

COMPLAINT AND FINE PROCEDURES

August 1, 2017

Process

1. Except as noted below, upon receiving a complaint or observing a violation of the Covenants, Conditions and Restrictions, By-Laws, Amendments and/or a policy of the Architectural Review Committee(ARC), a Courtesy Notice will be sent that will:

- a. notify the homeowner of the alleged violation
- b. cite the authority for the violation
- c. request the homeowner correct the violation within 10 days
- d. request the homeowner report the corrective action taken or indicate why no violation is believed to exist

2. Except as noted below, once the violation continues for 10 days after the Courtesy Notice is sent, if no response is received or if the homeowner's response is not accepted by the ARC or Board of Directors, a Notice of Violation informing the homeowner of:

- a. the violation
- b. the action required to correct the violation
- c. the period of time (10 days after the Notice of Violation is sent) by which the violation must be corrected before a fine is imposed

3. Except as noted, if the violation is not corrected within 10 days after the Notice of Violation is sent, a fine will be imposed.

4. If the homeowner has previously been sent a Courtesy Notice or a Notice of Violation concerning a violation, a second similar violation will result in the issuance of a Notice of Violation (i.e., no Courtesy Notice will be issued first). The third and all subsequent similar violations will result in the immediate imposition of a fine.

5. Once notified of the imposition of a fine, the homeowner will be allowed 10 days to appeal by making application to the Board of Directors. Fines will go into effect after the expiration of the 10 day period. The Board of Directors will send a letter advising the homeowner that the fine has gone

into effect and that a lien will be placed on the property if the fine is not paid within 30 days.

Fines

6. Fines will be imposed as follows:

a. Parking on the lawn/sidewalk and/or overnight: first violation \$50, second violation \$100, third and subsequent violations \$500. A Courtesy Notice will be sent after the first occurrence. The next occurrence will be considered the first violation for the purposes of imposing fines and the Notice of the Imposition of a Fine will be sent.

b. Storing a boat, trailer or camper overnight without prior approval from the Board of Directors: first violation \$50, second violation \$100, third and subsequent violations \$500 A Courtesy Notice will be sent after the first occurrence. The next occurrence will be considered the first violation for the purposes of imposing fines and the Notice of the Imposition of a Fine will be sent.

c. Failing to keep property in a clean and orderly manner or to maintain landscaping: first violation \$50, second violation \$100, third and subsequent violations \$500

d. Window or wall air conditioner: first violation \$50, second violation \$100, third and subsequent violations \$500

e. Failure to complete construction within 12 months: \$50 per day

f. Allowing pets to make objectionable noise or cause inconvenience to owners of other lots or not removing and disposing of pet waste properly: first violation \$50, second violation \$100, third and subsequent violations \$500 In the case of failure to remove and dispose of pet waste properly, a Courtesy Notice will be sent after the first occurrence. The next occurrence will be considered the first violation for the purposes of imposing fines and the Notice of the Imposition of a Fine will be sent.

g. Violation of the firearm, weapon or hunting apparatus regulations. No courtesy notice will be sent.

h. Removal of a tree with a 6" or greater diameter measured 2' above the ground without ARC approval: first violation \$300 and each subsequent tree violation \$100 with a maximum fine of \$1000 per occurrence of violation(s). In addition to paying any imposed fine, the homeowner will be required to plant a tree with a diameter of at least 5" measured 2' above the ground in an ARC approved location for **each** tree removed. Neither a Courtesy Notice nor Notice of Violation will be sent. The fine will be imposed immediately.

i. Fines for violations other than those above, including sign violations, may be imposed by the Board of Directors.

7. Failure to correct a violation within 10 days will be considered an additional violation for the purposes of imposing fines.

THE ABOVE IS CONSISTENT WITH THE BYLAWS AND BOARD/ARC POLICIES AND PROCEDURES. THESE PROCEDURES ARE NOT INTENDED TO LIMIT THE USE BY THE ASSOCIATION OF ANY OTHER REMEDIES OR ENFORCEMENT PROCEDURES OTHERWISE AVAILABLE UNDER THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, THE BYLAWS, OR APPLICABLE LAW.