

**RESOLUTION  
Implementation of Procedures to Fine Association Members**

This Resolution is adopted and executed this 30 day of March 2009 by the Preserves on Anastasia Island Condominium Association, Inc., a Florida corporation not-for profit.

**WITNESSETH:**

WHEREAS, Florida Statutes 718,303(3) allows for the use of fines as an enforcement tool and provides that if the declaration or bylaws allow, the association may levy reasonable fines against an occupied unit for failure of the owner, or its occupant, licensee or invitee to comply with any provision of the declaration, bylaws, or reasonable rules of the association, and

WHEREAS, the Preserve on Anastasia Island Condominium Association, Inc. Declaration of Condominium at Article 10(i) allows the Association to impose a fine in the event a Unit Owner, tenant or occupant fails to observe and perform all of the provision of this Declaration, the Bylaws, the Articles, applicable rules and regulations or any other agreement, document or instrument affecting the Condominium Property.

NOW, THEREFORE, the Association establishes the following as procedures for the implementation of a fine in conjunction with the authority iterated above:

1. The Association shall notify the Owner, tenant or occupant of the infraction(s) and the place, date and time when the Board of Directors will meet to consider finding the occurrence of a violation and imposing a fine.
2. Should the Board find an occurrence of a violation the fine may not be imposed without notice of a least fourteen (14) days to the person sought to be fined and an opportunity for a hearing before a committee of at least three members appointed by the Board who are not officers, directors, or employees of the Association, or the spouse, parent, child, brother, or sister of an officer, director, or employee. If the committee, by majority vote, does not approve a proposed fine, a fine may not be imposed.
2. The Association may impose fines against the applicable unit Owner or resident up to One Hundred Dollars (\$100.00) per violation per day with no fine exceeding One Thousand Dollars (\$1,000.00) in the aggregate.
3. A fine may be levied on the basis of each day of a continuing violation with a single notice and opportunity for a hearing.
4. Fines shall be paid within thirty (30) days after the receipt of notice of their imposition.
5. All moneys received from fines shall be allocated as directed by the Board of Directors.
6. The imposition of a fines shall not be an exclusive remedy and shall exist in addition to all other rights and remedies to which the Association may otherwise be entitled.
7. In the event the Association shall seek judgment for damages in a judicial proceeding in the amount of the fines levied and unpaid, the Association shall be entitled to an award of attorney's fees incurred in bringing the judicial action, including an appeal.
8. The remedies contained in this section shall be construed as cumulative of all other remedies now or hereafter provided by law. The failure of the Association, or any Owner, or their respective successors or assigns, to enforce any covenant, restriction, obligation, right, power, privilege, authority, or reservation herein contained, however long continued, shall not be deemed a waiver of the right to enforce the same thereafter as to the same breach or violation, or as to any other breach or violation occurring prior or subsequent thereto.

IN WITNESS WHEREOF, the undersigned, President and Secretary, have made and subscribed this Resolution for the foregoing uses and purposes this \_\_\_ day of March 2006.

**PRESERVE ON ANASTASIA ISLAND  
CONDOMINIUM ASSOCIATION, INC.**

BY: [Signature]  
Its President

ATTEST: [Signature]  
Its Secretary

**STATE OF FLORIDA  
COUNTY OF ST. JOHNS**

The foregoing instrument was acknowledged before me this 30 day of March 2009, by Tom Naramore the President of the Preserve on Anastasia Island Condominium Association, Inc., a Florida not-for-for-profit corporation on behalf of the corporation. He/She is personally know to me and he did take an oath.



[Signature]  
Notary Public, State of Florida At Large

(No ENV) → In+Ret - Preserve Anastasia Island  
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