



HEARING PROCESS AND PROCEDURE

A notice of violation will be recorded the day of the occurrence. You will be mailed a copy at the end of the month. You may elect to voluntarily meet with the Hearing Committee on the date specified in the letter, which is normally scheduled on the 3rd Wednesday of each month. If so, you must contact the Property Manager to schedule a time for your appearance. Note: An appearance before the Hearing Committee will be required for any of the following: (i) a fourth moving violation, or a fifth non-moving or common violation, within a 12-month period, (ii) when the cumulative points within 12-month period total 10 points per individual or 15 points per residence, or (iii) for a citation for which an Incident Report was filed.

The function of the Hearing Committee is to afford residents and others who receive violation notices, the opportunity to present evidence or reasons as to why they believe the violation was improperly issued or should not be enforced. This is an informal process, where three (3) resident members of the committee meet with the recipient of the violation notice, listen to the case, ask questions, and then decide whether a violation did occur, and/or if there were unusual or extreme circumstances that warrant either voiding the violation notice or modifying the fine or other penalty.

The committee operates based on the rules of the community and the Florida Homeowners Association Act and the fines and penalties adopted by the BWA Board of Directors. While the process is informal, the committee does ask residents and others who come to meet with it to remember to address the facts concerning the violation. The committee does not make, change or selectively enforce the rules of the community, nor does it decide what methods BWA, Sub-Associations, Environment Control Board (ECB) or our Security Officers should use, or how much time they should spend on the enforcement of these rules.

The Board of Directors of BWA along with the ECB, Security Committee and Sub-Association Presidents appreciate your support and urge you to comply with the BWA homeowner documents and updated amendments.

Please review the attached violations with a positive spirit and understand that our mission is to preserve the quality of our community and the security of residents, guests and properties within Breakers West.

May 3, 2017

Breakers West Association, Inc.
VIOLATIONS & POINT SYSTEM

Rev. 5.3.17

Please review the Violations & Points System with a positive spirit and collaborate with our mission to preserve the quality of our community and the security and safety of our residents, guests and properties.

Your support is appreciated . . . please be safe!!!

TRAFFIC VIOLATIONS - (MOVING)

(3 Points for Each Offense)

VIOLATION	1st OFFENSE	2nd OFFENSE	3rd OFFENSE	*4th OFFENSE
Exceeding Posted Speed Limit: Appearance	Warning	\$50.00	\$100.00	\$100.00 + Hearing
Failure To Stop At Stop Sign: Appearance	Warning	\$50.00	\$100.00	\$100.00 + Hearing
Minors Driving Golf Carts: Appearance	Warning	\$50.00	\$100.00	\$100.00 + Hearing

Minors must have a learner's permit or driver's license to operate a golf cart.

TRAFFIC VIOLATIONS - (NON-MOVING)

(2 Points for Each Offense)

VIOLATION	1st & 2nd OFFENSE	3rd OFFENSE	4th OFFENSE	*5th OFFENSE
Improper Parking Blocking of sidewalks - Parking on the grass - Parking on the wrong side of the street Parking on the street after approved hours - Unapproved vehicles not parked in the garage after approved hours, (i.e. trucks, any vehicle with a flatbed, whether covered or not is deemed a truck).	Warning	\$50.00	\$100.00	\$100.00 + Hearing Appearance

ALTERNATE SIDE OF THE STREET PARKING REGULATIONS:

Monday, Wednesday and Friday - odd address parking side.

Tuesday, Thursday and Saturday - even address parking side.

OTHER EXAMPLES OF COMMON VIOLATIONS

(1 Point for Each Offense)

VIOLATION	1st & 2nd OFFENSE	3rd OFFENSE	4th OFFENSE	*5th OFFENSE
(1) (2) (3) (4) (5) (6)	Warning	\$50.00	\$100.00	\$100.00 + Hearing Appearance

Violations include, but not limited to:

- (1) Nuisance alarms
- (2) Pets not on a leash
- (3) Failure to pick up after pets
- (4) Garbage & recycle put out prior to 6:00 a.m. or not removed from curb by 9:00 p.m.
- (5) Yard debris placed out prior to 6:00 a.m.
- (6) Littering

ECB VIOLATIONS - (Required Maintenance of Property)

(1 Point for Each Offense)

VIOLATION	1st NOTICE	2nd NOTICE	*3rd NOTICE (FINAL)
(1) (2) (3) (4) (5) (6) (7) (8)	Warning	\$50.00	\$100.00 per day up to \$1,000 + Hearing Appearance

Violations include, but not limited to:

- (1) Neglected home maintenance
- (2) Mold
- (3) Roof repairs
- (4) Painting
- (5) Mailboxes
- (6) Unapproved hurricane shutter usage
- (7) Dead and overgrown vegetation
- (8) Damaged pool screening

Failure to submit the required application and application fees to our Environmental Control Board prior to starting an external project will result in a \$100.00 penalty fee.

An appearance before the hearing Committee will be required for any of the following:

(i) for any offense noted with an *, (ii) when the cumulative points within a 12-month period total 10 points per individual or 15 points per residence, or (iii) for a citation for which an Incident Report was filed. There are no Fines or Points attached to Warnings. Non-payment of a fine may result in the deactivation of all barcodes assigned to the residence, and a reactivation fee per barcode.