



Sunset Bay Fine Schedule

All work on empty lots or changes to an existing structure within Sunset Bay require written ACC approval. The following schedule is meant to serve as a guide for the Sunset Bay POA Board of Directors when it is necessary to levy fines for non-compliance with the Sunset Bay Covenants, Conditions, and Restrictions (CCRs). The Board reserves the right to deviate from this Schedule at its discretion.

The Board has the authority to assess fines for CCR non-compliance and the right to file liens against Sunset Bay properties to recover said fines, as well as all associated legal expenses until final resolution or satisfaction. If the Board determines a Member is in violation of the CCRs in a manner not prescribed herein, the Board shall have the right to determine the fine amount and all other aspects of penalty, including, but not limited to, escalation of the fine, recurrence of the fine, etc.

Type A Violation – Improper Usage of Property

1. Parking of trailers, boats, travel trailers, motorhomes, etc. on unimproved lots - \$100.00 fine for each unit, plus \$100.00 additional fine for each unit for each additional 30 days.
2. Occupancy or the ability to occupy tents, coverings, RVs, trailers, travel trailers, motorhomes, etc. - \$250.00 per day.

Type B Violation – Commencement of work without securing ACC approval

1. Culvert - \$100.00 fine, plus \$100.00 additional fine for each additional 30 days until proper submittal of all required documents to the ACC. If the culvert was installed without Aransas County approval, removal of the culvert is required.
2. Driveway – \$100.00 fine, plus \$100.00 additional fine for each additional 30 days until proper submittal of all required documents to the ACC.
3. Fence – \$100.00 fine, plus \$100.00 additional fine for each additional 30 days until proper submittal of all required documents to the ACC. If the fence is comprised of an unapproved material or construction method, or if the fence is improperly placed, removal of the fence is required.
4. Septic System – \$100.00 fine, plus \$100.00 additional fine for each additional 30 days until proper submittal of all required documents to the ACC. If the septic system is not aerobic, if it is improperly placed, or if it does not conform to an approved design, removal of the system is required.
5. Main Dwelling - \$1,000.00 fine, plus \$1,000.00 additional fine for each additional 30 days until proper submittal of all required documents to the ACC. If the Dwelling does not meet all County and windstorm requirements, removal of the structure (or any portion thereof) is required.
6. Detached Structures – \$500.00 fine, plus \$500.00 additional fine for each additional 30 days until proper submittal of all required documents to the ACC. If the detached structure does not meet all County and windstorm requirements, removal of the detached structure (or any portion thereof) is required.

7. Additions to Main Dwellings - \$500.00 fine, plus \$500.00 additional fine for each additional 30 days until proper submittal of all required documents to the ACC. If the addition does not meet all County and windstorm requirements, removal of the addition (or any portion thereof) is required.
8. All other improvements – to be determined by the Sunset Bay POA Board of Directors on a case by case basis.

Type C Violation – Changes to the exterior of a Dwelling or Detached Structure without securing ACC approval

1. Change of color of paint or type of siding on main portion or trim - \$100.00 fine, plus \$100.00 additional fine for each additional 30 days until proper submittal of all required documents to the ACC.
2. Addition or change of Exterior Features to a Main Dwelling or Detached Structure (doors, windows, window shutters, attached planter boxes, eaves, columns, etc.) - \$100.00 fine, plus \$100.00 additional fine for each additional 30 days until proper submittal of all required documents to the ACC.

Type D Violation – Failure to Complete Construction within one year, including installation of a hard surface driveway

1. \$100.00 fine for each 30 days construction is not completed within one year for the first 12 months. \$200.00 fine for each 30 days construction is not completed for the next 12 months. \$300.00 fine for each 30 days construction is not completed for each month thereafter.

*****The following escalation clause applies to all violations for which the fine amount is \$100.00*****

Escalation – all violations that receive \$100.00 fines, if the violation persists for 90 days beyond the imposition of the original fine, the fine amount will increase to \$200.00. If the violation persists for an additional 90 days, the fine amount will increase to \$300.00. If the violation persists for an additional 90 days, the fine amount will increase to \$400.00. For each following 90 day period that the violation persists, the fine amount will increase by \$100.00.

Prior to the imposition of any fine, the Sunset Bay Member in violation shall be granted the opportunity to be invited to a hearing of the Sunset Bay POA Board of Directors. The Member shall be given an opportunity to be heard, to present evidence, and to make statements and arguments on their own behalf. The Member shall be afforded the opportunity to be represented by legal counsel or another competent individual.