

## **HROA Board of Directors Special Open Meeting**

**DATE: May 6, 2021**

**Item # 2, Addendum 2**

### **PROPOSED ADDS, CHANGES AND DELETES FOR THE**

### **SCHEDULE OF MONETARY PENALTIES**

**To Be Effective July 1, 2021**

**Changes Proposed by:** The Board of Directors and Administration

**Purpose of the Changes and Change Key:** The purpose(s) for each change to the Schedule of Monetary Penalties below is indicated by numbers in brackets at the end of each item. These numbers will be removed prior to publishing the final, approved version.

#### **Change Key**

- [1] Changes and Deletes** that correspond with *proposed Rules and Regulations* modifications.
- [2] New Penalty** associated with a *proposed New Rule*.
- [3] Updates in Column 1, “Rule or Regulations”** to describe the action or situation being referenced in Column 2: Description.
- [4] Updates in Column 2, “Description”** feature the actual Section and/or Rule title as well as the number used in the Rulebook. This creates a direct link to the source document – Membership Handbook – Rules and Regulations. This provides clarity for members written warning or citation is issued.
- [5] Correct error(s) or remove unnecessary entry** from previously adopted Schedule(s) of Monetary Penalties.
- [6] Correct error(s)** from previously adopted **Rules and Regulations**.
- [7] Entry Removed** because of 1) redundancy or consolidation with another entry, or 2) not a violation of HROA rules (e.g., Law enforcement matters).
- [8] Penalty Amount Changes:** The purpose(s) of penalty amount changes are: 1) to encourage member cooperation/compliance and 2) to better reflect the severity of a given violation.
- [9] Footnote removed** (no longer applicable), added or edited.

**Heritage Ranch Owners Association**

**PROPOSED CHANGES TO THE SCHEDULE OF MONETARY PENALTIES**

**To Be Effective July 1, 2021**

All CC&Rs and Association Rules and Regulations will be enforced equitably by the Board of Directors and staff. The process of enforcement may involve any combination of corrective, restrictive or financial measures. This Schedule of Monetary Penalties has been adopted by the Board of Directors as the current compliance policy. Corrective Measures: The Association has the right to correct certain property violations on lots within Heritage Ranch and bill the property owner after proper notice has been given. The Association has the right to bill the responsible property owner for repairs for damages caused to Heritage Ranch property by any owner, their tenant(s) or their guest(s). Restrictive Measures: The Association has the right to deny entry to any guest deemed to be a nuisance or threat to the community. The Association has the right to deny use of any or all amenities to any owner (member), tenant or guest deemed to be a nuisance or threat to the community, or whose privileges are revoked for non-payment of monies owed. Financial Measures: The Association has the right to issue citations for violations of any CC&R provision, Rule or Regulation and after a hearing, assess such fines according to the following schedule and/or deny use of any or all amenities to any owner (member), tenant or guest for any owner (member) whose privileges are revoked.

**RULES AND REGULATIONS AND CC&R CITATION SCHEDULE**

<b>Rule or Regulation</b>	<b>Description -- Refer to the HROA Membership Handbook (Rules &amp; Regulations) or HROA Election Rules for detailed information</b>	<b>Fine Amount</b>
Allowed Residents	2.02.04 -- Tenant; 2.02.06 -- Proof of Residence at Heritage Ranch	\$ 300.00
Return of Ranch ID Cards and Decals	2.03.02-- Permanent; 2.03.05 Tenant ID Cards	\$ 50.00
Illegal Entry - Association [3]	2.03.02 -- Permanent; 2.04.01 -- General; 2.04.02 -- Permanent Guest List; 2.04.03 -- Contractors, Suppliers, Realtors & Others; 3.04.01 -- Entrance and Exit, Use - Association Access [4]	\$ 50.00
Illegal Entry - Marina [3] [2]	2.03.02 -- Permanent; 2.04.01 -- General; 2.04.02 -- Permanent Guest List; 2.04.03 -- Contractors, Suppliers, Realtors & Others; 3.02.03 -- Guest Vessel Registration; 3.02.04 -- Visitor Vessel Registration; 3.04.02 -- Entrance and Exit, Use - Marina Access [2] [4]	\$ 250.00 [2]
Illegal Entry - Visitor Access System [3] [2]	2.03.02 -- Permanent; 2.04.01 -- General; 2.04.02 -- Permanent Guest List; 2.04.03 -- Contractors, Suppliers, 2.04.04 -- Visitor Access System; 2.05.23 -- Realtors & Others; 3.04.03 -- Entrance and Exit, Use - Visitor Access System [2] [4]	\$ 100.00 [2]
[1] DELETE "Aiding Illegal Entry" - Now addressed under 3.04.01, 3.04.02, 3.04.03 above	<del>2.03.02 -- Permanent; 2.04.01 -- General; 2.04.02 -- Permanent Guest List; 2.04.03 Contractors, Suppliers, Realtors &amp; Others; 3.04.01 -- Entrance and Exit, Use [1]</del>	<del>\$ 50.00 [1]</del>
Altering Common Area	2.05.02 -- No Altering the Common Area	\$ 500.00 *
Improper Conduct	2.05.03 -- Conduct (FINED PER EVENT)	\$ 250.00
Curfew for Minors	2.05.04 -- Curfew for Minors	\$ 150.00
Disturbing the Peace	2.05.05 -- Disturbing the Peace	\$ 250.00
Firearms and Weapons	2.05.06 -- Firearms and Weapons	\$ 500.00
Open Fire	2.05.07 -- Fires	\$ 250.00
Fireworks	2.05.08 -- Fireworks	\$ 1,000.00 *
Home Occupation	2.05.09 -- Home Occupation (FINED WEEKLY)	\$ 25.00
Illegal Dumping	2.05.10 -- Illegal Dumping; 2.05.02 -- Altering the Common Area	\$ 500.00 *
Indecent Exposure / Public Urination	2.05.11 -- Indecent Exposure/Public Urination	\$ 500.00
Livestock and Equine	2.05.12 -- Livestock and Equine (FINED DAILY)	\$ 25.00
Minor/Possessing Alcohol	2.05.13 -- Minors Possessing Alcohol	\$ 100.00
Adult Furnishing Alcohol to Minor	2.05.14 -- Furnishing Alcohol to Minors	\$ 500.00
Noise Curfew	2.05.15 -- Noise Curfew	\$ 150.00
Pets	2.05.16 -- Pets	\$ 50.00
Campground Pets	5.01.04 -- Campground Pets	\$ 50.00
Soliciting	2.05.17 -- Soliciting (FINED PER EVENT)	\$ 25.00
Theft of Association Property	2.05.18 -- Theft of Association Property	\$ 1,000.00
Vandalism, Graffiti,	2.05.19 -- Vandalism, Graffiti	\$ 1,000.00 *
Wildlife	2.05.20 -- Wildlife	\$ 100.00
Littering	2.05.21 -- Littering	\$ 100 to 500 ***
Board Meeting Conduct	2.05.22 -- Association Meeting Conduct	\$ 250.00
Breach of Association Security	2.05.23 -- Breach of Association Security	\$ 250.00
Refuse Containers / Appliances	2.07.01 -- Refuse Collection (FINED AFTER COLLECTION DAY)	\$ 25.00
Hazardous Material Disposal	2.07.02 -- Hazardous Materials (PER ITEM)	\$ 500.00
Association Registration	3.01.01 -- Registration with the Association	\$ 50.00 *

Rule or Regulation	Description -- Refer to the HROA Membership Handbook (Rules & Regulations) or HROA Election Rules for detailed information	Fine Amount
Vehicle/Vessel Decals and Placards	3.01.02 -- Vehicle Decals, <del>3.01.02-A: Temporary Vehicle Placards</del> , 3.02.02 -- Vessel Decals, 3.04.01 -- Use Association Access [7] <b>Placards now in 3.01.02</b>	\$ 50.00
Vehicle Operation	3.01.03 -- Vehicle Equipment and Operability; 3.01.04 -- Golf Carts, Bicycles & eBikes [1] [4]	\$ 100.00
Valid License	3.01.05 -- Operation - License	\$ 100.00
Excessive Speed	3.01.06 -- Operation – Speed Limit	\$ 50.00
Excessive Speed in School Zone	3.01.06 -- Operation Speed Limit in a school zone.	\$ 100.00
Failure to Stop at Sign	3.01.07 -- Operation – Stop Signs	\$ 50.00
Exhibition of Speed	3.01.08 -- Operation – Exhibition of Speed	\$ 100.00
Driving/Parking in Common Area/Trails	3.01.09 -- Operation – Off Road Operation	\$ 500.00 *
Driving While Intoxicated	3.01.10 -- Driving While Intoxicated	\$ \$500.00 **
Failure to Stop for Ranch Patrol	3.01.11 -- Operation – Failure to Stop for Ranch Patrol	\$ 50.00
Reckless Driving	3.01.12 -- Operation – Reckless Driving	\$ 500.00
<b>Hit and Run [2] [3]</b>	<b>3.01.13 -- Hit and Run [2] [4]</b>	<b>\$ 500.00 [2]</b>
<b>License Plates and Coverings [2] [3]</b>	<b>3.01.14 -- Operation – License Plates and Coverings; 3.02.06 -- Vessel Equipment and Operability [2] [4]</b>	<b>\$ 50.00 [2]</b>
Vessel Not in HROA System	3.02.01 -- Registration with the Association; 3.04.03 -- Visitor Vessel Registration (FINED PER EVENT) [2] [4]	\$ \$50.00 *
Non-payment of Usage Fees	<del>3.02.03 -- Guest Vessel Registration; 3.02.04 -- Guest Vessel Pre-Registration; 5.07 -- Facilities to Rent (FINED PER EVENT) [1] [7]</del>	\$ \$50.00 *
Parking Violation/Handicap	3.03.01 -- Parking – Disabled Designation	\$ 250.00
Parking Violations	3.03.02 -- Parking – Guest Area Designation for Tract 475; Parking Oversized and Commercial Vehicles and Trailers; 3.03.05 -- Parking – Parking Lots, Overflow and Temporary Parking Areas; 3.03.06 -- Parking for Sale; 3.03.11 -- Parking and Storing – Inoperable Vehicles; 3.03.13 -- Parking and Storing – Road Right of Way/Common Area (FINED PER EVENT)	\$ 50.00
Illegal Camping	3.03.03 -- Illegal Camping (FINED PER DAY)	\$ 50.00 *
Storing of Vessel / Trailer, Camper, RV	3.03.07 -- Parking and Storing – Vessels/Trailers, Campers and RVs for Tracts 424, 446 and 474; 3.03.08 -- Parking and Storing – Vessels/Trailers, Campers and RVs for Tracts 452, 693, 721, 1063, 1094 and the 20 Acre Parcels; 3.03.09 -- Parking and Storing – Vessels /Trailers, Campers and RVs for Tract 475; 3.03.10 -- Parking and Storing Vessels/Trailers, Campers and RVs for Tracts 1910 and 1990 (FINED PER EVENT)	\$ 50.00
Inoperable Vehicles	3.03.11 -- Parking and Storing - Inoperable Vehicles (FINED PER DAY)	\$ 25.00
Driving/Parking on Vacant Lot	3.03.14 -- Parking and Storing - Vacant Lots (FINED PER DAY)	\$ 25.00 *
Lot -- Parking / Storing	3.03.15 -- Parking and Storing (FINED PER DAY)	\$ 25.00
AEC – Approval for New Home Construction	4.01.01 -- What Needs Prior Approval? - New home and construction projects	\$ 500.00* *
AEC – Approval for Improvements	4.01.01 -- What Needs Prior Approval? - Improvement Projects (FINED PER WEEK)	\$ 100.00
Lot -- Construction Curfew	4.01.02 -- Construction Curfew (FINED PER DAY)	\$ 50.00
AEC – Job Site Condition	4.01.04 -- Maintain an Orderly Job Site. (FINED PER DAY)	\$ 50.00
Lot – Accessory Building	4.01.07 -- Accessory Buildings / Outbuildings for Tracts 424, 446, 452, 474, 475, 693, 721 and 1094; 4.01.08 -- Accessory Buildings / Outbuildings for Tract 447; 4.01.09 -- Accessory Buildings / Outbuildings for Tract 1063; 4.01.10 -- Accessory Buildings / Outbuildings for the 20 Acre Parcels; 4.01.11 -- Accessory Buildings / Outbuildings for Tract 557; 4.01.12 -- Accessory Buildings / Outbuildings for Tracts 1910 and 1990 (FINED PER DAY)	\$ 50.00
AEC Ordinances	4.02.02 -- Canopies; 4.02.03 -- Flags; 4.02.04 -- Radio Antennas; 4.02.05 -- Satellite Dishes; 4.02.06 -- Signs; 4.02.07 Solar Panels	\$ 25.00
AEC - New Home Construction Deposit Forfeiture	4.02.08 -- New Home Construction Deposit: Mandatory Inspections; 4.02.08-A -- No Set-back Inspection - \$1,500.00 will be forfeited; 4.02.08-B -- No Driveway Approach Inspection - \$1,000.00 will be forfeited; 4.02.08-C -- No Final Inspection – No refund of construction deposit.	1,000 to \$ 3,000

Rule or Regulation	Description -- Refer to the HROA Membership Handbook (Rules & Regulations) or HROA Election Rules for detailed information	Fine Amount
Holiday Decorations	4.02.09 -- Holiday Decorations (TO BE REVIEWED WEEKLY FOR POSSIBLE ASSESSMENT OF FINE)	\$ 25.00
Memorials	4.02.10 -- Memorials on HROA Property (TO BE REVIEWED WEEKLY FOR POSSIBLE ASSESSMENT OF FINE)	\$ 25.00
Lot – Groundcover / Landscape / Maintain	4.03.04 -- Maintenance; 4.03.07 -- Road Easements; 4.03.08 -- Landscape Miscellaneous (TO BE REVIEWED MONTHLY FOR POSSIBLE ASSESSMENT OF FINE)	\$ 100.00
Lot – Maintain Trees	4.03.05 -- Trees Required (TO BE REVIEWED MONTHLY FOR POSSIBLE ASSESSMENT OF FINE)	\$ 25.00
Lot – Address Numbers Required	4.04.01 -- Address Numbers Required (TO BE REVIEWED MONTHLY FOR POSSIBLE ASSESSMENT OF FINE) Lot to have address numbers visibly displayed	\$ 25.00
Lot – Fire Hazard Removal	4.04.03 -- Vacant Lots – Fire Hazard Removal (TO BE REVIEWED MONTHLY FOR POSSIBLE ASSESSMENT OF FINE)	\$ 250.00
AEC - Propane Tanks	4.04.04 -- Screening Standard for Propane Tanks (TO BE REVIEWED MONTHLY FOR POSSIBLE ASSESSMENT OF FINE)	\$ 100.00
Mailboxes	4.04.05 -- Mailboxes (TO BE REVIEWED WEEKLY FOR POSSIBLE ASSESSMENT OF FINE)	\$ 25.00
Unightly	4.05.01 -- Unightly: Overgrown or Dead Vegetation; 4.05.02 -- Unightly: Accumulation of Items; 4.05.03 -- Unightly: Animal Waste; 4.05.04 -- Unightly: Storing Items Outside; 4.05.06 -- Unightly: Trash and Garbage; 4.05.07 -- Unightly: Unmounted Campers and Camper Shells; 4.05.08 -- Unightly: Structural Conditions (TO BE REVIEWED WEEKLY FOR POSSIBLE ASSESSMENT OF FINE)	\$ 100.00
Campground – Violation	5.01.01 -- General Matters (FINED PER DAY)	\$ 25.00*
Campground – Illegal Fire or BBQ	5.01.03 -- Fires and Barbeques (FINED PER DAY)	\$ 100.00
Marina -- Personal Property	5.03.01 -- Canopies and Personal Property; 5.03.02--Courtesy Dock (FINED PER DAY)	\$ 50.00
Marina -- Courtesy Dock/Launch Ramp/Boat Slips	5.03.03 -- Floating Docks and Boat Slips; 5.03.04 -- Launch Ramp (FINED PER DAY)	\$ 100.00
Marina -- Parking	5.03.06 -- Marina Parking (FINED PER DAY)	\$ 50.00
Marina -- Private Dock	5.03.07 -- Private Docks - See 'Private Dock Policy' for details (FINED PER DAY)	\$ 100.00
Marina – Watercraft on Shore	5.03.08 -- Watercraft on Shore (FINED PER EVENT)	\$ 50.00
Marina -- Mussel Inspections	5.03.09 -- Mussel Inspections (FINED PER EVENT)	\$ 500.00
Marina -- Guest Cards	5.03.11 Marina Guest Cards (TO BE REVIEWED MONTHLY FOR POSSIBLE ASSESSMENT OF FINE)	\$ 50.00
Pool, Court, Parks & Play Areas	5.04 -- Swimming Pools; 5.05 -- Tennis, Basketball and Pickleball Courts; 5.06 -- Parks and Play Areas (FINED PER EVENT)	\$ 25.00
Youth Livestock Center	5.07.06 - Youth Livestock Center -- Rentals, Rules and Requirements (TO BE REVIEWED WEEKLY FOR POSSIBLE ASSESSMENT OF FINE)	\$ 50.00
Equestrian Center - Abuse of Animal	6.A.1 -- General Rules -- Zero tolerance for abuse or neglect of an animal. <b>(FINED PER EVENT)</b>	\$ 250.00
Equestrian Center - Eligibility for Use	6.A -- General Rules 5-9; 6.B -- Boarder and Guest Responsibilities 2-4; 6.C -- Rider Responsibilities 7. <b>(FINED PER DAY)</b>	\$ 50.00
Equestrian Center (AEC) - Leased Spaces	6.B -- Boarder and Guest Responsibilities 8-13; 6.D -- EQ Ctr Property Maintenance, Improvements or Changes 1-8 <b>(TO BE REVIEWED WEEKLY FOR POSSIBLE FINES)</b>	\$ 100.00
Equestrian Center - Safety	6.A -- General Rules 3-4, 10-21, 28-33; 6.B -- Boarder and Guest Responsibilities 1, 5-7, 14-16; 6.C -- Rider Responsibilities 1-6 <b>(FINED PER EVENT) [2] [4]</b>	\$ 50.00
Equestrian Center - Shared Areas	6.A -- General Rules 22-27 <b>(FINED PER EVENT)</b>	\$ 50.00
Improper Electioneering	HROA Election Rules, Article 7 -- Campaigning; Section 7.4 Improper Electioneering <b>(FINED PER EVENT)</b>	\$ 100.00

\* Fine in addition to any costs of repair or removal, vehicle or vessel trace costs, fees not paid and/or forfeited deposits.

\*\* Fine deferred pending law enforcement action.

\*\*\* Fine based on severity and circumstance surrounding the offense