Chapter 1 - Section 1.7

BOARD RESOLUTION Fine Structure

Adopted: 7/11/2012 and Modified: 5/20/2015

WHEREAS, the Rotonda West Association, Inc. ("Association") was created to manage and operate an orderly and desirable community and to protect and enhance property values in Rotonda West, according to the Amended Restatement of Restrictions for Rotonda West, recorded in Official Records Book 2278, Page 160, Public Records of Charlotte County, Florida; and

WHEREAS, the Board of Directors and its Officers are responsible for carrying out the day-to-day affairs of the Association; and enforcement of the Deed Restrictions.

WHEREAS, Section 3l(d)(i) of the Amended and Restatement of Restrictions of Rotonda West Association, Inc. (the "Deed Restrictions"), recorded in Official Records, Book 2278, Page 0160-0181, Public Records of Charlotte County, Florida provides that the Board of Directors may levy fines and/or suspensions against members, or members' tenants or guests, or both, who commit violations of Chapter 720, Florida Statutes, the provisions of the governing documents, or the rules and regulations, or who condone such violations by their family members guests or lessees;

WHEREAS, the Board of Directors is desirous of adopting a Resolution establishing a fining structure to encourage compliance with the Deed Restrictions, and establish reporting by management to ensure Board awareness of Deed Restriction Violations, Status of Violations and Fines levied;

NOW, THEREFORE, it is hereby resolved follows:

1. The above recitations are true and correct and are hereby incorporated into this Resolution.
2. The President, as ratified by the Board of Directors, resolves that the attached fining schedule as approved by the Board of Directors on , 2012 is effective;
3. To authorize the Rotonda West Association, Inc. management to assess fines in accordance with the Deed Restrictions Fining Structure approved by the Board on November 10, 2010;
4. To require the Rotonda West Association, Inc. management to provide to the Board of Directors at the monthly Board meeting a report of all deed restriction violations during the period, actions taken with date of the action, listing of all fines levied, actions forwarded to the Compliance Committee together with the hearing results.

THIS RESOLUTION was considered at a meeting held the 9th day of February 2011, at which a quorum of Directors were present. Seven Directors voted in favor of the Resolution and no Directors voted against the Resolution.

Fine Structure

Section 5 - Plans, Specifications and Architectural Review.	
New Construction without NCC approval	TBD
Exterior alteration to residential property w/o approval • Demand letter - to submit RMC Application • Unapproved application	$ 25 late fee Demand letter to comply - 30 days $20.00 per day fine on day 31 up too max of $5000.00 Court Injunction to comply
Section 6 - Commercial activity in residential property	
Animal breeding, home day care, beauty parlor, barber	Demand letter - 90 days
Other impact home occupations, Adult congregate living	Board can grant 1 additional 90 day extension $20.00 per day fine on day 31 up to a max of $5000.00 Court Injunction to comply
Section 7 -Exterior Walls and Fences	
Non-compliant walls or fences	Same as section 5 above
Section 8 -Sheds	
• Non-compliant sheds after 1995 • To sale of residence after 1995, 50% destruction	Same as section 5 above
Section 11 - Antennae & Reception/Transmission Devices If not grandfathered or allowed by FCC	Same as section 5 above
Section 12 -Pets • Prohibited Species • Running at Large • Nuisance Barking • Danger to public • Failure to clean up after pets	Initial violation - Warning Letter, then the same as section 5 above
Section 13 -Nuisance • Excessive Noise • Disorderly conduct	Same as section 12 above

Section 14 -Lawns/Landscaping	
Developed Lots • Lawn > 8' including weeds • Underbrush and unsightly growth • Unsafe, unclean, unattractive condition • Refuse or unsightly objects	Same as section 5 above
Undeveloped Lots • Refuse or unsightly objects	Same as developed lots
Section 15 - Clothes Drying • Not sight screened • Unapproved location	Same as section 5 above
Section 16 -Trash/Garbage - Outside Equipment • Garbage cans not sight screened • Garbage cans out extended time • Propane tanks not sight screened • Outdoor equipment not sight screened	Same as section 5 above
Section 17 -Canal Banks	
Developed Lots • Unauthorized grade • No sod • Not mowed **Unauthorized improvement on canal bank** **Structures, fences, plantings inhibiting RWA from discharging its responsibilities to maintain canal banks.**	Same as section 5 above Warning letter to cure - 30 days RWA to arrange removal of improvement at owner's expense.
Section 18 -Boats • Anchored off shore • Anchored impeding navigation • Boat on trailer (outside garage) • Boat stored on lot	Same as section 14 Court injunction to comply
Section 19 - Signs	Notification to owner or name on sign - 5

• Unapproved signs • For Sale/For Rent • Multiple signs on lot • Obstructing Driver's view • Location other than front of house • Non- maintained sign • Signs in right of way	day cure. Pick up of sign by RWA Stored at community center for 30 days Discarded after 30 days if not claimed
• Signs on commercially zoned lots • Unauthorized builder's signs	Same as above -authorized by developer
	Pick up of violating signs Retain at community center for 30 days Discard after 30 days
Section 20 - Vehicles • Vehicles parked in road • Vehicles parked in swale • Vehicles parked in vacant lots • Motor homes parked without pass • Boats parked without pass • Trailers parked without pass • Commercial vehicles -not owner owned • Commercial vehicles > 3/4 Ton • Unregistered or inoperable vehicles Unauthorized driveway expansion of single lane driveway	Initial violation - warning letter - no fine Same as section 5

<u>FINES FOR THE SECOND OF THE SAME VIOLATION:</u> Notwithstanding any of the violation fines as stated above, and as adopted by the RWA Board of Directors on May 20, 2015, <u>the $100.00 per day fine will be brought against those violating any deed restriction more than once within a two (2) calendar year period. The $100.00 per day fine will then be assessed on the first day of the violation.</u>

Six month clock starts from the last violation for that specific deed restriction

Recommend initiation of small claims court action when fine for specific violation exceeds $5000