**Kahler Glen Community Association**

**Fines adopted by the board of directors on April 11, 2007**

**(Amending the Board’s October 1999 list of fines)**

**1. Rules**

Kahler Glen Community Association (KGCA) has the authority to enforce its Protective Covenants, Bylaws, and other Rules that apply to the Association by several methods, including the imposition of reasonable fines. The Board of Directors adopts this list of fines pursuant to the bylaws, section 12.7.5.3.

All applicable local, state, federal and other laws and regulations, including those administered by the Chelan County agencies are in effect. Rules that apply to the KGCA are provided for and contained within the applicable Covenants, Bylaws, and other Rules and regulations as adopted. It is the responsibility of each member to understand and abide by these Rules.

**2. Process**

An alleged violation of any Rule may be reported to the Board of Directors of the KGCA. The allegations of violations shall be in writing and/or documented in the minutes of a meeting of the Board. The Board will conduct an initial investigation of the complaint and make a reasonable attempt to contact the member to discuss and remedy the situation.

The Board or its delegate shall attempt to resolve the situation informally but if an agreement is not possible the matter shall be dealt with according to the procedures outlined in Article XII of the Bylaws.

Any actions or activity by a member felt to be in dispute by that member and any fines thought to be unfairly assessed may be challenged and a meeting arranged by the member before the Board to discuss the issue at hand. Specific information for a resolution hearing is also discussed in Article XII of the Bylaws. It shall be the intent of the Board to resolve any disputed issues quickly and informally at a joint meeting between the Board and the member.

**3. Violations-Fines**

The Board of Directors may assess a fine of up to $300 for a first violation of a Covenant or Bylaw, up to $500 for a second similar or related violation, and up to $1000 for a third similar or related violation. The amount of the fine shall be fair and reasonable under all of the circumstances, and may take into account the scope of the violation, its effect on the community, the difficulty of remedying the violation, any excuse or explanation, the degree of culpability, the cooperation of the violator after discovery, the need to deter other such violations, and any other relevant factors.

The list provided in paragraph five, below, is intended as a guide only. A comprehensive list of the Rules of the Community can be found in the covenants. Homeowners and contractors are also governed by the Builder’s Packet distributed by the Architecture Committee and specify procedures to be followed during the construction and landscaping process.

**4. Enforcement**

If a member fails to comply with a ruling issued by the Board of Directors pursuant to the provisions of this Resolution to stop or alter work, remediate, meet specified requirements, pay a fine, or in any other way, the Board may institute any all available proceedings, both legal and equitable, to require that he or she do so.

**5. List of Fines**

Level One Offenses: These are offenses which constitute a nuisance, or unauthorized activity. Examples would be unauthorized use of parking lots, problems with pets, etc.

Step one will be an oral or written notice to the violator, followed by a specific written violation. If there is no reasonably immediate compliance, a fine of up to $100 shall be imposed, payable within thirty days.

A second violation will incur a fine of $200, also payable within thirty days.

A third violation will incur a fine of $500, also payable within thirty days.

Level Two Offenses: These offenses are ones which are disruptive or damaging to others, such as excessive noise, damages to property, failure to meet construction or landscaping deadlines, or unauthorized businesses.

Step one will be an oral or written notice to the violator, followed by a specific written violation. If there is no reasonably immediate compliance, a fine of up to $200 shall be imposed, payable within thirty days.

A second violation will incur a fine of $300, also payable within thirty days.

A third violation will incur a fine of $750, also payable within thirty days.

Level Three Offenses: These are offenses which have a great potential for damage or injury, such as discharge of firearms, unauthorized fires, etc.

Step one will be both an oral and written notice to the violator. If there is no reasonably immediate compliance, a fine of up to $300 shall be imposed, payable within thirty days.

A second violation will incur a fine of $500, also payable within thirty days.

A third violation will incur a fine of $1000 also payable within thirty days.

**6. The fines as adopted herein are in addition to all other remedies for property conditions and activity violations as outlined in the Covenants and Bylaws of the Kahler Glen Community Association.**