

Fines and Fining procedures

As set forth by the Board of directors pursuant to section 2.7 of the Westgate Gardens Covenants.

Fines. The Association is authorized to adopt fines for the enforcement of the Declaration, Covenants, Articles, and Bylaws. To such end, the Board Members authorize the following procedures and fine schedule:

Fining Procedures (Excludes vehicle parking)

1. Upon the occurrence of a covenant violation, the Board may send a First Warning Letter to the Owner, giving notice of the covenant violation, the steps necessary to correct such violation, and providing the Owner 15 days to correct the covenant violation.
2. Upon the expiration of the 15 days, the Board may assess a fine. If a fine is assessed to an Owner, the Board will cause the Owner to receive written notice of any assessed fine. Such written notice may provide the Owner additional information and resources regarding the governing documents, Board activities, and the fine procedures and schedule.
3. Fines may be secured by a lien in like manner as assessments. Such lien may be foreclosed in like manner as assessment liens.

Fine Schedule (Excludes vehicle parking)

1. Upon the first occurrence of a covenant violation, the Board may assess a fine in the amount of \$100.00.
2. Upon the occurrence of the same covenant violation in a subsequent thirty day period, the Owner may be fined in \$50.00 increments (i.e. second month's fine is \$150.00, third month's fine is \$200.00, etc.).
3. Should an Owner fail to correct a covenant violation within five months from the date of the first occurrence of the covenant violation, the Board may assess a fine in the amount of \$300.00 per month.
4. If during any point in the fining an offense is corrected but then reappears a month or more later, it will be considered a 1 offense again with a charge of only \$50.00 to correct it. At that time, the fining will continue to subsequent fines if not corrected. Note that warning letters will not be sent this second time around, it will go straight to fines.
5. Each violation is considered its' own separate offense and will be addressed individually.

Vehicle Parking Violation Fine Schedule

1. Vehicles parked on the street overnight in violation of the Westgate Gardens covenants are to be moved to within the concrete driveway. The owner of the property will be given 72 hours after receipt of notification of violation by certified mail to correct the parking violation(s) after which a fine of \$25.00 will be issued with subsequent daily fines in the amount of 25.00 until the parking on the street is corrected. If the vehicle(s) is only removed for one day or two in an attempt to circumvent the 72 hour rule, thereby keeping the vehicle(s) parked an average of 5 to 6 days a week, the fine will double to \$50 a day until corrected. Fines may be secured by a lien in like manner as assessments. Such lien may be foreclosed in like manner as assessment liens.