

COLONY SURF CLUB, INC.
COVENANTS, BYLAW, AND RULES ENFORCEMENT FINES POLICY

Rev: 03/08/2024

Covenants, Bylaws, Rules, or published Policies, except those listed below, that are violated by a member are subject to the following:

First Violation:	Warning
Second Violation:	\$100.00 fine
Third Violation:	\$250.00 fine
Fourth Violation:	\$500.00 fine
Future Violations:	An additional fine of \$750.00 shall be levied for each month of continuing violation, and/or nonpayment of fines and a lien will be imposed on the violating property for the total amount of the fines and costs. Additional charges for filing and releasing the lien, attorneys' fees, and a \$250.00 handling fee, will be added to the lien.

A violation is defined as:

- Failure to abide by a Covenant, Bylaw, or Rule
- Failure to correct the violation or provide a remediation plan within 30 days of notification by the Board.
- Failure to pay a fine levied for a prior violation within 30 days of notification by the Board.

Violation of a Covenant, Bylaw, or Rule within 2 years of the last violation of the same kind, even if the fine for that violation has been paid. Such a repeat violation of the same kind shall be inserted in its appropriate place in the above sequence of fines. For example, if the last violation resulted in a \$100 fine, a repeat or new violation of the same kind within 2 years shall result in a \$250 fine.

In the event the fine is not paid as assessed, a lien will be placed on the property by Colony Surf Club.

All members have a right to appeal to the Board at the next monthly meeting. To be considered at the next monthly meeting, written notice of appeal and the grounds on which the appeal is based shall be delivered in writing to the Secretary of the Board no later than ten (10) working days prior to the next monthly meeting.

NOTIFICATIONS:

All notifications of fines and past due accounts resulting from violations of Club Covenants, Bylaws, and Club Rules and Policies shall be sent to the affected member immediately by email, then, as soon as possible, by regular and certified mail. The costs associated with such mail delivery shall be added to the face value of the statement.

ARCHITECTURAL POLICIES

The Architectural Control Committee must approve any plans for lot development or construction prior to the start of that work. Failure to submit such a plan shall result in a fine of \$200.

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Trees larger in diameter than four (4) inches may not be removed without the written approval of the Architectural Control Committee. Failure to obtain permission shall result in a fine to the owner of an amount equal to the face value of each tree, or \$200 per tree, whichever is greater.

TIMBER HARVESTING POLICY:

Owners may sell timber cut reasons set forth below but may not cut trees solely to produce revenue from timber sales. Such sales will incur a penalty of \$10,000 for each occurrence.

1. Construct a building.
2. Install a septic system and/or related drain field.
3. Remove trees that threaten people or property, either from falls or fire.
4. Manage for healthy forest structure.
5. Create wildlife habitat.
6. Combination of those above.

Owners are responsible for knowing and following all applicable laws regarding cutting down trees and harvesting timber.

NO PROPERTY RENTALS POLICY

Colony Surf Club defines renting as “granting the possession and enjoyment of a property in exchange for money or other financial considerations” and is forbidden in Colony Surf Covenants, Article VI, Section 3. Rentals impact the security of the entire community by allowing unknown persons free access to Colony Surf common properties. To counter this breach of security, the penalty should be equally serious, thus the penalty for renting a property is subject to the following:

First Violation: \$500.00 fine and a Copy of Enforcement Fines Policy

Second Violation: \$1,000.00 fine

Future Violations: An additional fine of \$500.00 shall be levied for each day of continuing violation, and/or nonpayment of fines and a lien will be imposed on the violating property for the total amount of the fines and any related fees.

PROPERTY ENFORCEMENT POLICIES & FINES

Any owner or member of Colony Surf whose property is considered as posing a safety or health hazard violation will be issued a letter by the Club concerning the safety or health hazard violation, together with pictures, if appropriate. The notice will specify the nature of the safety or health hazard and set a time limit for diligent action by the owner to cure the situation.

SAFETY ISSUES DEFINED:

Safety issues include, but are not limited to, the following:

- An attractive nuisance, like a poorly secured structure or one with a broken window or door.
- Appliances left neglected on the property.
- Abandoned personal property (see Covenants Article VI Section 11 & 16).
- Structure condemned by the County.

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FIREARMS

Discharge of firearms is such a serious safety offense that it merits an extraordinary enforcement response. Such an offense shall be investigated by the Board of Trustees immediately, and if found to be unjustified, shall result in the imposition of a \$1,000 fine. Repeat offenses, regardless of the time lapse, shall result in subsequent fines of \$2,000 per incident.

HEALTH HAZARDS DEFINED:

Health hazards include, but are not limited to, the following:

- Garbage which is readily visible and/or attracts animals.
- Rodent-inhabited structure.
- Hazardous materials on property that are improperly secured, improperly disposed of, or dispersed on the property.

On most safety issues the notice period will be no more than ten (10) days from the receipt of the notice. If, in the judgment of the Board, more immediate attention is required, the Board shall notify the owner by telephone and letter giving notice that a shorter period is required to take corrective action. The notice period for less serious safety and health hazards, a longer period may be selected by the Board, in no event more than thirty (30) days from the date of receipt of the notice.

If there is no response during the cure period, the Club will fine the owner \$100.00 plus the cost to clean up or dispose of the safety or health hazard to promote a safe and healthy environment. The Club will bill the owner of the property the cost of the clean-up service in addition to the fine. If the fine is not paid within thirty (30) days, then the fine will increase as set forth above under the schedule listed at the beginning of this document.

The Club shall not be held responsible for the removal or correction of any safety or health hazard and shall be held harmless for its actions by any owner whose property is deemed to present such a safety issue or health hazard. The Club will respond to complaints from other owners or plainly visible safety issues, or health hazards as set forth above. If the Club employs a contractor to correct health hazards or safety issues, that contractor shall be deemed to be the agent of the owner who has not responded to or taken steps to correct the problems set forth in any notice. In no event shall the Club be liable for any damage that may result because of the owner's failure to take necessary corrective action.

CLUBHOUSE AND POOL ENFORCEMENT POLICY

Members and/or their guests who violate any published clubhouse and/or pool enforcement policies shall be given notice of the offense with the corresponding loss of Club privileges as follows:

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| First Violation: | Written notice with loss of Club privileges for a week |
| Second Violation: | Written notice with loss of Club privileges for a month |
| Third Violation: | Written notice with loss of Club privileges for a year |