

3
CHARTER

COVENANTS ENFORCEMENT COMMITTEE

SAWMILL LAKES MAINTENANCE ASSOCIATION, INC.

WHEREAS, the Board of Directors has determined that the best interests of the Association and its Members would be served if certain of the Association's activities concerning compliance with the Association's Rules and Regulations as well as the *Declaration of Covenants and Restrictions for Sawmill Lakes* be adjudicated by a committee of the Members; and,

WHEREAS, the Board of Directors within their authority has the responsibility to establish such committees and charge those committees with duties and responsibilities; and,

WHEREAS, the Sawmill Lakes Maintenance Association, Inc., is a Florida corporation not for profit duly organized and existing under the laws of the State of Florida; and

WHEREAS, Florida Statute 720.305 (formerly 617.305), that portion which applies to Florida corporations not for profit, obligations of members, remedies at law or in equity, levy of fines and suspension of use rights, states, "Each member and the member's tenants, guests and invitees, and each association, are governed by, and must comply with this chapter, the governing documents of the community, and the rules of the association." and

WHEREAS, Florida Statute 720.305 (formerly 617.305) further states, "If the governing documents so provide, an association may suspend, for a reasonable period of time, the rights of a member or a member's tenants, guests, or invitees, or both, to use common areas and facilities and may levy reasonable fines, not to exceed \$100 per violation, against any member or any tenant, guest, or invitee. A fine may be levied on the basis of each day of a continuing violation, with a single notice and opportunity for hearing, except that no such fine shall exceed \$1,000 in the aggregate unless otherwise provided in the governing documents." and

WHEREAS, Florida Statute 720.305 (formerly 617.305) further states, "A fine or suspension may not be imposed without notice of at least 14 days to the person sought to be fined or suspended and an opportunity for a hearing before a committee of at least three members appointed by the board who are not officers, directors, or employees of the association, or the spouse, parent, child, brother, or sister of an officer, director, or employee. If the

committee, by majority vote, does not approve a proposed fine or suspension, it may not be imposed."

WHEREAS, Article IX of the *Declaration of Covenants and Restrictions for Sawmill Lakes* provides for the imposition of fines for noncompliance with Covenant restrictions and availability for a hearing for presentation of argument why a fine should not be imposed;

NOW THEREFORE LET IT BE RESOLVED, that there shall be a standing committee

1

chartered as the Covenants Enforcement Committee. This Committee shall oversee compliance with the various property maintenance, architectural and use restrictions set forth in the *Declarations of Covenants and Restrictions for Sawmill Lakes* as well as compliance with the Rules and Regulations of the Sawmill Lakes Maintenance Association, Inc., and shall have the following responsibilities and authority:

- 1) The Committee shall familiarize itself with and adhere to requirements set forth in Florida Statutes 720.305 (formerly 617.305).
- 2) The Committee shall follow the administrative procedures set forth in the attached *Sawmill Lakes Maintenance Association, Inc., Covenants Enforcement Manual* dated July 3, 2001.
- 3) The Committee shall present an annual report of its activities to the Board of Directors no later than fourteen (14) days prior to the annual meeting of the Association.
- 4) The Committee shall meet at least once each month; however, it shall meet as often as necessary to complete its assigned responsibilities as set forth in the *Covenants Enforcement Manual*.
- 5) The Committee shall consist of at least four (4) Members, but no more than seven (7) Members as specified in the *Covenants Enforcement Manual*. One (1) shall serve as Chairperson and one (1) as Secretary of the Committee.
- 6) The Committee shall perform its duties in accordance with the provisions of the *Covenants Enforcement Manual* and the Resolution of "Committees Generally".