

## Fine and Penalty Schedule

NOTE: This document is procedural; may be changed with a majority approval of the board and must adhere to the BOD Enforcement Policy and Florida Statutes.

- The CAM will record all written submitted violation complaints.
- CAM warning letters will ONLY be sent to offenders if there is NOT sufficient resident eye/ear witness documentation.
- All other eye/ear witness documented written complaints and guard tickets will NOT require a warning letter be sent to offenders.
- In addition to guard tickets, if a violation within the same Category below is repeated and reported in writing, then the CAM will place the violation on the Ministerial Consent Agenda so that the Board may expeditiously levy fines and amenity suspensions.
- The only violations that are placed on the Non-Ministerial Agenda are complicated by conflicting evidence and require board deliberation to decide whether or not to levy the fines and amenity suspensions.

The following are **ONLY EXAMPLES** of types of submitted resident written violations and are subject to BOD levied fines and suspensions.

Category	Minor 1 <sup>st</sup> \$25, 2 <sup>nd</sup> \$50 and a suspension, then \$100 and increasing suspension	Moderate: Affects Health and/or Well-being \$50 and a suspension, then \$100 and increasing suspension	Severe: Is Dangerous and/or Damaging \$100 each offense and includes an increasing suspension
<b>1. Amenities (except Pool) &amp; common areas</b>	No motorized vehicles on grass, no ornaments, plants or furniture remaining overnight, No car washing/detailing except at car wash area Improper bicycle storage.	Unauthorized use of amenity, day visitors unaccompanied by legal resident, washing or charging car under portico	Defiance of rules if asked by the manager or security guard or refusing to give name/condo, unsupervised children under 12 in common areas, running a business at any amenity (e.g., car wash), no swimming/wading in the retention ponds, disobeying city ordinances such as feeding wild animals.
<b>2. Disorderly conduct / Cease &amp; Desist / Decorum</b>			Swearing, fighting, yelling, threatening others, yelling or disorderly conduct at an authorized association meeting, fighting between association members, action that breaks or vandalizes trees, plants, buildings, furniture, removing/stealing furniture from clubhouse, pool etc., defacing property, Fireworks, setting fires, dropping burning objects.
<b>3. Lease &amp; Tenants</b>			Unauthorized rentals (Example: Airbnb) terms of lease, Unauthorized guests or occupants – not registered, non-compliance.
<b>4. Noise Nuisance</b>		Noise nuisance defined as loud, persistent and regular: It is a violation if neighbors can (within their condos) hear pets, TV, music, instruments, loud voices, jumping, knocking, slamming within their condo walls and it is regular and persistent day or night, vehicles that make excessive noise, loud outdoor parties.	
<b>5. Pets &amp; Dogs</b>	Shot records not up to date	No visible tag, tenant has pet, pet not under control by adult, dog or cat off leash, unauthorized number or type of pets, waste not disposed of properly	Pet not registered, Pet is aggressive and/or bites,
<b>6. Pool</b>	Eating	Drinking in pool, glass in pool area, smoking, vaping, diaper changing, improper dress, running, jumping, diving, rough housing, disorderly behavior, foul language, shouting, belligerence, blocking walkways, music or electronic noise, children in SPA, unaccompanied visitors;	Defiance of rules if asked by the manager or security guard, or refusing to give name or condo etc.

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<b>7. Property Alteration</b>			Any and all unauthorized construction or improvements within a condo including flooring and removing walls etc.
<b>8. Property Upkeep</b>	Decorations on doors, walkways, towels or objects on railings, storage of objects and furniture, key/lock changes, signs,	Causing leaks and water into other condos, leaving tripping hazards, blocking walkways with construction or other objects/toys.	Blocking walkway for wheelchair or EMT
<b>9. Smoking</b>	Dropping ash or debris onto windowsills, stoops, disposing of waste on sidewalks, or any part of the building, stairs	Smoking or vaping out back, near the mitigation area, anywhere near the building or condo windows, on the stairs, behind pillars, etc., dropping ash or debris on any plants, bushes, trees, smoking within a condo (when not authorized) or within any and all amenities. Secondhand smoke is a danger and shall not enter neighbors' windows.	Smoking illegal substances.
<b>10. Trash &amp; Recycling</b>		Unauthorized articles in recycling or trash dumpsters or left on the floor, leaving messes in any amenity such as the grill, clubhouse, kitchen; trash sitting outside condo doors, trash liquids dribbled on building walkways, not cleaning up one's mess.	Construction materials and/or large objects; objects that could fall on residents or prevent others' use of the dumpster
<b>11. Vehicles &amp; Parking</b>	More than 15 minutes after loading/unloading is completed, articles in bed of truck extending beyond sides of truck, sports/water equipment stored on vehicle overnight.	Parking in another's numbered space, excessive or regular parking under portico not when loading / unloading, engine running under portico, no pass visible on dash, Commercial signs, overhanging sidewalk or grass, motorized vehicles on sidewalk	Parking overnight of unauthorized vehicles including, boats, RVs, campers, U-Haul's, moving vans etc., Parking in handicapped spaces
<b>12. Vehicle – Security Guard Tickets</b>	** Special Ticket Fining ** 1 <sup>st</sup> \$25 2 <sup>nd</sup> or more add \$25. (\$25, \$50, \$75, \$100) and increasing suspensions of Bar Code with each fine increase		Parking overnight of unauthorized vehicles including, boats, RVs, campers, U-Haul's, moving vans etc., Parking in handicapped spaces
<b>13. Vehicle Traffic &amp; Moving Violations</b>			Speeding, not obeying traffic signs, burning rubber, going wrong way around traffic circle, not giving pedestrians right of way, or correct right of way around traffic circle, passing vehicles, crashing and causing an accident, riding bikes or motorized vehicles on sidewalk near building,

**Deviations from the Fine and Penalty Schedule with "Good Cause".**

1. The Board may deviate with "good cause" and contact Association counsel who will write a first letter or a letter at any time in the violation process, if it becomes necessary to proceed with legal action against a homeowner or other resident for failure to comply with the HIW Documents.
2. The BOD has the right to deviate from the Fine and Penalty Schedule at its discretion for "good cause" placed in the minutes.

**For detailed Fine and Penalty procedures and other questions, refer to the Enforcement Policy Document in the Board Policy Manual.** January 28, 2021