

11-01 OVERDUE ANNUAL ASSESSMENTS

(adopted June 14, 2011)

All annual assessments are payable not later than April 30th of each year. The following actions shall be taken regarding overdue annual assessments:

1. **May 1st** (current year) ...
 - a. a late fee of \$25.00 shall be attached to all overdue accounts, and
 - b. member voting rights shall be suspended until the account is paid in full.
2. **June 1st** (current year) ...
 - a. an interest charge of 1.5% per month shall be assessed to the outstanding balance, and
 - b. membership privileges for the owner and the property (to include tenants), including Though-the-Fence access to the airport properties, shall be suspended until the account is paid in full. A “Notice of Suspension” shall be mailed to the address of record for the member (property owner) and a copy of said notice shall be posted on the property.
3. **January 1st** (following year) ...
 - a. a lien against the property for the outstanding assessments, including all legal and collection costs, shall be filed with the El Paso County Clerk and Recorder.

Ref: Bylaws: Article V – BUSINESS MANAGEMENT

Section 7. Disciplinary Action. Dues and assessments are a legal debt of the member/members who owns the land in question. Unpaid dues and assessments are collectible by civil action brought by the Association. Past due amounts draw interest at 1½% per month.

The Association may withdraw the right to use runways, taxiways and other Association facilities from members (or tenants of members) that are in default on payment of assessments of dues.

The Association may sue to enforce deed covenants and, also, any offended landowner in the deed covenant area may sue to enforce deed covenants. Remedies shall include injunctive relief and damages.

The Association may sue to enforce rules and requirements under Article VI, Architectural Control Committee, and shall be entitled to injunctive relief and damages. Also, any member may sue to enforce said rules and requirements.

Unpaid dues and assessments shall be secured by a lien upon the land in question. The Association may record a notice of lien in the records of El Paso County, Colorado, and the lien shall have priority against all other encumbrances and interests, except tax liens, recorded subsequent to the date of recording of the notice.

Any violation of safety, by-laws, or rules and regulations adopted for the Association may be disciplined by the Board of Directors. A person suspected of being in violation will be given the opportunity to explain his/her actions before the Board of Directors at a regular or special meeting. The person will be notified in writing and informed of the date and time for the hearing. The decision of the Board is final.

In any legal action to enforce covenants, rules and regulations, assessments, or to recover losses of airport property due to damage or theft, the Association and its Directors shall be entitled to all costs of the legal actions, including attorney fees.

Background. As the MLAA continues to grow every year, and the work and complexity of administering management of the Association and the airport continues to grow, systematic standards need to be developed to assist the volunteer labor and resources that we continue to rely on. In addition, standard procedures need to be promulgated for membership expectations in both member and aviation endeavors.

Discussion. The purpose of this rule is to establish a schedule for enforcement of annual member assessments in order to sustain MLAA revenues and meet financial obligations.