

HOLIDAY PARK, PARK AND RECREATION DISTRICT
Board Resolution 2023-03
Deed Restrictions, Rules and Regulations Enforcement
PROCEDURE

Should the District Manager determine that an owner, tenant, or guest ("Member") has failed to comply with any provision of a deed restrictions, rules or regulations of Holiday Park, he/she shall notify the member by regular and certified mail and give the member ten (10) calendar days to provide an action plan that completely corrects the non-compliance within thirty (30) days of the original notification. In the event of construction without a proper approval of the Architectural Control Committee (ACC), or construction not in accordance with the permit issued by the ACC, a "Stop Work" order may be issued by the District Manager or his/her designee which details the offense. If the designee issues the "Stop Work" order on behalf of the District Manager, he/she will notify the District Manager of the action in writing the next business day.

Should the offense not be corrected within the allotted time, the Board of Trustees ("Board") will be notified by the District Manager. The Board will consider the offense based on the summary provided by the District Manager at a scheduled regular meeting. If the Board finds the offense to be valid, it may impose a fine. The member will be notified in writing via regular and certified mail at least seven (7) days in advance of the Board meeting, with the date/time of the Board meeting where the offense will be discussed.

The Board may consider the-offense, including any evidence that the member has mitigated, or has agreed to cease, the offense. Should the Board, by majority vote, determine that an offense has occurred, it may levy a fine and suspend common area use rights if the member is more than 90 days delinquent in paying the fine. A fine may be levied by the Board, pursuant to the fine schedule (attached herewith), for each day of continuing violation, not to exceed \$1000. Such fine shall not be due until the member has been provided a minimum of 14 days' notice in writing by regular and certified mail of the date and time of a hearing before a Committee of no less than three (3) property owners appointed by the Chairman and approved by the Board for the purpose. Such Committee members may not be officers, trustees or employees of the District or the spouse, parent, child, brother or sister of an officer, trustee, or employee.

The Committee shall consider any exhibits or testimony given by the member and District Manager, and by majority vote, either confirm or reject the decision of the Board of Trustees. The Committee has no authority to modify any fine imposed by the Board. Should the Committee uphold the decision of the Board, the fine is deemed levied against the member and "per day" fines begin to accrue the day the Committee votes to uphold not to exceed \$1000. When a continuing offense is corrected by the member, they must provide proof to the District Manager as to when the correction occurred. The Board can impose another fine to the member in the future by following the same process if the violation reoccurs.

The District Manager provides written confirmation of the Committee decision to uphold the Board's decision regarding the fine to the member by regular and certified mail. Fines levied by the Board shall be due five (5) days after the notice of the approved fine is given to the member. If a member is more than ninety (90) days delinquent in paying the fine, the member's ability to use common areas and facilities, including compounds used for storage of recreation vehicles and/or trailers, is suspended until the fine is paid in full. Any recreation vehicles and/or trailers parked in the name of the member must be removed from Holiday Park immediately and remain removed during the period of suspension. The Park may cause any such vehicle not removed by the owner to be towed at the owner's expense. This subparagraph does not apply to that portion of common areas used to provide access or utility services to the member's property or vehicular and pedestrian ingress to and egress from the property including, but not limited to, the right to park a vehicle in accordance with deed restriction guidelines.

In lieu of a fine, the Board may elect to suspend member access to common areas not to exceed 10 days for Rules and Regulation offenses.

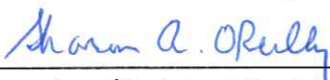
Should the member from whom the Board has suspended rights to use common areas and facilities fail to comply with such suspension, the District Manager may file a trespass order with the City of North Port.

This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 1st day of June, 2023.

ATTEST:

HOLIDAY PARK PARK AND
RECREATION DISTRICT


Secretary/Assistant Secretary


Chairman / Vice Chairman