

SECTION EIGHT

COMPLIANCE PROCEDURES: SCHEDULE OF FINES, PENALTIES & APPEALS PROCESS

Compliance with the Windmill Harbour Covenants and Rules & Regulations is a responsibility of all Windmill Harbour owners. Owners are also responsible for violations by their guests and tenants. "Owner" as used in these procedures means the responsible Windmill Harbour property owner who is alleged to be in violation of the Covenants or Rules & Regulations. The Property administrator (PAI) will keep an investigative record of all reported violations requiring action or response. Failure to comply may result in a lien on your house/property.

NOTE: This document does not cover Construction Compliance Procedures (see Architectural Review Board Appendix A, Schedule of Rules, Fines & Penalties).

The Owner will have the right to review the investigation record during regular business hours. The Board of Directors may delegate their responsibilities hereunder to PAI and the Covenants Compliance Committee.

Enforcement Procedures

Anyone may file a compliance request. Owners are encouraged to become familiar with the 2006 Windmill Harbour Rules & Regulations document. A Compliance Request form is available at the Security gatehouse or from PAI. The form may be filed directly with PAI or with WH Security. The complainant must provide his/her name, which will be part of the investigation record.

After a compliance request has been filed, PAI will contact the Owner within 5 working days from the date the compliance request was filed and request voluntary compliance. If the Owner is in residence, PAI will make the best efforts to meet with the Owner. If contact has not been made after 5 working days from the first attempt to contact the Owner, or if the Owner refuses to comply, PAI will send by certified mail, return receipt requested, a notice of non-compliance to the. The notice will include:

- A description of the violation;
- The amount of the fine per working day;
- The time allowed for compliance to avoid a fine;
- The date and location the violation was reported;
- Corrective action that must be taken;
- Notification that the Owner may appeal to the POA Board.

If the compliance issue is corrected within the allotted time, the matter will be considered resolved, and the investigation record updated. If the compliance issue has not been corrected within the time allowed, PAI will send by registered mail, return receipt requested, a notice the violation has been confirmed. The written notice will include the appropriate daily fine or enforcement action.

The Owner may appeal to the POA Board within 30 days after receiving the notice that the violation has been confirmed.

Appeals Process

1. Appeals shall be in writing and shall set forth the grounds for the Owner's appeal of the notice of noncompliance.
2. The POA Board will notify the Owner in writing of the place, date and time of the appeal hearing. All appeals will be heard before the Board or Covenants Compliance Committee.
3. Any complainant will be invited to the hearing, although the complainant's presence is not mandatory.
4. At the appeal hearing, the Owner may present such documentation, witnesses and other supporting evidence as the Owner believes is necessary to present his/her appeal.
5. Appeal hearing shall not last longer than one half hour, except under extraordinary circumstances determined by the POA Board.
6. Following the appeal hearing, the Covenants Committee shall issue a final decision for both the POA Board and Owner. The written decision of the committee need not give the basis for the Committee's decision. As set forth in Sections 8-16 of the Covenants, there shall be no further appeals from the final decision.

FINES AND PENALTIES

PARKING AND TRAFFIC VIOLATIONS

I. MOVING VIOLATIONS:

A. Speeding over 25 MPH:

1. First offense: Written citation
2. Second offense: \$50.00 fine
3. Third offense: \$100.00 fine
4. Fourth offense: Action by the Board*

B. Speeding over 40 MPH:

1. First offense: Written citation
2. Second offense: \$100.00 fine
3. Third offense: \$500.00 fine and Action by the Board*

C. Suspected Drunk or Reckless Driving:

1. Driver will be detained by Security, and Beaufort County Sheriff's Department will be called.

- D. Failure to Stop at Stop Sign:
1. First offense: Written citation
 2. Second offense: \$25.00 fine
 3. Third-plus offenses: \$50.00 fine

- E. Improper use of Motorcycles and Mopeds:
1. First offense: Written citation
 2. Second offense: \$25.00 fine
 3. Third-plus offense: \$50.00 fine

*Action by Board may result in revoking driving privileges in Windmill Harbour for a determined period of time.

II. ILLEGAL PARKING:

- A. Blocking a fire hydrant, fire lane, mailbox, driveway, walkway or impeding traffic flow:
1. First offense: Written citation
 2. Second offense: \$50.00 fine and/or TOWING.
 3. Third offense: \$500.00 fine and TOWING.

- B. Any illegal parking on vacant lots will result in:
1. \$25.00 per-day fine 24 hours after expiration of pass, and possible towing.

- C. Commercial vehicles may not be parked overnight on any property.
1. First offense: Written warning
 2. Second offense: \$50.00 fine per day
 3. Third offense: \$100.00 fine per day

- D. Boat trailers, RV's, campers and U-Hauls may be parked for cleaning, loading and unloading only (Section Four, paragraph 6). Violation result in a \$50.00 per-day fine.

Non-operational vehicles are prohibited from being parked in the driveway or stored up on blocks in the driveway (Section Four, paragraph 3). Violators will be subject to:

1. First offense: Written warning
2. Second offense: \$25.00 per day until vehicle is moved.

III. GOLF CART VIOLATIONS (Section One, paragraph 4):

- A. First offense: Written warning
- B. Second offense: \$25.00 fine
- C. Third offense: \$50.00 fine