

HOLIDAY PARK, PARK AND RECREATION DISTRICT

Board Resolution 2021-02

Deed Restrictions, Rules and Regulations Enforcement

PROCEDURE

Should the Park Manager determine that an owner, authorized licensee or invitee of the owner has failed to comply with any provision of a deed restriction, rule or regulation of Holiday Park, he shall notify the offending party by telephone and/or by regular mail and give the party(s) a reasonable time, not to exceed thirty (30) days, to correct the offense. 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 Park Manager or designee in addition to the notice of offense.

Should the offense not be corrected within the allotted time, the Board of Trustees ("Board") will be notified. The Board will consider the violation and, if found to be valid, may impose a fine. When the alleged violation is placed on the agenda for a Board meeting, the offending party will be notified in writing a minimum of seven (7) days prior to the meeting of the date and time of the meeting.

For offenses such as mold or uncontrolled weeds, the Park Manager may have the condition remedied per Board of Trustee Resolutions to that effect, rather than refer the offense to the Board.

The Board may consider the alleged violation, including any evidence that the offending party has mitigated or has agreed to cease the violation. Should the Board, by majority vote, determine that a violation has occurred, it may levy a 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 offending property owner, and if applicable, any authorized licensee or invitee of the owner to any party has been provided a minimum of 14 days' notice in writing by certified post of the date and time of a hearing before a Committee of no less than three (3) homeowners 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 charged party and Park Management, 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 charged party.

Fines levied by the Board shall be due five (5) days after the notice of the approved fine is given to the property owner and if applicable, any authorized licensee or invitee of the owner. If a property owner and, if applicable, any occupant, licensee, or invitee of the property owner ("offending party") is more than ninety (90) days delinquent in paying the fine, the Board may suspend the rights of the offending party to use common areas and facilities, including compounds used for storage of recreation vehicles and/or trailers, until the fine is paid in full. Any recreation vehicles and/or trailers parked in the name of the offending party must be removed from Park property during any period of suspension. The Park may cause any such vehicle not removed by the owner to be towed at the owner's expense. This sub-paragraph does not apply to that portion of common areas used to provide access or utility services to the property. A suspension may not prohibit an owner or occupant of a property from having vehicular

and pedestrian ingress to and egress from the property, including, but not limited to, the right to park a vehicle.

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

This Resolution shall take effect immediately upon adoption.

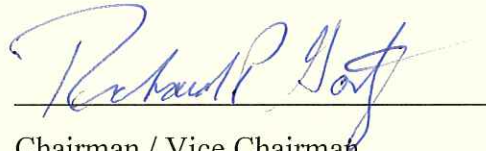
PASSED AND ADOPTED this 14th day of October, 2021.

ATTEST:

**HOLIDAY PARK PARK AND
RECREATION DISTRICT**



Secretary/Assistant Secretary



Chairman / Vice Chairman