



Pelican Landing Community Association Policies & Procedures

Title: TRAFFIC VIOLATION FINING PROCEDURES		Page #: 1 Of: 2
Section: Privacy		
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Distribution: Dept. Heads, CAM, UOC Representatives, Co-Chairs, Board Members		
Reference: Pelican Landing Declaration and Covenants: Article XIII, Sections 13, 16 PLCA ByLaws Section: 9.1		

A p p r o v a l

PLCA Board	Date

Policy: To provide a set of guidelines with penalties, including fines administered by a Fining Committee, to control various traffic violations.

Purpose: To control traffic violations including speeding, failure to make a complete stop at stop signs and parking in non-designated areas within Pelican Landing.

Procedures:

I. TRAFFIC AND PARKING VIOLATIONS FOR RESIDENTS, GUESTS, INVITEES AND LESSEES WILL BE ADMINISTERED AS FOLLOWS: (ALL OBSERVED VIOLATIONS WILL BE SENT TO THE PROPERTY OWNER)

A. SPEEDING OFFENSES UNDER 40MPH OR VIOLATION OF A TRAFFIC CONTROL DEVICE OR PARKING IN A NON-DESIGNATED AREA

1. 1st Offense – A written warning in the form of a ticket and letter of the observed violation will be sent to the homeowner.
2. 2nd Offense within a 12 month period - A ticket and fine of fifty dollars (\$50.00) and a letter of the observed violation will be sent to the homeowner.
3. 3rd Offense within a 12 month period – A ticket and fine of seventy five dollars (\$75.00). And a letter of the observed violation will be sent to the homeowner.
4. 4th Offense within a 12 month period - A ticket and fine of one hundred dollars (\$100.00) fine and a letter of the observed violation will be sent to the homeowner. Plus the bar code decal(s) will be deactivated for a period of 90 days.

B. SPEEDING OFFENSES OF 40MPH OR OVER OR FLAGRANT VIOLATION OF A TRAFFIC CONTROL DEVICE

1. 1st through 3rd offenses within a 12 month period - a ticket and fine of seventy five dollars (\$75.00) for each offense and a letter of the observed violation will be sent to the homeowner.
2. 4th offense within a 12 month period - a ticket and fine of one hundred dollars (\$100.00) plus the bar code decal(s) will be deactivated for a period of 90 days, and a letter of the observed violation will be sent to the homeowner.

- C. Fines are subject to an appeal by the resident at a hearing of the three member Fining Committee appointed by the Board of Directors. A majority vote of the Fining Committee is required in order to levy the fine.
1. A notice will be sent to the resident advising the resident of his or her right to a hearing which will include:
 - a) A statement of the date, time and place of the hearing to be held not less than 14 days from the date of the notice.
 - b) A statement that the resident may present evidence at the hearing.
 - c) A specific designation of the provisions of the governing Documents or Rules and Regulations which are alleged to have been violated;
 - d) A short statement of the alleged violation(s); and
 - e) The amount of the proposed fine.
 3. Fines are due within 30 days of the decision by the Fining Committee.
 4. If the resident does not request a hearing or fails to attend the hearing the proposed fine will be assessed to the resident's unit if the Fining Committee finds that the resident violated the provisions above set forth and the fine is not paid within 30 days of the date of the decision of the Fining Committee.
 5. Use privileges of community amenities will be suspended for any fine not paid within 30 days from the decision by the Fining Committee. Such suspension will continue until fines are paid in full.
- D. Each resident traffic and parking violation record shall be retained for a period of one year from the date of the offense.

II. TRAFFIC AND PARKING VIOLATIONS FOR COMMERCIAL VEHICLES WILL BE ADMINISTERED AS FOLLOWS:

1. 1st Offense - A written warning in the form of a ticket with a letter of the observed violation will be sent to the vendor.
2. 2nd Offense within a 12 month period – Vehicle will be expelled from the property for the remainder of the day, and a letter of the observed violation will be sent to the vendor.
3. 3rd Offense within a 12 month period – Vehicle will be expelled from the property for a period of one year from the date of the third offense, and a letter of the observed violation will be sent to the vendor.

Each commercial vehicle traffic and parking violation record will be retained for a period of one year from the date of the offense.

The employer of the commercial vehicle shall be notified of the violation.