

ARBORETUM COMMUNITY ASSOCIATION

FINE SCHEDULE

Pursuant to Article XIX of the Bylaws, a schedule of fines and related sanctions is published for the guidance of the owners, the Board of Directors, and the Architectural Review Committee (ARC).

No fines and/or sanctions set out shall be executed until the owner has been notified of the violation and the stated time for corrective action has expired. If a violation is under active review or appeal by the ARC or Board of Directors, no fine/sanction shall be imposed until the review is complete and a written notice of the decision is delivered to the owner.

For Violation of Covenants 1 – 15 and 17 – 22:

	<u>Fine</u>	<u>Total Fine</u>
1. If unresolved 30 days after initial notice of violation	\$ 500.00	\$ 500.00
2. If unresolved 60 days after notice of violation, additional:	\$ 500.00	\$1000.00
3. If unresolved 90 days after notice of violation, additional:	\$ 500.00	\$1500.00
4. An additional \$500.00 fine shall be imposed for each subsequent month of violation.		
5. When unresolved 180 days after notice of violation, and the accumulated fine has not been paid, a lien will be placed on the property for \$3000.00		
6. For each 180 days thereafter that the violation remains unresolved, and the accumulated fine has not been paid, an additional \$3000.00 lien will be placed on the property.		
7. The homeowner is responsible for all legal costs.		

In Addition to the Aforementioned Penalties:

1. For covenants 1, 2, and 4 - a court order to ensure compliance may be obtained at any time during the violation. The homeowner is responsible for all legal costs.
2. For covenant 3 – a court order to evict may be obtained at any time during the violation. The homeowner is responsible for all legal costs.
3. For covenant 17 – the Board may take legal action to restore boundaries. The homeowner is responsible for all legal costs.
4. For covenant 18 – the homeowner is responsible for all costs.

For Violation of Covenant 16 (Tree Removal):

A fine of \$500.00 per tree, removed without ARC permit, will be imposed. If the ARC has recommended that a replacement tree of the same or similar genus be planted on the property for each tree improperly removed, the following shall apply: if replacement trees(s) have not been planted thirty (30) days after notice of a replacement requirement, the fine schedule and conditions for covenants 1-15 and 17-22 will be imposed.

For Violation of Covenant 19 (Improper Vehicles Parked on Homesite):

Six (6) days after notice of violation, a \$500.00 fine will be imposed. If unresolved 30 days after initial notice of violation, the fine schedule and conditions for covenants 1-15 and 17-22 will be imposed.

Board Appeal Policies and Procedures:

Any action by the ARC may be appealed. The appeal must be conveyed to the ARC within thirty (30) days of the initial ARC action. The appellant should first request in writing a review by the ARC. The ARC will respond to this request within fifteen (15) days and may request a meeting with the appellant. If the matter is not resolved to the appellant's satisfaction, he/she may appeal in writing to the Arboretum Board of Directors within fifteen (15) days. The Board will act on the appeal within twenty (20) days. The Board may request a hearing which the appellant and the ARC Chair will attend. The decision of the Board is final. Certain circumstances may require outside counsel.