

## FINES POLICY AND PROCEDURES

Approved by the GSPOA Board of Directors on February 9, 2008.

### Policy:

1. The Board of Directors is authorized by the Bylaws to impose fines on members if the member or any other person who is visiting or otherwise occupying the members property (including tenants and guests of tenants but excluding trespassers) breaches the Bylaws, the Declaration of Covenants and Restrictions or the policies and procedures of the Association.
2. The Board may appoint one or more persons to be enforcement officers who will have authority to issue notices imposing the fines. Such persons shall be members of the Board of Directors of the Association.
3. A fine is imposed by delivering a written Notice of Fine to the member either by mailing it to the last known address of the member, by sending a copy by email to the last known email address of the member (if known) or by personally delivering a copy to the member. The notice, if mailed, shall be deemed to have been received by the member on the 7th day following mailing and if sent by e-mail shall be deemed to have been received on the 2<sup>nd</sup> day after being sent.
4. A member may dispute a fine by mailing a written Notice of Objection to the Board of Directors at the address of the Association. Such notice must be mailed within 21 days of receipt or deemed receipt (whichever is applicable) of the Notice of Fine. The Notice of Objection must include the reason for disputing the fine and any facts the member relies on in support of the objection. The Board shall consider the appeal and may cancel, reduce or confirm the fine. The member may attend the meeting at which such dispute is considered by the Board of Directors and may make a presentation at the meeting.
5. Unless a Notice of Objection is filed, a fine is overdue if not paid within 30 days after receipt or deemed receipt (whichever is applicable) of the Notice of Fine by the member. If a Notice of Objection is filed, any fine, unless cancelled, is overdue if not paid within 7 days following the decision of the Board of Directors. Upon becoming overdue such fine shall constitute a lien on the real property of the member situate within the lands described as the "said property" in the Declaration of Covenants and Restrictions dated June 19, 1976 and commonly known as the Glacier Springs subdivision. The lien may be enforced by the Association as a lien on real property and the member shall be liable for the costs and disbursements, including reasonable attorney's fees to enforce such lien, all of which costs, disbursements and fees shall be secured by such lien.
6. The amount of the fine for any breach of the Bylaws, the Declaration of Covenants and Restrictions or policies and procedures of the Association shall be based on the Schedule of Fines in effect at the time of the breach.

### Basis of the Policy:

1. Article IV, Section 3 of the Declaration of Covenants and Restrictions of the Association states, in part, that "The Association is hereby charged with the authority and the obligation for the enforcement of the terms of this Declaration."
2. Article VI, Section 1. of the Bylaws of the Glacier Springs Property Owners Association states, in part, that "The Board of Directors shall manage the affairs

of the Association including...[e]nforcement of the Covenants and Restrictions and these Bylaws, including the establishment of and the enforcement of fines.”

**Purpose of the Policy:**

The purpose of this policy is to confirm the basis for the establishment of fines to enforce the Declaration of Covenants and Restriction, the Bylaws and the policies and procedures of the Association. In addition, the policy establishes the process for the imposition of fines, the members’ rights to dispute a fine, and process for collecting fines, including the filing of liens.