |
| Would like to allow a fence taller than 4 feet | Article V, Section 11 | fences are still restricted to a maximum of 4 feet.  … same as the ‘77 CCRs |
| If the board does not maintain the commons area, who do we contact | ? | If the commons area is allowed to go wild, the city will eventually mow it for us, and charge the association for the service.  Otherwise the board is the only body responsible for the maintenance of the common area |