

RESOLUTION OF THE BOARD OF DIRECTORS
OF
The CREEKSIDE AT VININGS HOMEOWNERS ASSOCIATION

FINING

1. General.

The community of Creekside at Vinings is a planned community governed by legal documents designed to maintain a high quality of life, promote harmony and maintain property values in the community. These legal documents include the Declaration of Protective Covenants of Creekside at Vinings, and the By-Laws of the Creekside at Vinings Homeowners Association.

The Association's Board of Directors is responsible for enforcing the Declaration and By-Laws. Additionally, in accordance with those documents, the Board of Directors is authorized to adopt community rules, regulations, and design and construction standards, and to enforce all of the above covenants, rules, regulations and restrictions by, among other means, levying fines against violators.

The Board of Directors believes that the vast majority of the homeowners and residents in Creekside at Vinings Community will live together as good neighbors, but that sufficiently clear regulations and sanctions are necessary for the few homeowners or residents who may not respect the community and the covenants, rules and regulations of the community.

Therefore, the Board has adopted the following schedule of fines for violations of the Declaration, By-Laws, or Association rules, regulations or design standards. Except where the Board determines that application of these established fines is not appropriate in a particular instance, any fines assessed by the Board against Association members, homeowners and/or residents for violations of the community's governing legal documents will be in accordance with the fining schedule set forth below. In accordance with the Declaration and By-Laws, fines may be assessed for each separate instance of a single-event, or non-continuing, violation. However, for continuing violations, such as installing and maintaining an unapproved exterior modification on a lot, each day that the violation continues will constitute a separate violation subject to additional fines. The fines specified below are in addition to any other remedies that are available under the Declaration, By-Laws or Georgia law.

2. Fining Schedule.

The following sections identify the schedule of fines which may be assessed for violations of the Declaration or Design Standards. This schedule attempts to anticipate a variety of possible violations, but it is not practical or possible to identify every possible violation. Therefore, any violation not particularly defined in these sections are subject to such fines as may be established by the Board pursuant to the Declaration.

Architectural Control Violations. These include violations of Article VI of the Declaration or of any Design Standards or Guidelines adopted by the Association. When authorized under the Declaration and By-Laws, fines which may be imposed against violators shall not exceed the following:

Continuing Violations - \$25.00 per day per violation. These include, but are not limited to:

- making any lot or dwelling modifications or construction without approval of the Board or its designated architectural committee, when required under Article VI of the Declaration. This includes unauthorized or unapproved landscape modifications, painting modifications, play structures, sheds, and similar items; (14 days grace period)

- varying from any plans, specifications or application for exterior construction or modifications approved by the Association, without obtaining prior Board or committee approval.(14 days grace period)

Continuing Violations - \$25.00 per day per violation

- Decks stained or painted any color without obtaining prior Board or committee approval (14 days grace period)

For continuing architectural control violations, fines may be assessed on a daily basis for each day that the unauthorized items or modifications remain after removal or corrective action is requested by the Association

Continuing Violations - \$500.00 one time fine

- Dumping of furniture, boxes and/or any item in front of unit or any common area
- Unauthorized garage/yard sale

Single Event/Non-Continuing Violations - \$25.00 for first instance of a violation, \$50.00 for second instances \$300.00 for each instance thereafter.

- Failure to pick up after a pet (owner is also subject to City Ordinance and City fine)

Single Event/Non-Continuing Violations - \$25.00 for first instance of a violation, \$50.00 for subsequent instances of the same violation within a 12 month period, and \$300.00 if the violation involves destruction or removal of property which cannot practically be restored (such as removal of mature trees). These include, but are not limited to:

- unauthorized or unapproved modifications or construction on a lot, which subsequently is approved by the Board or committee; and
- unauthorized removal of trees or unauthorized removal of any Association maintained monuments, entry features or similar items on lots.

(a) **Use Restriction/ Rule Violations.** These include violations of Article VII of the Declaration, or of any rules and regulations established by the Association. When authorized under the Declaration and By-Laws, fines which may be imposed against violators shall not exceed the following:

Continuing Violations - \$25.00 per day per violation These include, but are not limited to:

- Unauthorized businesses being conducted from a home; (14 days grace period)
- Unauthorized occupancy of homes by excessive numbers of people; (14 days grace period)
- Continued storage or parking of unauthorized vehicles, boats, trailers, and automobiles at the property. (no grace period)

- For Sale signs, no more than 1 per home and no signs for commercial purpose shall be allowed (24 hrs grace period – per Covenants Article 7.3)
- Clotheslines, no clotheslines shall be erected on any portion of any lot (14 days grace period)
- Unauthorized antennas, aerials and satellite dishes or other reception device not out of view or shield so as to minimize any risk or nuisance. (14 days grace period)
- Unauthorized window air-conditioner (14 days grace period)
- Trash cans placed at curb earlier than 5PM the day prior to pickup. Trash cans not stored in garage within 24 hours after pickup. (NO GRACE PERIOD)

For continuing use restriction violations, fines may be assessed on a daily basis for each day that the unauthorized conduct continues after corrective action is requested by the Association.

Single Event/Non-Continuing Violations - \$25.00 for first instance of a violation, \$50.00 for subsequent instances of the same violation within a 12 month period. These include, but are not limited to:

- Pet violations, such as allowing a dog to roam unleashed through the community or failing to remove pet droppings from common area;
- Unauthorized or improper use of Association amenities, such as using facilities during unauthorized hours;
- Abusive conduct towards others on Association common areas.

(b) **Maintenance Violations.** These include violations of Article VII of the Declaration or of any Design Standards or Guidelines adopted by the Association, and these violations will generally be continuing in nature. When authorized under the Declaration and By-Laws, fines which may be imposed against violators shall not exceed the following:

\$25.00 per day per violation. These include, but are not limited to:

- Failure to maintain/repair the dwelling when required or appropriate;

(c) **Other Violations.** When authorized under the Declaration and By-Laws, fines which may be imposed against violators for other violations not addressed above shall not exceed \$25.00 per day for continuing violations, and, for single-event/non-continuing violations, shall not exceed \$50.00 for the first instance of such violation and \$50.00 for each subsequent instance of such violation within a 12 month period.

(d) **Parking.** No Parking on the streets is permitted. Any vehicle subject to tow will also be fined \$100.00. No Parking on the grass in whole or partial is allowed. Vehicle towed will also be fined \$100.00 plus any damages incurred, such as broken pipes, sprinkler heads, etc.

The Board shall apply these fines based on the schedule set forth above, unless the Board determines in any particular case that unique or extreme circumstances justify varying from this schedule.

RESOLVED AND ADOPTED by the Board of Directors of the Creekside at Vinings Homeowners Association, this 11 day of APRIL, 2008.

**CREEKSIDE AT VININGS HOMEOWNERS
ASSOCIATION**

By:

Keri Allibone
President

[Signature]
Vice President/Secretary

Attest:

[Signature]
Treasurer