

Kensington Park Master Association, Inc.



Access and Patrol Committee

ACCESS AND PATROL POLICIES AND PROCEDURES MANUAL

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SECTION ONE: INTRODUCTION

The Master Declaration identifies general protective covenants, conditions, and restrictions within Kensington Park (referred to as “KP” or “Kensington”). The goals of the Master Declaration are to continue preserving and enhancing property values, amenities, and opportunities in KP, contributing to the general health, safety, and welfare of residents and guests, and maintaining the land and improvements within Kensington.

The Master Declaration assigns responsibility for maintaining and operating KP's Common Areas and amenities to a Master Association named Kensington Park Master Association (“KPMA”).

The Master Declaration allows but does not obligate, KPMA to maintain or support certain activities designed to monitor access within Kensington Park. The Bylaws of KPMA authorize the President, with the approval of the KPMA Board, to organize committees deemed necessary to assist the Board in its supervisory and oversight functions. The Access and Patrol Committee was established by the Board to monitor access to Kensington Park and to patrol the community. This function is outsourced to a security company on site twenty-four hours daily.

Having limited-access gates for entry into KP is KPMA’s effort to provide the perception of security and exclusivity for community residents. In reality, gates and patrol vehicles can only do so much to provide security within KP. It is not KPMA’s intention to provide the level of security that residents might expect from the Police Department. Using limited-access gates managed by security company officers generally prevents unauthorized access to the community and provides a perception of security, safety, and privacy. These perceptions provide peace of mind to residents that only authorized people will have access to the community. Regardless of what security methods are used, it is impossible to stop all unauthorized access because individuals can climb over fences or follow residents through automatic gates when open. Security measures used by our security company are strengthened when residents are vigilant of security matters.

Article 13.9 of the Master Declaration authorizes using an Access and Patrol Committee with the assistance of a security firm. The Master Declaration emphasizes that KPMA shall not be considered an insurer or guarantor of security within the Community, nor shall KPMA be held liable for any loss or damage by failure to provide adequate security or of ineffective security and patrol measures undertaken. No representation or warranty is made that any gatehouse, fence, buffer area, fire protection system, burglar system, security camera system, gate entry system, or other security or patrol measures are incapable of being compromised or circumvented, nor that any such security systems or measures undertaken will in any or all cases prevent loss or provide the detection or protection for which the security systems or measures were designed or intended. Each Owner understands and covenants to inform its tenants and guests that the Master Association, its Board of Directors, committees, and Officers are not insurers and that each person using the Properties assumes all risks for loss or damage to Persons, to dwellings, and the contents of homes resulting from acts of third parties.

Under Article 2.1 of the Master Declaration, every owner of a lot within Kensington Park is a regular member of the Master Association. By acceptance of a deed or other instrument evidencing the ownership interest, each Owner accepts Membership in the Master Association, acknowledges the authority of the Master Association and agrees to abide by and be bound by the provisions of this Declaration, the Articles and Bylaws, and the Rules and Regulations of the Master Association, as amended from time to time.

SECTION TWO: THE ACCESS AND PATROL COMMITTEE

2.1 COMMITTEE STRUCTURE.

- (A) The Board appoints a Access and Patrol Committee Chair for a two-year term. The Chair can be a Board Director or a qualified community resident.
- (B) The Chair selects committee members; there is no minimum or maximum number of committee members.
- (C) If the Chair is a board member and resigns before the expiration of two years, the Board may appoint another Board member to Chair for the remainder of the former Chair's term. If the new Chair were not on the Board, the person would be appointed for a new two-year term.
- (D) The Chair can be removed at any time by the Board, with or without cause. If the Chair was also a Board member, the person can only be removed from the Board in accordance with Section 4.5 of KPMA Bylaws.

2.2 COMMITTEE POWERS AND DUTIES.

- (A) The Chair and/or committee members should meet regularly with the security company's district manager and Site Officer to discuss the company's operational status, review incident reports, and other relevant topics.
- (B) The Chair should coordinate with the Property Manager throughout the year to discuss Access and Patrol policies and procedures and contract changes or policy modifications applicable to the security company.
- (C) Changes in Access and Patrol rules or procedures that alter provisions of the Access and Patrol Manual should be discussed with and approved by the Board before being effective.

2.3 NON-LIABILITY OF COMMITTEE MEMBERS.

All Access & Patrol Committee members are covered by KPMA's Director and Officers Community Association Insurance policy.

2.4 PATROL OF COMMUNITY

- (A) Currently, KPMA engages Statewide Security Enforcement and Investigations ("Statewide") to work with the Access and Patrol Committee to patrol the community, follow the procedures established for KP as stated in the Access and Patrol Manual, and ensure the safety and security of the community to the extent possible.
- (B) Any security company engaged by KP is expected to review KP's Access and Patrol Manual and conform their access and patrol procedures within the community to the policies and rules of KPMA.
- (C) Statewide deploys an Officer at the front gate twenty-four hours a day, seven days a week. An Officer is deployed at the Livingston gate (i.e., the back gate) seven days a week from 0700 to 1700 hours. Statewide also deploys an Officer (Rover) to drive through the Community to observe daily and night activity. The Rover will report anything out of the ordinary for that time of day, including open garage doors, non-working street lights, malfunctioning sprinklers, improperly parked vehicles,

unauthorized vehicles, unlocked doors in community centers, activated auto/house/fire alarms, inoperable air conditioning systems in community centers, excessive noise complaints, and any suspicious or unnatural/unusual activity in the Community. At night, the Rover will patrol all streets in the community, including community centers for Wellington I and II, tennis courts, pickleball courts, golf Pro-shop, fitness center, KGCC clubhouse, KGCC parking lot, back gate entry, and golf maintenance area.

- (D) While on rounds, the Rover will pick up dead animals, garbage, and dangerous debris in the roadway.
- (E) While on patrol, the Rover may stop and conduct radar surveillance to verify that traffic is not exceeding posted speed limits. Additionally, the Rover will identify any parking violations and issue Notices of Violation as appropriate.

SECTION THREE: GATE ADMISSION POLICIES AND PROCEDURES

This section details policies and procedures for admission into Kensington Park. From time to time, changes may be made as operational conditions require. Policies and procedures are established in conjunction with consultation with the security firm engaged in providing services within KP. Any changes impacting the Access and Patrol Manual must be discussed with and approved by the Board.

3.1 HOURS OF OPERATION:

- (A) Main gate: A Gate Officer is assigned twenty-four (24) hours per day, seven (7) days per week.
- (B) Back gate: A Gate Officer is assigned ten (10) hours per day, seven (7) days per week, beginning at 0700 and ending at 1700 hours. At 1700 hours, visitors are no longer allowed through the back gate.
- (C) Rover: A Rover Officer works twenty-four (24) hours per day, seven (7) days per week.
- (D) During unusual periods, e.g., hurricanes, evacuations, etc., the gates may be left open and unmanned, and a Rover may not be used.

3.2 PARKING OF OFFICERS' PERSONAL VEHICLES:

All security Officers shall park their personal vehicles at the designated area near the clubhouse.

3.3 DRIVER'S LICENSE SCANNING AND ENTRY PASSES:

- (A) KP uses *dwellingLIVE* ("DL") as the gate entry system. It contains a profile of all residents based on the resident's address. Individuals do not have their profiles in DL; the profiles for each person in a resident are entered into DL for a single residence. Information such as the phone number for each resident, phone number for emergency contacts, and guests are entered into the DL.
- (B) Before admission into KP, gate officers shall scan each guest's valid driver's license (whether an individual or a vendor) and enter the dwelling LIVE before issuing an entry pass. The Officer will also record the license plate and the make and model of the vehicle. This section shall not apply in whole or in part as stated in Sections 4.6(D) to 4.13.
- (C) The resident determines the duration of the entry pass using dwellingLIVE. For the types and duration of entry passes, refer to Section 4.3.
- (D) When an entry pass is issued, the directions to the resident's house are printed on the pass.
- (E) There are times, such as during a pandemic or other health issues, when an Officer will not take possession of a driver's license to scan it. Instead, the Officer should look at the license when the driver shows it to the Officer and confirm that the driver is the same person for whom the license was issued.

3.4 BARCODE STICKER ADMINISTRATION:

- (A) Barcodes stickers can be purchased from the Kensington Park Site Supervisor at the front gate from Monday through Friday from 0700 – 1500 hours. Barcode stickers can be sold to KP residents, non-residents of KP who are members of KGCC, and tenants who rent houses in KP. When a

resident moves out of KP, the barcode sticker is deactivated. At the end of a lease, a tenant's barcode sticker is deactivated.

- (B) The Site Supervisor or designated Officer will affix the barcode sticker to the right rear window of a vehicle. Only barcode stickers affixed to the right-rear window are valid stickers.¹
- (C) Barcode stickers are issued only for a specific vehicle and cannot be transferred to another vehicle.
- (D) When a car is sold or no longer used by a resident, the barcode sticker must be removed from the car. The Officer at the front gate should be notified, so that the barcode sticker is deactivated.
- (E) Barcode stickers cannot be issued to resident's relatives or friends who are not residents of KP.
- (F) When a new resident obtains title to a property in KP, the Property Manager will notify the security company. The security company will enter the information into *dwellingLIVE* directly. After a new resident is entered into *dwellingLIVE*, the resident may visit the front gate to purchase a barcode sticker. Only personal checks can be used to buy a barcode sticker.
- (G) Tenants presenting themselves at the front or back gate for entry must be listed in *dwellingLIVE* as a "TENANT." Once verified, the Officer can issue a tenant an entry pass. Refer to Section 4.3 for the type of entry pass that can be issued. The duration of an entry pass can be extended to coincide with a tenant's lease.
- (H) Residents have the option of buying a green Kensington sticker that is affixed to the lower left corner of the front windshield. Green Kensington stickers can be purchased for \$10 (payable only by personal check) from the Kensington Park Site Supervisor at the front gate from Monday through Friday from 0700 to 1500 hours. The sticker makes entry through a gate easier for the resident, because the Officer knows that only residents have such stickers.
- (I) Using a barcode sticker properly issued to one vehicle, but used on another vehicle is considered to be a violation. Likewise, using a barcode sticker not affixed to the right rear window of a vehicle is a violation of KP rules.

3.5 ENTRY PASS AUTHORIZATION:

- (A) Pre-authorization method: KP uses *dwellingLIVE* as an automated-guest-entry system. This software allows a resident to stipulate how long a guest is allowed admission to KP, e.g., only on certain days of the week, over a period of days or weeks, or on a permanent basis. A vendor is considered a guest of the resident. Using *dwellingLIVE* is the most efficient and preferred/recommended method of processing guests or vendors for admission to KP.
- (B) Pre-call method:
 - (1) An efficient and practical alternative to entering guest information directly into *dwellingLIVE*, is to telephone *dwellingLIVE* at 239-232-2184 and leave a message identifying the name of the guest or vendor and the details of the visit. When calling DL, a resident must use the house or mobile phone(s) that are registered in the resident's DL profile. When *dwellingLIVE* answers the call, it will identify the address of the residence to which you intend to admit a guest through the registered phone number. Then it will instruct the caller to leave a message identifying the name of the guest,

¹ Fifteen to twenty years ago, barcode stickers were not affix to the right rear window. Instead, some residents affixed the sticker to a solid surface, so the sticker was handheld. These stickers are no longer allowed and must be replaced with a sticker that an Officer will affix to the right-rear window.

date the guest arrives, and how long the guest will remain. When you disconnect, *dwellingLIVE* will send you a text and/or an email confirming the information you left.² This process may take up to five minutes for your guest information to be entered into *dwellingLIVE*.

- (2) An alternative notification method, although not recommended, is for a resident to telephone the front gate Officer and inform the Officer that a guest or vendor will be arriving. The gate Officer will enter the information into *dwellingLIVE*, so that when a guest or vendor arrives, an entry pass can be issued promptly. The disadvantage of this method (which is why it is an alternative method), is that if the gate Officer is busy, the phone may not be answered, so the message will be routed into voicemail and remain there until an Officer has time to listen to it. The timing delay can cause admission problems if the guest or vendor arrives at a gate before the Officer has entered the visitor's information into *dwellingLIVE*.
- (C) Placement of Entry Pass: Every entry pass must be placed on the driver's side of the dashboard of the vehicle, so that it is visible when viewed from in front of the windshield.
- (D) Residents should enter the name and type of each guest into DL. In unusual situations, the Site Supervisor has the authority to enter data into *dwellingLIVE*.
- (E) Entry passes begin when issued and are in effective until midnight of the day the pass expires. Continuing to use an expired entry pass is a violation of KP rules.

3.6 TAILGATING NOT ALLOWED:

- (A) The automatic gates at both entrances to Kensington Park are activated by devices that read the barcode sticker on the right rear window of a vehicle. The gates open and close slowly to allow a vehicle to pass. The slow operation of the gate sometimes allows a second vehicle to follow the first vehicle through the gate without activating the gate a second time. This activity is called "tailgating."
- (B) Vehicles leaving KP through the Livingston gate trip an electronic switch as the vehicle approaches the closed gate. The switch will activate the automated gate, so that it opens for the exiting vehicle. All **vehicles should stop** before the gate, especially if the gate was opened by a previously exiting vehicle. Not stopping can cause a tailgating situation.
- (C) Tailgating is not allowed in KP and can be dangerous for several reasons:
 - (1) If the tailgating vehicle would not have otherwise been admitted to KP, its entry creates a security risk for the community, because the security company does not know who is driving the vehicle or where the vehicle is going.
 - (2) If a vehicle entering or leaving KP tailgates a vehicle that activated the gate, the gate could begin closing before the other vehicle clears the gate and cause damage to either/both the vehicle and gate. Any property damage to the vehicle or gate (including gate mechanism) caused by tailgating is the responsibility of the driver of the tailgating vehicle.
 - (3) Since tailgating is not allowed in KP, those who tailgate are in violation of KMPA's rules and regulations.
- (D) Resident actions in the case of tailgating: If a resident observes tailgating when entering KP at

² You may get two texts and/or emails from *dwellingLIVE*. The first one simply notifies you that a message was received, but doesn't give any details. The second communication will confirm the information you entered into *dwellingLIVE*.

night, he/she should stop their vehicle after clearing the open gate and wait for the gate to close before the tailgating car can enter. If the tailgating vehicle enters before the gate closes, the resident should immediately telephone the Rover @ 239-896-5734 and report the incident, so that they can investigate. It would be helpful to identify the type of car and license, if possible. Under NO circumstances should a resident try to stop and interrogate a tailgater.

SECTION FOUR: VEHICLE, BICYCLE & PEDESTRIAN ADMISSION

4.1 VEHICLE ENTRANCE:

(A) Vehicles with Barcode Stickers:

- (1) Vehicles with an active barcode sticker in the right rear window may enter through the front or back gate using the automated gate that reads the barcode sticker. Residents, tenants and KGCC members who do not live in KP may buy barcode stickers. Only residents of KP are allowed to buy a green Kensington Sticker for the front window.
- (2) Vehicles with barcode stickers cannot use the automated front gates between the hours of 2330 and 0600. All entering traffic must use the guest lane.
- (3) The automatic Livingston Street gate for residents closes at 2300 hours, so entry is only available through the front gate.
- (4) Only residents in good standing can use the automated gates at either entrance. A resident or tenant not in good standing, as determined by the KPMA Board, may have a barcode sticker deactivated as a result of an imposed and unpaid fine or suspension.

(B) Vehicles without a Barcode Sticker:

- (1) With some exceptions listed in Section 4.13(B), all vehicles (except delivery³ or commercial vehicles) without barcode stickers must stop at the non-automatic gate lane at the front or back gate and be cleared by the Gate Officer. The Gate Officer will ask for a driver's license and scan it into *dwellingLIVE* to confirm that a driver/occupant of the vehicle has permission to enter KP. The Officer also will record the make and model of the vehicle and its license plate. If the guest is approved, the Gate Officer will issue an entry pass.
- (2) If a guest has not received permission to enter KP or does not have a valid driver's license, the Gate Officer will not allow the vehicle to enter KP. During periods of low traffic, the Officer may assist the driver by calling the resident to be visited and obtaining verbal permission for the vehicle to enter. During periods of higher traffic at the gate, the Officer may ask the driver to move out of line, contact the resident, and ask the resident to contact the gate or use *dwellingLIVE* to authorize entry. If an Officer receives verbal permission from the resident for a driver to enter KP, the Officer will enter the authorization into *dwellingLIVE*.
- (3) If a barcode sticker fails to activate the gate, the Gate Officer will leave the gatehouse and ensure that the vehicle has a valid barcode sticker before admission and enter the event in the daily activity report. If the vehicle does not have an active barcode sticker, the Officer will instruct the driver to go through the non-automated gate and the vehicle is subject to the normal admission process for a guest.
- (4) The gate will close after each vehicle clears the gate and should not be opened until the next vehicle is cleared for entry and a receives an entry pass. At times, the back exit gate may remain open, but all guests and vendors must stop at the Gate house to obtain an entry pass.
- (5) In the case of emergencies (e.g., anticipation of a hurricane or bad weather) the front and back gates

³ In the case of deliveries that are meant to be surprises like flowers, fruit, gifts, etc. that are sent to a resident from someone outside of KP, the delivery vehicle will stop at the front or back gate and be processed for admission the same as other guests or vendors, except the officer will NOT contact the resident.

may be left open until the emergency is cleared.

- (6) Vendors are admitted only between 0700 and 1700 hours Mondays through Saturdays via the Livingston Street entrance to KP, except for emergencies. Vendors who present at the front gate will be sent to the back gate for admission. Vendors are not permitted entrance on Sundays or holidays, unless authorized by the Chairman of Access & Patrol or the Property Manager. Vendors/contractors continuing to work after 1700 hours will be asked to leave KP by a Statewide Officer.

4.2 RESIDENT ARRIVING IN VEHICLE WITHOUT A BARCODE STICKER:

- (A) A resident arriving in a vehicle without a barcode sticker in the right rear window (e.g., limousine, taxi, UBER, LYFT, friend's vehicle, rental car, etc.) must present proof of identification to the Gate Officer before being admitted. The identification of the resident will be scanned to confirm through *dwellingLIVE* that the individual is a resident. The identification can be a driver's license, passport, or government issued document. Only drivers without a resident inside the car (i.e., going to pick up a resident) are required to show a valid driver's license. In all cases, the vehicle's license plate, make and model of the vehicle are recorded. Entry passes will not be issued to a limo, taxi, UBER or LYFT in order to prevent the car from leaving and returning on the same day.
- (B) If the Officer cannot confirm the resident's profile, the vehicle will not be admitted to KP.
- (C) New home owners or tenants not in *dwellingLIVE* should present a pass authorization from the Property Management company. This pass authorization will allow the Officer to print a new pass under "New Owner" authorizing entry for two weeks. If the new owner does not have the "New Owner" authorization, the Officer should refer the party to the Property Management office. If the Property Management office is closed, the Officer can use closing documents showing the purchase of a residence in KP to add their "New Owner" profile and then print a pass that will be valid for two weeks. If the documents are not available, the new owner will be denied access.
- (D) Golf, tennis, bocce, pickleball, and all other guests, should be entered into *dwellingLIVE* for the appropriate day.

4.3 ENTRY PASSES

There are three types of entry passes for Kensington Park:

- (A) Guest Pass: A guest pass is issued by either the front or back gate Officer to any vehicle that has been approved access to KP. A guest pass allows a vehicle to enter KP without the normal admission process described in Section 4.1(B). Normally, guest passes are issued for short periods of time like a contractor's visits or a person going to a party. Guest passes, however, can be issued for up to a thirty-day (30) period. A guest pass is issued after a resident has authorized entry of the driver or passenger through *dwellingLIVE*. At the expiration of the thirty-day period, the pass expires.
- (B) Dash Pass: A dash pass is issued by either the front gate or back gate Officer to a vehicle when that vehicle is expected to remain in KP overnight. A dash pass allows entry into KP without going through the entire admission process. A dash pass can be issued to overnight guests or to a resident when, for example, the resident is not able to park a vehicle in a garage overnight. With a dash pass clearly visible on the vehicle's dashboard, the vehicle can temporarily park in the resident's driveway overnight. A dash pass never allows a vehicle to be parked overnight on a street.

- (1) A dash pass is valid for up to thirty (30) days per vehicle and can be issued to a vehicle up to three (3) non-consecutive times during a calendar year. Non-consecutive is defined as a minimum period of thirty (30) days between passes. If additional time is required or if dash passes need to be issued additional times throughout the year, a request must be submitted to the Chairman of the Access and Patrol Committee who will present it to the Board for approval.
- (1) If a dash pass exceeding thirty (30) days is needed and the party does not request Board approval for an extension and/or if the extension is not approved by the Board, the owner may request a KGCC parking pass as outlined in Section 4.3(C).
- (2) Vehicles with barcode stickers must be parked in garages overnight. These vehicles may request a one-time dash pass for up to thirty (30) days, if there is a temporary reason that prohibits the vehicle from being parked in a garage. The one-time dash pass is issued by the Site Supervisor. If additional time is required or if passes are requested multiple times throughout the calendar year, a request must be submitted to the Chairman of the Access and Patrol Committee who will present it to the Board for approval.
- (3) Tenants are subject to the same parking rules as residents. Effective April 1, 2022⁴ all tenants are **required** to park in the resident's garage. Tenants are not to use a dash pass to park on the driveway (other than residences as outlined in Section 5.2(P)).
- (4) Vehicles parked in a driveway overnight that exceed the time limit of the dash pass or tenants who park overnight in a driveway using a dash pass will be subject to ticketing for violating the KPMA parking rules and regulations.

(C) KGCC Parking Pass: A Kensington Golf and Country Club parking pass is a special parking pass that is issued only by the General Manager of KGCC.

- (1) Using designated parking spaces in the KGCC parking lot, the General Manager of KGCC can approve an application to park a vehicle between 2000 hours and 0800 hours of the following day. A vehicle issued a KGCC parking pass is not allowed to leave the vehicle parked in the KGCC outside the stipulated hours.
- (2) An application to park at KGCC is available at the front gate. After completing the application, it must be submitted to the Site Supervisor for the General Manager's approval.
- (3) There is no cost for a member of KGCC to obtain a KGCC parking pass. For a non-member of KGCC, there is a one-time charge of twenty (\$20) dollars for a pass that is valid for up to thirty (30) days.
- (4) Example: If a resident has multiple overnight guests whose vehicles cannot fit in the resident's driveway, obtaining a KGCC pass for each vehicle will allow the extra vehicles to park in the KGCC designated areas.

(D) Directions to Residence: When an entry pass is issued by either gate Officer, the pass includes driving instructions to facilitate the guest driving to a residence.

⁴ Tenant leases that have been signed before April 1, 2022 and are effective only for 2023 are grandfathered into the previous dash pass rule that allowed driveway parking overnight with a dash pass.

4.4 ADMISSION OF GUESTS AND TENANTS

Vehicles of guests and tenants that have an entry pass (either a guest pass or a dash pass) displayed on the driver's side of the dashboard are admitted by a gate Officer without having to show identification. A tenant also can purchase a barcode sticker allowing the same admission process as a resident.

4.5 ADMISSION OF PEDESTRIANS AND BICYCLES

All pedestrians and bicyclers attempting to enter KPMA shall be stopped by either Gate Officer in order to verify residency or permission to enter KPMA.

4.6 ADMISSION OF REALTORS

- (A) When a resident sells a house through a real estate agent, the resident should notify the front gate that the house is for sale and the name of the Listing Agent. The resident is required to enter the Listing Agent's name into *dwellingLIVE* as permanent guest and add a note in the "Notes for Attendant" section that this guest is a Listing Agent. This will allow a Listing Agent who is not a resident of KP to enter KP. It is important for the resident to notify the gate Officer if the Listing Agent is NOT a resident of KP.
- (B) The Listing Agent has the responsibility of notifying the front gate of the names of Sales Agents who will show a listing and when the showings will take place.⁵ Sales Agents are subject to the same admission procedures as specified in Section 4.2(A).
- (C) There are two efficient ways to notify the front gate of house showing.
 - (1) By using ShowingTime software.
 - a. A Listing Agent will enter all pertinent listing information into ShowingTime including who should be notified if a Sales Agent wants to show a house and which notification method should be used; i.e., telephone or email.
 - b. A Listing Agent can instruct ShowingTime to send an email to KP's front and back gates by using the email address: **KensingtonPark@ssei.com**. When ShowingTime informs the Listing Agent of the appointment, ShowingTime also will notify KP's gate officers of the showing through an email.
 - c. ShowingTime is an efficient way for a Sales Agent to notify the Listing Agent and the front gate of a house showing. Not all Listing Agents use ShowingTime to schedule showings; some Listing Agents call the front gate directly.
 - d. The gate Officers at the front and back gates will receive the email and enter the Sales Agent's name, address of the residence, and date/time of the showing into DL.
 - e. By using this method, a Listing Agent would not have to call the gate Officer to schedule the showing, thereby, saving time and making the process more efficient.

⁵ The process of a resident entering the name of a Listing Agent as a permanent guest into DL, does not authorize the Listing Agent to access the resident's DL profile and enter the names of Sales Agents. To circumvent limitations of *dwellingLIVE*, once the gate Officer has been notified by the resident that their house is for sale and the name of the Listing Agent, the Listing Agent is given *de facto authority* to telephone the gate Officer and authorize admission into KP of Sales Agents or Prospective Buyers during the sales process.

- (2) If a Listing Agent does not use ShowingTime, the agent would have to call the front gate and tell the Officer the pertinent information about the showing; i.e., the Sales Agent's name, the residence for the showing, and the expected arrival time of the Sales Agent.
- (D) If a Prospective Buyer does not accompany or follow a Sales Agent into KP, then the following admission process is used.
- (1) If a pre-registered Sales Agent, who is not a resident in KP, presents at an entry gate without a Prospective Buyer in the car, the Sales Agent will be admitted to KP subject to the admission procedures described in Section 4.2. The Sales Agent has the option of going directly to the house for sale or waiting in a designated waiting area near the tennis courts until the Prospective Buyer's arrival. The gate Officer will ask the Sales Agent for the Prospective Buyer's name in order to expedite the Buyer's entry into KP.
 - (2) If the Prospective Buyer presents at an entry gate and the Sales Agent has already been admitted, the gate Officer will ask the Prospective Buyer for the name of the Sales Agent and the location of the property. Once that information is verified, the gate Officer will follow the admission procedures for the Prospective Buyer described in Section 4.2.
 - (3) If the Prospective Buyer presents at an entry gate at the scheduled time for the showing, but before the Sales Agent arrives, there are two options:
 - a. The Prospective Buyer can wait for the Sales Agent outside the gate until the Sales Agent arrives and both will be admitted at the same time or
 - b. If the Prospective Buyer gives the gate Officer the name of the Sales Agent, address of the property, and time of the showing, the Officer will confirm that information in DL. If the Officer is satisfied with the accuracy of the information, the Prospective Buyer can be admitted into KP and proceed to the property, subject to the admission procedures described in Section 4.2.
- (E) If a Prospective Buyer presents at a gate house before a Sales Agent and more than fifteen (15) minutes before the scheduled showing time, the Buyer will be asked to wait until either the Sales Agent arrives or until the scheduled showing time.
- (F) If a Sales Agent arrives at a gatehouse before a Listing Agent notifies the gatehouse of the Sales Agent's arrival, the Officer will inform the Sales Agent that approval for admission has to be obtained from the Listing Agent. It is not the responsibility of the gate Officer to contact the Listing Agent, but the Officer may do so if time permits. If the Listing Agent approves the Sales Agent's admission, the Officer will admit the Sales Agent subject to the admission procedures described in Section 4.2. If the Sales Agent is not able to contact the Listing Agent to obtain permission to enter, the Sales Agent and Prospective Buyer, if any, will be denied admission, even if the Sales Agent was admitted to KP on a previous day.
- (G) For Sale by Owner: A Resident who decides to sell a residence on their own should notify the front gate Officer that the residence is for sale. The Resident has the responsibility to notify the front gate of potential buyers by entering the appropriate information in *dwellingLIVE*. Upon arrival, the Prospective Buyer is subject to the admission procedures stated in Section 4.2. If a Prospective Buyer presents at a gate and the gate Officer has not been notified of the visit, the Prospective Buyer will be denied admission and told to contact the Resident directly.

(H) Open Houses

- (1) Periodically, KP designates certain Sundays to allow Listing Agents to conduct Open Houses within KP between the hours of 1300 hours and 1600 hours.
- (2) Prospective Buyers attending an Open House Sunday are subject to the same admission procedures described in Section 4.2, except they do not have to have a resident's permission to be admitted.
- (3) Prospective Buyers are never allowed to enter KP to view a house for sale without an authorized Open House Day or without a Listing or Sales Agent escort.
- (4) For Sale by resident owners are subject to the same Open House rules as Listing Agents.

(I) Contractors or Consultants

Contractors or consultants of a Listing Agent, Sales Agent, or Prospective buyer are not admitted to KP unless authorized by the Listing Agent or, with the Listing Agent's permission, the Sales Agent. In the case of a Sales Agent, the Listing Agent continues to have the responsibility to notify the gatehouse that a Sales Agent will arrive and will be escorting a contractor or consultant.

4.7 ADMISSION OF TOWING TRUCKS

Tow trucks or service vehicles are only allowed admission after a resident has authorized entry through either *dwellingLIVE* or a direct conversation with the gate Officer.

4.8 ADMISSION OF WEDDING GUESTS, SPECIAL EVENTS

- (A) KGCC hosts weddings and other special events such as breakfasts or lunches for local organizations. KGCC will notify the gates of events and the names of event participants by sending a list for each event via email to KensingtonPark@sseii.com.
- (B) Gate Officers will use those lists to verify that each guest has been pre-approved to enter KP. The Officer will use the participant's driver's license to confirm that they are on the list and admit the guest based on the standard admission procedures. Under these circumstances, it is not necessary to record the guests name into DL.
- (C) None of the participants in wedding or special events will be issued guest passes.

4.9 ADMISSION OF GOLFERS

- (A) Residents should enter the names of their golf guests into DL to facilitate entry into KP.
- (B) KGCC members who do not resident in KP must call the front gate and register guests.
- (C) If a resident does not enter the name of the golf guest into DL or contact the Pro Shop with the name, the guest will have to contact the resident to gain permission to enter KP.
- (D) Names of golf guests and golfers from other clubs who come to KP to compete in an interclub event are entered on tee sheets by name by the Pro Shop. Each day, the Pro Shop faxes the daily active tee sheets to the front gate. The tee sheets identify each golf guest or visiting player. To admit a golf guest or visiting player, the gate Officer only needs to verify that the person is listed on the tee sheet for that day by using the person's driver's license.

4.10 ADMISSION OF TENNIS PLAYERS

- (A) KGCC tennis players who are residents of KP should enter the names of their guests directly into DL. If the guest is expected to play more than once, the resident has the option of entering the guest as “permanent guest,” so they are admitted more efficiently into KP.
- (B) KGCC members who do not resident in KP, have to call the front gate to register guests who will be invited to play tennis.
- (C) When guests present at the front or back gate, they will be subject to the same admission policies described in Section 4.2
- (D) During the tennis season, there are interclub tennis matches. The KGCC tennis pro will email the gates a schedule of the matches for the season that will be held at KGCC, the date of each match, and the name of the visiting tennis club. The email address is KensingtonPark@ssei.com. When the visiting tennis club presents at the gate, the Officer will confirm that the club was expected, and admit the team to KP, and allow them to go to the tennis courts.
- (E) Tennis players will not be issued guest passes.

4.11 ADMISSION OF FITNESS CENTER PATRONS

KGCC has a fitness center that is used by members of KGCC who are residents and nonresidents of Kensington Park. All employees of the Fitness Center are listed in DL under the Fitness Center’s DL profile and are issued thirty-day guest passes. Employees of the fitness center can provide services to the public. When guests are expected, the Fitness Center will send an email to KensingtonPark@ssei.com notifying both gates of the guest’s name and the date and time for admission.

4.12 ADMISSION OF KENSINGTON GOLF AND COUNTRY CLUB EMPLOYEES

Kensington Golf and Country Club hires employees who provide services directly to KGCC or to its members. The names of employees of KGCC are listed in KGCC’s DL profile. Employees are given guest passes that allow easy access into KP. The gate Officer simply uses the hand-scanner to scan the entry pass to admit the employee. If a pass has expired, the Officer will issue a new one for a thirty-day period. If an employee is no longer employed by KGCC, the front gate is notified and the guest pass is revoked.

4.13 EXEMPTIONS FROM ENTRY PASSES

- (A) Emergency vehicles:

Emergency vehicles are not required to have a guest pass to enter KP. Generally, when an emergency vehicle enters KP, a Rover will be dispatched to the location, monitor the situation, and issue an incident report. The Officer should try to obtain the destination of the emergency vehicle and, at minimum, note the type of emergency vehicle entering KP.

- (B) Exemptions from obtaining Entry Pass:

Entry passes are issued to provide a level of security for residents, so that there is better control of those admitted to KP. Certain vehicles that enter KP are on official business to perform routine functions and, generally, are not visiting individual residents. They are not issued entry passes. Accordingly, the following vehicles are exempt from the requirement to obtain entry passes:

- (1) Statewide Security vehicles;
- (2) Government vehicles;
- (3) Persons with Official Government IDs who are on official business;
- (4) Utility companies;
- (5) Newspaper and delivery services including USPS, FedEx, UPS, DHL, Amazon;
- (6) City/County/State services, e.g., Animal Control, water, sewer services;
- (7) School buses;
- (8) Vendors engaged by KPMA, such as Waste Management, painters, landscapers, tree trimmers, Cable services (presently Comcast. Xfinity);
- (9) Association vendors that routinely or periodically make food and beverage deliveries to KGCC;
- (10) Process Servers;
- (11) Census workers or Process Servers with valid IDs.; and

4.14 REPORTERS OR SOLICITORS:

Without prior authorization by KPMA or the Property Manager, access to KP is denied for all camera crews, television or newspaper reporters, or solicitors.

4.15 HOME WATCH SERVICES:

Residents who use home watch services to inspect their houses during periods of absence, should list the name of the home-watch person and designate the person as a “home watch” contractor in DL

SECTION FIVE: VIOLATIONS

5.1 VIOLATIONS:

This section describes the various Access and Patrol violations that Security Officers may identify as they patrol the community. Access and Patrol policies generally follow principles similar to the “Rules of the Road” guidelines, but also include policies that complement KPMA’s mandate to preserve standards that enhance property values and contribute to the general health, safety and welfare of residents. The ultimate intent is to maintain standards within KP that communicate respect for others and make the community more attractive for residents and visitors.

5.2 PARKING VIOLATIONS:

Notices of parking violations are referred to as “Notice of Violation,” “violation” or “tickets.” When a parked vehicle meets any of the criteria listed below, a Notice of Violation will be issued. If possible, a copy of the Notice of Violation will be inserted under the vehicle’s windshield. Simultaneously, the Officer will enter the information in a tablet that will transmit the information to the front gate, the Property Manager, and Statewide. When vendors or contractors are admitted at the Livingston gate, the driver is given a list of Kensington rules that include speeding, stop sign and parking rules. The list is in English and Spanish. Vendors and contractors must comply with those rules. Failure to comply with KPMA rules and regulations is a violation. A list of parking violations follows:

- (A) Any vehicle that has two tires on the street and two tires beyond the curb or on the grass.
- (B) Any vehicle that is blocking a fire hydrant or a driveway.
- (C) Any vehicle parked on a curve within the double yellow lines even if the parking is “temporary.”
- (D) Recreational vehicles including any boat, trailer, motor home, travel trailer, camper or similar vehicle are not permitted to be parked overnight within the community, except in a closed resident’s garage or when parked in the KGCC parking lot with the explicit permission of General Manager.
- (E) All commercial vehicles are required to have cones at the front and rear bumpers.
- (F) All vehicles are required to park in the direction of traffic, not against traffic.
- (G) Commercial vehicles making deliveries to residents or providing services can park in the resident’s driveway or in front of the house, if there are houses on both sides of the street. In such a case, drivers should park so that emergency traffic can pass without interference. If there are no houses on the other side of the street, all commercial vehicles are required to park on the side of the street with no houses facing the direction of traffic. Since commercial vehicles and vendors are guests, residents should instruct vendors about the parking rules.
- (H) Non-commercial or personal vehicles are allowed to park overnight in a driveway if a dash pass, issued by a gate Officer, is posted on the driver’s side of the dashboard and has not expired in accordance with Section 4.3(B). Vehicles with guest passes are not allowed to park overnight in a driveway even if the pass has not expired.
- (I) As discussed in Section 4.3(B)(4), vehicles of tenants are required to park overnight in a garage, unless prior permission was obtained through Board approval.
- (J) Vehicles are not allowed to park overnight on any street.

- (K) Vehicles are not allowed to park anytime in the maintenance area of KGCC.
- (L) Vehicles are not allowed to park overnight in KGCC's parking lot, unless a KGCC pass is displayed on the driver's side of the dashboard and must be parked only in the designated parking area.
- (M) Residents of Wellington I and Wellington II, may park a personal vehicle with a barcode sticker in the common parking area of each community at night without displaying a dash pass. A personal vehicle with a KP barcode sticker and no dash pass is not allowed to park overnight on driveways in Wellington I or Wellington II. Vehicles with dash passes on dashboards are allowed to park overnight on driveways in Wellington I and II. Only vehicles belonging to residents of either Wellington I or Wellington II may be parked in the commons parking area of their own community. KP residents not living in either Wellington I or Wellington II are not allowed to park a vehicle in either community, unless they are authorized by a resident of the community to be a guest. In that case, the gate Office will issue a guest/dash pass for the vehicle. Failure to comply with parking restriction in either Wellington I or Wellington II will be violation.
- (N) Residents of Wellington II are never allowed to leave their garage doors open during the day or night.
- (O) Residents of Westchester may park a personal vehicle with a barcode sticker in the common parking area of the community at night without displaying a dash pass. Vehicles are not allowed to be parked overnight on Westchester driveways even if the vehicle has a dash pass.
- (P) Residents of Hamlet are allowed to park a vehicle with barcode sticker on their driveways at night, because those residents only have single-car garages. A dash pass is not required for overnight parking in Hamlet.
- (Q) Residents of Lancaster are not allowed to park a vehicle with a barcodes sticker overnight on a driveway, unless a dash pass is displayed on the driver's side of the dashboard.
- (R) Golf carts cannot be driven or parked on grass.

5.3 SPEEDING VIOLATION:

- (A) Speed limits for all streets within KP are marked. The default speed limit within KP is 25 miles per hour. Streets that curve have a posted maximum speed of 15 miles per hour.
- (B) Vehicles that exceed five (5) miles per hour over the posted speed limit will be ticketed.
- (C) Security Officers who patrol the community are trained how to calibrate and use radar guns to determine a vehicle's speed. Periodically, a Rover will monitor the speed of a vehicle and issue a ticket if the vehicle exceeds the permitted speed limit.
- (D) Other than vehicles identified in Section 4.13, guests (i.e., individuals or vendors) are authorized admission to KP only by a resident or tenant. By authorizing the guest to enter KP, a resident or tenant becomes responsible for the actions of their guests including violations of any parking, speed limit or stop sign rules. Therefore, if a guest is in violation of any Access and Patrol rules, the resident responsible for the guest will be issued the ticket, unless a guest visits more than one residence while in KP. Residents who use vendors that work at multiple residences in the community on the same day will not be issued a violation for that vendor.

5.4 STOP SIGN VIOLATIONS:

Stop Signs are located throughout the community where there may be intersecting traffic or crosswalks. All vehicles, including golf carts, are expected to stop at stop signs. In the judgement of an Officer, if a vehicle does not stop at a stop sign, the vehicle will be issued a Notice of Violation for violating of a KPMA rule.

5.5 CROSSWALK VIOLATIONS:

- (A) Throughout the community there are crosswalk lines painted across streets showing the designated areas where pedestrians should cross a road. When a pedestrian is at a crosswalk, vehicles, including golf carts, are required to stop to allow the pedestrian to cross the street. Failure to do so will subject the driver of the vehicle to a Notice of Violation.
- (B) Drivers should be aware that individuals sometimes cross streets where there are no designated crosswalks. Drivers should be cautious when approaching an area where someone is crossing a road outside of a crosswalk.
- (C) Pedestrians should walk on the sidewalks wherever possible. Those who insist on walking in the streets instead of the sidewalks should pay particular attention when walking on curves that have double yellow lines painted on the street. Walking in a curve forces an oncoming car or truck to drive into the oncoming lane, which can make it difficult to see on-coming traffic. There is no violation if a pedestrian walks in the street instead of on sidewalks, but anyone walking in the street should walk against traffic.

5.6 GOLF CART VIOLATIONS:

As used in this manual, the definition of a vehicle includes golf carts and Low-Speed Vehicles (LSVs). LSVs look like golf carts but can reach speeds from 20 mph to 25 mph. As a result, golf carts and LSVs are subject to the same speeding, parking, stop sign, and crosswalk rules specified in Section Five. Golf carts are not allowed to drive or park on the grass or sidewalks of the common area within KP. The driver of a golf cart or LSV that damages sprinkler heads, grass, bushes, or other common areas will be responsible for all damages and costs required to repair the damaged property. Golf carts that use streets in KP should be insured in case of an accident.

SECTION SIX: VIOLATION FINES

The focus of the Access and Patrol function is to provide an environment that is as safe as possible for the community's residents and guests. To complement the goals of the Master Declaration to preserve and enhance the community's property values, KPMA's Board has enacted rules and regulations designed to maintain the community's beauty and upscale appearance and the safety of those residing in the community. A Notice of Violation may be issued when a resident, guest, or vendor violates a KPMA rule or regulation.

6.1 NOTICE OF VIOLATION

- (A) First violation: A warning Notice is issued for the first offense. There is no financial fine for the first offense.
- (B) Subsequent violations: All subsequent Notices of Violation issued during the same calendar year result in a financial fine of one hundred (\$100.00) dollars for each violation.

6.2 CONTINUING VIOLATION FINE

- (A) A continuing violation describes a situation in which the same conditions of a breach continue without any change. When the conditions for issuing a violation change, it is not a continuing violation. For example, if a vehicle is parked overnight in a driveway without an active dash pass and does not move for a period of time, that would be a continuing violation of the same violation. Parking tickets for this continuing violation can be issued every night, subject to the fines discussed in Section 6.1. In such case, the maximum cumulative fine that can be issued for the continuing violation in any calendar year is one thousand (\$1,000.00) dollars, regardless of the number of days the continuing violation exists.
- (B) A new continuing violation cycle begins if a vehicle is moved after the first Notice of Violation. In the example discussed in Section 6.2(A), if the vehicle exits the driveway every day or its position on the driveway changes, then a new continuing violation cycle begins, and fines are not subject to the maximum one-thousand (\$1,000.00) dollars because the violation did not continue unabated. In this case, the vehicle is subject to a one-hundred (\$100.00) dollar fine every day for the rest of the calendar year after the third ticket.

6.3 NOTICE OF VIOLATION AND FINE

- (A) When an Officer issues a Notice of Violation, a copy will be placed under the windshield wiper of the vehicle, if possible. A copy will also be given to the Site Supervisor, who will periodically transfer Notices to the Property Manager.
- (B) The Property Manager will review the vehicle's record and issue a fine commensurate with the number of Notices of Violation issued to that vehicle during the same calendar year. The Property Manager will notify the vehicle's owner (or resident or tenant if the car belonged to a guest) that the Notice of Violation was issued, the amount of the fine, and how to pay it or appeal it.
- (C) A new accounting of violations begins each January 1. Therefore, New Notices of Violation begin with a warning, as discussed in Section 6.1(A). It is important to note that while the violation cycle resets every January 1, unpaid fines do not disappear and are still the financial responsibility of the violator/resident.

6.4 VIOLATIONS TRACKED SEPARATELY

Tickets for speeding, parking, and stop sign violations are tracked separately and carry fines. A vehicle, for example, may have one stop sign violation (a non-financial warning), two speeding tickets (a \$100 fine), and four parking violations (\$300, i.e., the first parking violation is a warning, second, third, and fourth parking violation are \$100 fine each). If there are no other violations for the year, the total fine for the offender is \$400.

SECTION SEVEN – FINE COMMITTEE AND APPEAL PROCESS

7.1 DUE PROCESS

The most important procedural consideration in the fine and appeal process is that the offender be given adequate time to understand an Access and Patrol violation, the fine imposed, and the process for appealing the fine and/or suspension.

7.2 AUTHORITY TO LEVY FINES

- (A) Under Article 8.1 of the KPMA Bylaws, the Board of Directors may levy fines and/or suspensions against Members, Members' Tenants or Guests, or both (referred to as “Offender”), who commit violations of Chapters 617 or 720 of the Florida Statutes, the provisions of the Governing Documents, KPMA Rules and Regulations, or who condone such violations by their Family members, Guests or Tenants.
- (B) Fines shall be in amounts deemed appropriate by the Board to deter future violations, but in no event shall any single fine for a continuing violation exceed the maximum amount allowed by law. The maximum fine for a continuing violation shall be \$1,000.00 or as otherwise determined by the Board.
- (C) If allowed by law, fines can be secured by a lien on the Offender’s Lot. The Board can also suspend the use of Common Areas, facilities, and common non-essential services (e.g., gate access barcodes, stickers, bulk cable TV, and/or internet) for a reasonable period of time to deter future violations.

7.3 FINE LEVIED

- (A) Section Five of this Manual describes the various Access and Patrol violations that Security Officers identify as they patrol the community.
- (B) Section Six of this Manual describes the fine amount issued for each violation and each occurrence.
- (C) Once a violation is identified, a Security Officer may issue a Notice of Violation. If a violation is issued, it is processed through the Property Manager and mailed to the violator for payment. A violator has thirty (30) days to pay the fine
- (D) If the fine is paid, the Board takes no further action.
- (E) If the fine is not paid or appealed within a reasonable period, the Board may vote to refer the unpaid fine to the Fine Committee and request that the fine be levied against the Offender. At the same time as the Board votes to send the matter to the Fine Committee, it can vote to penalize the Offender for not following KPMA’s rules and regulations by suspending the Offender’s use of Common Areas, facilities and non-essential services (e.g., gate access barcode sticker, bulk TV and Internet). When the matter is sent to the Fine Committee, a more vital message is sent to the offending party by penalizing the Offender.
- (F) If the Board refers the matter to the Fine Committee, the Property Manager shall mail the Offender a notice informing the person that the Fine Committee will hold a hearing.

7.4 APPEAL PROCESS

- (A) The party against whom the fine and/or suspension is sought to be levied or imposed has a right to appeal the fine/suspension by requesting a hearing by the Fine Committee. The recipient of a fine and/or suspension has a reasonable period of no less than fourteen (14) days to request a hearing by the Fine Committee.
- (B) If the party against whom the fine and/or suspension was issued requests a hearing by the Fine Committee, the Property Manager shall mail the party a notice of the hearing, including:
 - (1) A statement of the date, time, and place of the hearing;
 - (2) A short and plain statement of the specific facts giving rise to the alleged violation(s); and
 - (3) The possible amounts of any proposed fine and/or potential use rights of Common Areas or facilities to be suspended.

7.5 FINE COMMITTEE

- (A) Under Article 8.1(B) of KPMA's Bylaws, the Board of Directors appoints a panel of three (3) Owners, none of whom are current members of the Board or Officers, Directors or employees of KPMA, or the spouse, parent, child, brother or sister of an Officer, Director or employee.
- (B) The offending party against whom the fine and/or suspension has been issued does not have to be present or represented at the Fine Committee meeting.
- (C) No rules of evidence are required at the hearing, as they would be in a court of law, but KPMA must demonstrate that the hearing process meets a Due Process standard.
- (D) The party against whom the fine and/or suspension is levied shall have a reasonable opportunity to respond and challenge any evidence or testimony, present written or oral evidence, call witnesses, be represented by another party, including an attorney, provide written and oral arguments on all issues involved, and review, challenge, and respond to any evidence or testimony presented by the KPMA.
- (E) Before a matter is referred to the Fine Committee, the Board will fully discuss the merits of the matter and the fact that a fine has not been paid. As a result, no representative of KPMA may be present at the Fine Committee hearing, so the Offender has an impartial opportunity to explain why a fine should not be assessed.
- (F) Once the Fine Committee has heard the objections and testimony from the petitioning party, it must vote to reject the fine and/or suspension or approve it:
 - (1) If the majority of the Fine Committee does not agree with the proposed fine and/or suspension, the petitioning party may not be fined or suspended. As a result, the matter is dropped.
 - (2) If the Fine Committee agrees with the proposed fine and/or suspension, the amount becomes a levy against the property. It is payable within five (5) business days after the Offender receives notice that the Fine Committee affirmed the fine and the suspension, if any, is effective immediately.

7.6 COLLECTION PROCEDURE

- (A) When the Board refers a matter to the Fine Committee and it upholds the Board's fine, the Board should delegate an individual to collect the levy and any delinquent amounts that might arise as a result of non-payment. The delegation, for example, could be given to the Property Manager or

President of KPMA.

- (B) The Notice of the Fine Committee's decision and the amount of the levy must be in the form of a written notice and delivered by mail or hand delivery to the offending party, if possible. [Florida Statute § 720.305(2)(c)] A third notice could be sent via certified mail if deemed appropriate.
- (C) If a fine is levied, it is payable within five (5) business days after the Offender receives notice that the Fine Committee upheld it as described in Section 7.6(B).
- (D) If a fine is not paid within five (5) business days after the Offender is notified and the amount of that fine and other fines against the same Offender equals or exceeds one thousand (\$1,000) dollars, then after forty-five (45) days of non-payment, KPMA's Board can secure a lien on the property. In addition, any out-of-pocket expenditures, including but not limited to attorney fees, may be levied as a Special Assessment according to Article 3.1(C) of the Master Declaration. The Board may secure the fine as a lien against the property as permitted under Section 720.305(2).
- (E) If the Special Assessment is not paid within ten (10) days, the Board can begin charging interest on the non-payment, late fees, and other administrative charges.
- (F) At any point after the Special Assessment has been made, the Board has the prerogative of perfecting the lien on a property by recording a claim of lien in Collier County's public records.
- (G) If a lien is not paid, the levy and any other related charges remain on the Property Manager's records until paid. If the association placed a lien, unpaid fine, and/or unpaid Special Assessment on the property and it is unpaid when the owner wants to sell the property, the Property Manager will note the unpaid amounts outstanding on the Estoppel Certificate. Such disclosure will warn a prospective buyer that amounts are due.