

1.01 Definitions:

A. "Automated Irrigation System" means irrigation conducted through any system in which electronic controls open and shut the water supply based on a timing device that controls the flow of water to various zones of lawns and gardens without the need for human intervention.

B. "Hand-Watering of" means that use of system by the to plants and handheld hose

Plants and Shrubs" water from the application of water shrubs through a that is constantly and personally attended by the person watering shrubs.

those plants and C. "Irrigation" or the use of water the application of that gardens, or plants and

"Irrigate" means from the system by water to lawns, shrubs.

D. "Manual Irrigation System" means irrigation conducted through any system that is not an Automatic Irrigation System, including but not limited to irrigation conducted through hose(s) attached to valves and sprinklers.

1.03 Penalties. Each day of violation of any term set forth in Section 1.02 may be assessed a fine of \$25.00, provided that, in the event that a landowner has been fined more than \$50.00 in any calendar year, all subsequent fines for the remaining calendar year shall be in an amount of \$50.00 for each day of violation.

Notice of the violation setting forth the date and nature of the violation, together with the fine assessed for that violation, shall be sent to the Landowner at his street address, or at such other address that the Landowner provides the Board of Directors of the Valley Grove Homeowners' Association in writing. Fines not paid by the date of payment set forth herein shall accrue interest at the rate of 10%, compounded annually, commencing on the date following the date upon which payment of such fine is due. Liens for the payment of any unpaid fines together with interest thereon may be filed against any lot owned by any Landowner assessed a fine pursuant to the terms of this Section. B. Any Landowner provided with a notice of violation and assessed a fine pursuant to this Section may be heard on any issue of whether a violation occurred by providing the Board of Directors of the Valley Grove Homeowners' Association in writing with notice of the

Landowner's intention to contest the notice of violation no later than the fifteenth day of the month following the month in which the notice of violation was mailed or otherwise served on the Landowner. The Landowner shall thereupon be advised of the time and place that he may be heard upon the issue of whether the violation set forth in the notice of violation occurred. It shall be no defense to a notice of violation issued under this Section that someone other than the Landowner, such as a lessee, tenant, or guest, committed the violation unless the Landowner shows that the violator was wholly without authority to be on his premises.

Any election of any Landowner to contest the fact of any violation identified in the notice of violation shall not postpone the date for payment of the fine, and in the event that the notice of violation is sustained, the Landowner shall promptly pay the whole amount of the fine and all accumulated interest. C. In the event that any Landowner refuses or otherwise fails to pay any fine and all interest thereon when due, and that Landowner commits further violations of the terms of section 1.02 hereof, the board of Directors of the Valley Grove Homeowners' Association may take such additional steps including, without limitation, curtailing or shutting off the water and water supply available to any such Landowner from the Valley Grove Water System until such fines and interest have been paid.