

**PALAMAR OAKS VILLAGE HOMEOWNER'S ASSOCIATION, INC.**

4150 Jefferson Drive ~ St. Cloud, Florida 34769-6709  
Message Phone (407) 957-9533

September 5, 2006

**FINE(S) AND FEE(S) SCHEDULE  
POLICY STANDARDS**

**References:**

- 1) BY-LAWS OF PALAMAR OAKS VILLAGE HOMEOWNERS' ASSOCIATION, INC.; PHASE I & II; ARTICLE XVII INCLUDED IN THIS DOCUMENT;
- 2) SUSPENSIONS / FINES / ACTIONS AT LAW OR IN EQUITY HEARING COMMITTEE POLICY STANDARDS;

Fines & Penalties imposed as to the following conditions in accordance with the Articles of Incorporation; Declaration of Covenants, Conditions and Restrictions; By-Laws; adopted Rules and Regulations; and the Hearing Committee Policy Standards:

- Violation or failure to comply with the By-Laws or the follow Rules & Regulations regarding:
  - Exterior Maintenance (i.e. Roofs, Pressure Cleaning & Painting, Garage Doors, Screen Porch/Room enclosures, Exterior Doors & Storm Doors, Gutters, Downspouts, Driveways, Entryways, etc.).
  - Vehicle Parking
  - Landscaping
  - Clubhouse & Pool Usage
  - Antennas
  - Architectural & Security Issues (see below)

**\*FIRST OFFENSE: \$25.00 PER DAY/PER VIOLATION**

**\*SECOND OFFENSE: \$50.00 PER DAY/PER VIOLATION**

**\*THIRD OFFENSE: CIVIL plus ATTORNEY FEES & COURT COSTS**

- Proper notification to be given, by certified mailing, allowing 14 days to correct violations: a 2<sup>nd</sup> and/or 3<sup>rd</sup>. offense after a 1<sup>st</sup> offense notification has been provided and the violation corrected, a fine or other action will be imposed immediately since the fourteen (14) day notification for correction has elapsed.
- Violations that require a contractor to perform a correction and the contractor is unable to perform the correction within 14 days; a written statement requesting an extension and a copy of the contract shall be submitted to the Association for review. The fine shall be reduced to \$0 for an Association approved extension request. However, the 14 days allowed to correct a violation and the fine for that violation shall be re-imposed by the Association if it determines that correction activities are not adequate to insure that a violation will be corrected in a timely manner that is determined by the Association.

**IN REGARDS TO A SECURITY ISSUE, PERSONAL SAFETY ISSUE, OR NUISANCE ISSUE: \$100.00 PER DAY/PER VIOLATION. i.e.: blocking ingress & egress to driveway areas for emergency purposes of access, destruction and/or endangerment in common areas, OR destruction and/or endangerment on individual unit owners properties OR creating a nuisance condition. Notification to the St. Cloud Police Department for immediate correction and the other conditions for the above offenses apply.**

**IN REGARDS TO ANY ARCHITECTURAL ISSUE: A RANGE FROM \$25.00 TO \$100.00 PER DAY/PER VIOLATION AND THE AMOUNT BASED ON THE NATURE OF THE VIOLATION AS DETERMINED BY THE BOARD OF DIRECTORS. The other conditions of the above offenses also apply.**

**ADDITION OF ISSUES AND FINES/PENALTIES**

Fines and Penalties will be established for other issues as they become before the Board of Directors and added to this document in an effort to enforce the requirements of the governing documents in a reasonable and uniform manner.

**PENALTIES IN ADDITION TO THE ABOVE THAT MAY BE IMPOSED**

Suspension of common area facilities usage privileges (i.e. pool, clubhouse, etc.) when in violation of any of the above, not to exceed (60) days or until the infraction is corrected. The association may suspend the voting rights of a member for the nonpayment of regular annual assessments that are delinquent in excess of 90 days.

**BY-LAWS OF PALAMAR OAKS VILLAGE HOMEOWNERS' ASSOCIATION, INC. PHASE I & II;  
ARTICLE XVII; VIOLATIONS**

**Section 1. Fines and Penalties.** The Board of Directors, after approval by two-thirds (2/3) vote, shall levy fines against any member (Owner as defined in the Covenants) for violations of the Articles of Incorporation; Declaration of Covenants, Conditions and Restrictions; and the adopted By-Laws and Rules and Regulations written to assist in implementing the same. The fine shall be reasonable (not to exceed one hundred dollars (\$100) per violation per day); not to exceed one thousand dollars (\$1000) in the aggregate unless otherwise provided in the Association's governing documents and the member shall receive fourteen (14) days notice to correct the violation before a fine is levied. An opportunity for a hearing before a committee of at least three (3) members not related to the Board or management of the Association and at least one (1) Board member will be permitted to attend upon receipt of a written request during the fourteen (14) day notice period. The committee shall be appointed by the Board of Directors and meet within five (5) days and if the committee does not approve the fine by majority vote, the Board shall abide by the committee decision. Fines shall be due on the first (1<sup>st</sup>.) day of the month after a fine has been levied and if not paid by the tenth (10th) of the month, are delinquent. Additional fines shall be levied for a repeated violation that has been resolved or has not been resolved after a violation process has been completed. The foregoing notice and hearing does not apply to the Association Assessments. Fines and Penalties do not circumvent other specific actions in the Articles of Incorporation; Declaration of Covenants, Conditions and Restrictions; and the adopted By-Laws; but, are in addition to the actions specified therein.

**Section 2. Effect of Nonpayment of Fines: Remedies of the Association.** All levied fines are due on the first (1st.) of the month, and if not paid by the tenth (10th.) of the month, are delinquent. The Board of Directors will immediately take action to collect or take action through the courts without notice to the delinquent Homeowner on the first (1st.) day of the delinquency. All costs incurred by the Homeowners' Association to collect a delinquent fine shall be recoverable from the owner and will be added to and become part of the amount due to which an owner is subject. The Board of Directors is not required to remind a delinquent Homeowner of their levied fine responsibility. The Association may bring an action at law or other methods against the Owner personally obligated to pay the fine, collection costs, and resolve herein by non-use of the Common Area or abandonment of his Lot. A first (1st.) mortgage, upon request, is entitled to written notification from the Association of any default in the payment of any fine and collection costs. No sale or transfer of a lot shall relieve such owner from liability for any fines and collection costs due on the date of the sale or transfer."

**APPROVED**

Signature-on-file

-----Clyde D. Jackson-----  
President, Board of Directors