



Schedule of Fines and Enforcement Policy

Revised May 19, 2010

The Fountaingrove II Open Space Maintenance Association Board encourages everyone to enjoy hikes through the Open Space. Some activities or uses, however, are damaging to our Open Space.

The Fountaingrove II Open Space Maintenance Declaration authorizes the Fountaingrove II Open Space Maintenance Association (OSMA) to enact rules and regulations pertaining to conduct required or prohibited by the Declaration. It further authorizes OSMA to enforce its rules and regulations by implementing a schedule of fines and penalties for offenses.

Schedule of Fines

The Schedule of Fines for violation by an Owner of the OSMA's Declaration or of the policies or guidelines adopted by the OSMA shall be as follows:

Dumping Trash/Refuse/Garden Debris or Placement of Garden/Building Materials in Open Space: \$200 fine. A \$25/day additional fine will be levied (starting 10 business after date of initial violation notice) until items are removed. *

Planting in Open Space: \$200. A \$25/day additional fine will be levied (starting 10 business days after date of initial violation notice) until the plants are removed. *

Irrigating the open space: \$200 fine. A \$25/day additional fine will be levied (starting 10 business days after date of initial violation notice) until the irrigation is removed. *

Use of Motorized Vehicles in Open Space Without Prior Board Approval: \$500 fine. All activity must cease and homeowner must complete form and submit deposit for Board approval.*

Destructive Activities in Open Space (i.e. bicycles, trail making, digging or other activities that might create erosion problems etc.): \$200 fine. Further violations will result in an additional \$250 fine per incident. *

Illegal/Disallowed Activities in Open Space (i.e. fireworks, campfires, smoking): \$500 fine.

Removal of Rocks/Boulders/Mulch and Other Items from Open Space: \$200 fine. Further violations will result in an additional \$250 fine per incident. *

Drainage into Open Space Not Designed as Part of Original As-Built Design: \$200 fine. A \$25/day additional fine will be levied (starting 10 business days after date of initial violation notice) until the drainage problem is rectified. *

Application of Herbicides and Pesticides in Open Space: \$200 fine. Further violations will result in

an additional \$500 fine per incident. The OSMA occasionally applies herbicides or pesticides to specific areas of our landscape, but only employs contractors fully licensed for such herbicide/pesticide applications. *

Removal, Alteration or Destruction of Trees/Plants in Open Space or Other General Destruction: \$500-\$10,000 fine or more at the Board's discretion. Any costs associated with the removal of tree/plant debris left in open space shall be levied against the owner as a special assessment. Any costs associated with replacement of trees/plants will also be levied against the owner as a special assessment. Further, any fines and penalties imposed by the City of Santa Rosa for removal of heritage trees will also be levied against the homeowner.

The following trees are native to Sonoma County and are considered heritage trees when their diameter or circumference is of a size specified in the ordinance:

Oaks: Valley, Live, Black, Oregon/White, Canyon, Blue, Interior Live
Redwood, Bay, Madrone, Buckeye, Douglas fir, Red Alder, White Alder, Big Leaf Maple

* If the OSMA pays to have items in any of these situations removed by a third party, the cost of the removal and/or the cost of returning the open space to its original state shall be levied against the owner as a special assessment.