

BREEZEWOOD ACRES COMMUNITY ASSOCIATION, INC.
Schedule of Violations and Fines and Penalties

WHEREAS, Breezewood Acres Community Association, Inc. (ASSOCIATION) is charged with establishing and enforcing Rules and Regulations, By-Laws, and the recorded Covenants, Conditions, and Restrictions governing access to and use of private lots, public and private roads and facilities, conduct of property members, guests, visitors in the development known as Breezewood Acres located in Lehigh and Dreher Townships, Wayne County State of Pennsylvania; and

WHEREAS, the Association has, from at or about its inception, drafted, prepared, amended, corrected, updated, circulated, and enforced a separate document entitled “Breezewood Acres Community Association, Inc. Schedule of Fines”; and

WHEREAS, the Association has, on or about December 10, 2022, amended, updated, reformulated, and ratified the certain and various violations and penalties for the violation of the aforementioned Rules and Regulations, By-Laws, and Covenants of Breezewood Acres Community Association, Inc., which are supported by the Declaration of Protective Covenants and Reservations and/or state, county and township laws, ordinances, rules and regulations; and

WHEREAS, consistent with the foregoing, the Schedule of Violations and Fines and Penalties are ratified, amended, authorized and approved as indicated herein as follows:

SECTION I - BACKGROUND
BREEZEWOOD ACRES COMMUNITY ASSOCIATION, INC.
UNLICENSED VEHICLE REGULATIONS

1. All 3 and 4 wheel ATV's, golf carts, snowmobiles, motorcycles, go-carts and other unlicensed vehicles (hereinafter "Unlicensed Vehicles") must be registered in the administration office before the vehicles enter the property. All unlicensed vehicles must be registered each and every year and a copy of their insurance shall be included in the Owner's file in the office.
2. All operators of Unlicensed Vehicles must have a Breezewood Acres ID card which must be carried by the operator of said Unlicensed Vehicle at all times. All operators of Unlicensed Vehicles between the ages of 12-17 must obtain a Breezewood Acres ID card unless operator possesses valid license.
3. Your registration number (hereinafter "Plate") must be placed on the back of all Unlicensed Vehicles. Your Plate will be assigned at the time of registration.
4. In order to register your Unlicensed Vehicle, you must provide proof of insurance. A current copy of said insurance policy or insurance card must be in the property owner's name and be shown at the time of registration.
5. No person under the age of 12 is permitted to drive an Unlicensed Vehicle.
6. No Unlicensed Vehicle, with the exception of snowmobiles equipped with proper lights, shall be driven from the hours of 8 p.m. through 8 a.m. from November 1 to March 31. No Unlicensed Vehicle shall operate during the period of 8 p.m. through 8 a.m. from April 1 to October 31. Exception: Operators 18 years of age and over may operate Unlicensed Vehicle between the hours of 8 a.m. and 10 p.m.. No Unlicensed Vehicle shall operate after sunset, except golf carts equipped with proper lights on the front and rear of the Unlicensed Vehicle.
7. All Vehicles must follow the speed limits within the Association. These speed limits are 15 mph on Geronimo Drive and 10 mph on all other glen roads.
8. All Vehicles will obey all stop signs and any other street signs within the campground.
9. All Unlicensed Vehicles must, at all times, have mufflers installed. These mufflers will be checked and must be at or under a 90-decibel discharge.
10. At no time shall any Vehicle be driven or ridden in an unsafe or reckless manner.

11. All Security Officers have the right to stop any Unlicensed Vehicle at any time and check to insure the proper registration, insurance and ID card.
12. D.O.T. approved helmets are to be worn by the driver and passenger of any Unlicensed Vehicle, except golf carts.
13. Go-carts must have a 60 inch long safety flag whips and orange or red reflector tags attached to it.
14. The number of passengers on an Unlicensed Vehicle shall not exceed manufacturers specifications. All occupants must be seated at all times.
15. There will be no storage of vehicles over 30 days in a 365 day period.
16. All Unlicensed Vehicles must be no more than 1000cc's.
17. All snowmobiles must be registered.

SECTION II
BREEZEWOOD ACRES COMMUNITY ASSOCIATION, INC.
SCHEDULE OF FINES AND PENALTIES

ARTICLE I - OPERATIONAL AND/OR MOVING VIOLATIONS

	<u>Minimum</u>	<u>Maximum</u>
101. Driving - Reckless/Careless	\$ 50.00	\$250.00
102. Failure to stop at stop sign	\$ 50.00	\$150.00
103. Driving Unregistered Snowmobile	\$ 50.00	\$250.00
104. Driving Unlicensed Vehicle without ID card in possession	\$ 50.00	\$150.00
105. Driving Unlicensed Vehicle without proof of BACA registration	\$ 50.00	\$150.00
106. Driving Unlicensed Vehicle without proof of insurance	\$ 50.00	\$150.00
107. Driving Unlicensed Vehicle without registration number on vehicle	\$ 50.00	\$150.00
108. Improper Passing	\$ 50.00	\$150.00
109. Operating Unlicensed Vehicle without D.O.T. approved helmet	\$ 50.00	
110. Riding Unlicensed Vehicle without D.O.T. approved helmet	\$ 50.00	
111. Operating Go-Cart without 60 inch long safety flag whips	\$ 50.00	
112. Operating Go-Cart without orange or red reflector tags	\$ 50.00	
113. Unlicensed driver operating Unlicensed Vehicle	\$ 50.00	\$150.00

114.	Underage Driver operating Unlicensed Vehicle	\$50.00	\$150.00
115.	Unauthorized use of BACA plates	\$300.00	
116.	Violation of any Unlicensed Vehicle Regulations	\$ 50.00	\$150.00
117.	Speeding	\$ 50.00	\$250.00
118.	Unlicensed Vehicle without muffler installed or with discharge above 90 decibels	\$ 50.00	\$150.00
119.	Unlicensed Vehicle driven by person UNDER 18 years from 8 p.m. to 8 a.m. from November 1 to March 31 (except golf carts and snowmobiles equipped with proper lights)	\$ 50.00	\$150.00
120.	Unlicensed Vehicle driven by person OVER 18 years from 8 p.m. to 8 a.m. from November 1 to March 31 (except golf carts and snowmobiles equipped with proper lights)	\$ 50.00	\$150.00
121.	Unlicensed Vehicle with more passengers than specified by manufacturer (riders must remain seated)	\$ 50.00	\$150.00
122.	Use of Unregistered/Unlicensed Vehicle	\$150.00	
123.	Operating Unlicensed Vehicle after loss of operating privileges revoked	\$1,000.	
124.	Riding bicycle without helmet pursuant to Pennsylvania State Law for children 12 and under (Resolution 2015-34)	\$25.	
125.	Use of battery-operated/electric vehicles		
	- No riding on Geronimo		
	- Bicycle helmet to be worn by driver		
	- To be accompanied by parent if on road (Resolution 2015-35)	\$25.	

126. General violation of any miscellaenous unlicensed
Vehicle rules and regulations noted about \$ 50.00 \$500.00
127. **Penalty Enhancement:** Repeat conviction of any of the Article I Violations shall result in a fine schedule doubled on a second conviction and tripled on a third and subsequent conviction. A second conviction of any Article I Violation shall carry with it loss of operating privileges for a period not less than thirty (30) days. A third conviction of any Article I Violation shall carry with it loss of operating privileges for not less than the duration of the calendar year. Any subsequent violations shall carry with it revocation of operating privileges.

**BREEZEWOOD ACRES COMMUNITY ASSOCIATION, INC.
SCHEDULE OF FINES AND PENALTIES**

ARTICLE II - PROPERTY VIOLATIONS

	<u>Minimum</u>	<u>Maximum</u>
201. Abandoned, stripped down, partially wrecked, or storage of junk vehicle	\$250.00 plus any towing costs	
202. Storage of vehicles (cars, trucks, SUV's, vans) over 30 days (except motor homes)	\$ 30.00 per day	
203. Tampering with and/or misuse of electrical boxes	\$1,000.00 plus cost of repair	
204. Unattended fire	\$ 50.00	
205. Fire during burn ban	\$250.00	
206. Violation of set-backs and easements	\$ 50.00	\$250.00 (Plus any and all enforcement costs, fees, and expenses)
207. Violations of any provisions of the Declarations of Protective Covenants and Reservations, Constitution and By-Laws and/or the Rules and Regulations	\$250.00	\$2,500.00
208. Failure to obtain proper association permit(s)	\$100.00	
209. Violations relative to discharge of any sewage, gray water or similar waste material	\$250.00	\$2,500.00
210. Failure to equip and maintain sewage, gray water or similar effluent containment system (commonly blue boy) on trailer	\$250.00	\$2,500.00
211. Trespassing on private property	\$250.00	\$500.00
212. Trespassing on Association property	\$250.00	\$500.00

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| 213. Parking On Roadways Or Easements Parallel To Roadways | \$ 50.00 | |
| 214. Blowing/raking/leaving leaves/debris in Roadway | \$ 50.00 | \$500.00 |
| 215. Abandonment, failure to maintain lot | Termination of all services
service, costs, fees, legal
fees, all clean-up, removal
fees/costs | |
| 216. Violation of Resolution 2021-8
200 day lot/use permanent residency clause | Including but not limited to:
Days 200-210 - \$50. Per day
Days 211-220 - \$100. Per day
Day 221 + - \$250. Per day,
Termination of water/electric,
Mandatory sign in/out,
All costs, fees, counsel fees, etc. | |
| 217. Use of adjacent lot water/electric service upon
Termination of property owner's service | \$500.00 to \$2,500.00 | |
| 218. Consent of Use of water/electric service
by adjacent lot owner upon termination of adjacent
property owner's service of same | \$500.00 to \$2,500.00 | |
| 219. Misuse, transfer, allowance of Association
membership/access/gate/identification cards | \$250.00 to \$2,500.00 | |
| 220. Violation of Tree Protocol | \$500.00 per tree | |
| 221. | <u>Penalty Enhancement:</u> Repeat conviction of any of the Article II Violations shall result in a fine schedule doubled on a second conviction and tripled on a third and subsequent conviction. A second conviction of any Article II Violation shall carry with it loss of gate card privileges for a period not less than thirty (30) days. A third conviction of any Article II Violation shall carry with it loss of operating privileges for not less than the duration of the calendar year. Any subsequent violations shall carry with it revocation of gate card privileges and termination of all association services. All such penalty enhancements shall be determined solely by the Board of Directors. Serious disregard for the rules and regulations, by-laws, covenants, conditions and restrictions, and the violations enumerated herein and recidivism thereof may result in Board action to bar and exclude any property owner, family member, and/or guest from the Association. | |

**BREEZEWOOD ACRES COMMUNITY ASSOCIATION, INC.
SCHEDULE OF FINES AND PENALTIES**

ARTICLE III - PERSONAL/MISCELLANEOUS VIOLATIONS

	<u>Minimum</u>	Maximum
301. Discharging of fire arms, BB guns, air guns, or paintball guns (Resolution 2014-41)	1,500.00	\$3,500.00
302. Disorderly conduct, nuisances, noxious or offensive activities	\$250.00	\$500.00
303. Harassment	\$100.00	\$500.00
304. Endangering safety of work crews	\$500.00	\$1,000.00
305. Feeding of wildlife or stray cats (birds excluded)	\$ 25.00	
306. Illegal dumping of garbage (furniture, appliances, etc.) without permit obtained at office	\$100.00	\$500.00
307. Any dumping or disposal of off premises garbage refuse, debris or similar material. (Added 05/13/2017)	\$250.00	\$1,000.00
308. Use of illegal fireworks	\$250.00	\$500.00
309. Lights left on without permit (after 7 days) (*fine doubles after each subsequent 7 days without response)	\$100.00*	
310. Littering	\$ 50.00	\$250.00
311. More than the allowed trailer, RV or sheds on lot (fine is per trailer, RV and/or shed)	\$ 50.00	\$250.00
312. Non-containment of pets to owner's property or unleashed when off property	\$ 25.00	
313. Failure to curb dog	\$ 25.00	

314.	Underage drinking or illegal possession or use of drugs	\$100.00	\$500.00
315.	Smoking In A No Smoking Area	\$ 50.00	
316.	Public Intoxication	\$50.00	\$250.00
317.	Vandalism (Private Property)	Twice the amount of repair as determined payable to Property Owner	
318.	Vandalism (BACA Property)	All repair costs, including man hours and up to \$1,000.00 fine	
319.	Use of any weapon in an offensive, dangerous and/of threatening manner	\$250.00	\$2,500.00 (plus possible exclusion from Association)
320.	Violation of any command or direction of an Association Security/Public Safety Officer	\$100.00	\$500.00
321.	Loitering	\$ 25.00	
322.	Violation of water usage rules on holiday weekend - no power washing, vehicle washing, wetting of roadways *Hearings will not be permitted for this violation	\$100.00*	
323.	Parking on roadways or easements parallel to roadways	\$ 50.00	\$150.00
324.	Parking/driving on basketball court/pavilion	\$ 25.00	
325.	Parking in handicapped space	\$ 25.00	
326.	<u>Penalty Enhancement:</u> Repeat conviction of any of the Article III Violations shall result in a fine schedule doubled on a second conviction and tripled on a third and subsequent conviction. A second conviction of any Article III Violation shall carry with it loss of gate card privileges for a period not less than thirty (30) days. A third conviction of any Article		

III Violation shall carry with it loss of operating privileges for not less than the duration of the calendar year. Any subsequent violations shall carry with it revocation of gate card privileges and termination of all association services. All such penalty enhancements shall be determined solely by the Board of Directors. Serious disregard for the rules and regulations, by-laws, covenants, conditions and restrictions, and the violations enumerated herein and recidivism thereof may result in Board action to bar and exclude any property owner, family member, and/or guest from the Association.

**BREEZEWOOD ACRES COMMUNITY ASSOCIATION, INC.
SCHEDULE OF FINES AND PENALTIES**

ARTICLE IV - ENFORCEMENT OF PENALTIES AND VIOLATIONS

401. Any fines and/or penalties imposed via a citation issued, either in person or by mail, shall automatically be added to the account of the Property Owner named on the citation absent a request for a hearing before the Breezewood Acres Community Association Court. If you are convicted of such violation, a \$25.00 fee along with the fine(s) for the violation(s), and reimbursement of all costs, fees and expenses incurred by Breezewood Acres Community Association including but not limited to reimbursement of personnel costs when personnel's attendance at hearing is required, certified mailing fees, etc., will be added to your account.
402. Any request for a hearing before the Association Court shall be made, in writing, within fifteen (15) days of the date of the citation.
403. Failure to request such a hearing shall constitute a waiver of the opportunity to have such a hearing and automatic imposition of the fine to the account of the Property Owner.
404. Any hearings provided for herein shall be scheduled at the direction of the Association Court.
405. Failure to appear at any hearing scheduled hereunder shall constitute a conviction of the violation(s) charged and the fine(s) imposed therein shall be automatically charged to the account of the Property Owner and will be treated in the same manner as being convicted of the violation.
406. Any Property Owner aggrieved by the disposition of the Association Court shall have the right to request a hearing before the Board of Directors. However, the granting of such a hearing shall be at the Board of Directors' sole and exclusive direction.
407. Chronic and repeat violators of any of the provisions herein shall be subject to revocation of use of common areas, use of recreational facilities (golf carts, motorcycles, ATV's and similar vehicles) at the discretion of the Board of Directors.
408. A third or subsequent conviction of any violation provided for herein shall require a sanction hearing before the Board of Directors.

- 409. Enforcement of any and all violations and/or penalties provided for herein shall also carry with it any and all costs, fees, expenses, expert fees, legal fees, filing costs and/or similar or related expenditures incurred by the Association relative to the enforcement of the same.
- 410. In addition to any and all other penalties and enforcement provisions provided for herein, the Association shall also have the right and power to see any and all remedial and/or equitable relief in the Court of Common Pleas of Wayne County, Pennsylvania.
- 411. This Schedule of violations, penalties, fines, sanctions, and enforcement provisions may be amended by the Board of Directors at any regular or special meeting of the Board of Directors.
- 412. The duly appointed members of the Breezewood Acres Community Association Security/Public Safety staff are hereby authorized to and shall have full and complete power to enforce any and all of the provisions hereunder.
- 413. Definitions of any of the violations included herein shall, if applicable, follow the same definition found for such violations under the Pennsylvania Vehicle Code or Pennsylvania Crimes Code.

ARTICLE V - ADOPTION

The foregoing Schedule of violations, penalties, fines, sanctions and enforcement provisions is hereby adopted by a vote of 5 to 0 by the Board of Directors of Breezewood Acres Community Association, Inc. on the 10th day of December, 2022

Breezewood Acres Community Association, Inc.

original signed by
Attest Clark Sabo

Clark Sabo, President

ARTICLE VI - RATIFICATION

The foregoing Schedule of violations, penalties, fines, sanctions and enforcement provisions is hereby reapproved, ratified, and readopted retroactive to and effective December 10th by a vote of 5 to 0 by the Board of Directors of Breezewood Acres Community Association, Inc. on the 10th day of December, 2022.

Breezewood Acres Community Association, Inc.

original signed by
Attest Clark Sabo

Clark Sabo, President