

**Resolution #93-04**  
**Date: October 25, 1993**

**CLIPPER COVE OWNERS' ASSOCIATION**  
**FINE SCHEDULE RESOLUTION**

**WHEREAS**, the Clipper Cove Owners' Association Declaration of Covenants, Conditions and Restrictions has a general monetary fine provision in Article V, Breach of Rules or Regulations 5.11:

**5.11 BREACH OF RULES OR REGULATIONS:** In the event of a breach of any Rule or of any of the restrictions contained in this Project Declaration by a Lot Owner, his family, guests, employees, invitee, licensees, or tenants, the Project Board, for and on behalf of all other Lot Owners, shall enforce the obligation of each Owner to obey such Rules or restrictions in any manner provided by law or in equity, including but not limited to appropriate hiring of legal counsel, the pursuit of legal action, or suspension of the Owner's right to use the common facilities of the Project, if any, or the suspension of the Owner's voting rights, PROVIDED, HOWEVER, such suspension may not be for a period in excess of thirty (30) days after notice and hearing as herein provided, for an infraction of such Rules. In addition to the other remedies herein set forth, the Project Board by majority vote, may levy a fine against such Owner, after appropriate notice and hearing as herein provided, in an amount not to exceed Fifty Dollars (\$50.00) for each such violation and the payment of such fine may be enforced in the same manner as set forth in Section 6.6 hereof. Prior to imposing any penalty provided herein for breach of any Rules enacted hereunder or restrictions contained in this Declaration, the Project Board shall send written notice to the Lot Owner specifying the nature of the infraction and shall provide an opportunity to the Lot Owner to a hearing before the Project Board regarding such infraction and the penalty to be imposed. In the event that the Board determines that said infraction has occurred and that a penalty shall be imposed, after a reasonable opportunity for a hearing has been provided, the determination of the Project Board shall be final. In the event legal counsel is retained or the Project Board pursuant to this paragraph institutes legal action, any settlement prior to judgment or any judgment rendered in any such action shall include cost of collection, court costs, and reasonable attorneys' fees.

**WHEREAS**, the State of California has added to the Civil Code Section 1363 (i) requiring associations which impose or intend to impose monetary fines to adopt and distribute each year a schedule of monetary penalties that may be assessed for violations. Distribution must be by personal delivery or first class mail.

**THEREFORE, LET IT BE RESOLVED**, that the Clipper Cove Owners' Association schedule of fines is as follows:

For all other violations the Board may, upon final determination and homeowner notification, levy an Enforcement Project Assessment of \$25.00 per day (24-hour period) for the first 15 days and thereafter \$50.00 per day until the violation is corrected.