

PROPOSED AMENDMENTS TO
DECLARATION OF COVENANTS,
CONDITIONS, RESTRICTIONS AND EASEMENTS FOR
TUSCANY SUBDIVISION AT TAMPA PALMS
OWNERS ASSOCIATION, INC. AND
BY-LAWS OF
TUSCANY SUBDIVISION AT TAMPA PALMS
OWNERS ASSOCIATION, INC.

BY-LAWS

1. Proposed amendment to Article III, Section C., subsections 21(b) and (d), to read as follows:

ARTICLE III
BOARD OF DIRECTORS: NUMBER, POWERS, MEETINGS

C. Powers and Duties. . . .

Section 21. Fining Procedure. . . .

(b) that the alleged violator may, within ~~ten (10)~~ fourteen (14) days from the date of the notice, request a hearing regarding the fine;

. . . .

(d) that all rights to have the fine reconsidered are waived if a hearing is not requested within ~~ten (10)~~ fourteen (14) days of the date of the notice.

2. Proposed amendment to Article III, Section C., to read as follows:

ARTICLE III
BOARD OF DIRECTORS: NUMBER, POWERS, MEETINGS

C. Powers and Duties. . . .

Section 21. Fining Procedure. Fining is one of the remedies available to the board of directors to enforce against violations of the Governing Documents, including rules and regulations. The Board of Directors is not required to levy fines, but may do so from time to time. In that event, the board will follow the fining procedures required by Chapter 720, Florida Statutes and the steps set forth below and in the Fining Rules and Procedures adopted by the Board, as amended from time to time. The board shall not impose a fine (a late charge shall not constitute a fine) unless and until the violator is served with written notice stating:

(a) the nature of the alleged violation;

(b) that the alleged violator may, within ~~ten (10)~~ fourteen (14) days from the date of the notice, request a hearing regarding the fine;

(c) that any statements, evidence, and witnesses may be produced by the alleged violator at the hearing; and

(d) that all rights to have the fine reconsidered are waived if a hearing is not requested within ~~ten (10)~~ fourteen (14) days of the date of the notice.

If a hearing is requested, it shall be held before the ~~Board of Directors or the Covenants Hearing Committee if established~~ appointed by the Board of Directors, and the alleged violator shall be given a reasonable opportunity to be heard. The minutes of the Committee meeting shall contain a written statement of the results of the hearing. The Committee will make a recommendation to the Board of whether a fine should be levied. If the Committee, by majority vote, does not recommend a proposed fine, the Board cannot levy the fine.

3. Proposed amendment to Article V, Section 2, to read as follows:

ARTICLE V
COMMITTEES

...
Section 2. ~~Covenants Hearing Committee~~. The Board of Directors may, but shall not be obligated to, appoint a ~~Covenants Hearing Committee~~ consisting of at least five (5), ~~but no more than seven (7)~~ three (3) members. ~~Acting in accordance with the provisions of the Declaration, these By-Laws, and resolutions of the Board, the Covenants Committee, if established, shall be the hearing tribunal of the Association and shall perform the responsibilities of the Board under Article III, Section 21, of these By-Laws. The Committee shall serve for one-year terms, and shall be appointed annually by the Board of Directors. The Hearing Committee will carry out the fining procedures under these By-Laws and the provisions of Chapter 720, Florida Statutes, and in accordance with the Fining Procedures adopted from time to time by the Board.~~

Approved: July 15, 2014

PLEASE NOTE: UNAFFECTED TEXT INDICATED BY “. . .”; DELETED TEXT INDICATED BY STRIKE THROUGH; NEW TEXT INDICATED BY UNDERLINING