

THE CONSERVATORY

Exhibit “G”

Builder Violation Penalty Schedule

1. Violations which carry a penalty of \$50.00 for the first notice.
 - a. Failure to use the required routes and parking areas designated by the ACB.
 - b. Failing to have portable toilets properly screened, or with door facing street.
 - c. Removal of trash after 5:00 p.m. on Thursday thru Sunday or on Holidays.
 - d. Permitting of any trash or debris outside of dumpster.
 - e. Failure to prevent any construction traffic of its employees, subcontractors or suppliers to enter the development through any entrance other than those designated.
 - f. Allowing employees, subcontractors or suppliers to bring any children or animals to the Construction Site.
 - g. Activities not specifically listed herein, but which are deemed by the ACB inconsistent with the Design Guidelines and or Builder performance and conduct expectations (written or unwritten)
2. Violations which carry a penalty of \$100.00 for the first notice.
 - a. Failure to wear hardhats and adequate safety gear.
 - b. Failure to promptly empty dumpsters when full.
 - c. Failing to have portable toilets within boundaries.
 - d. Failing to have portable toilets properly maintained.
 - e. Use of alcohol, illegal drugs or other intoxicants on Construction Site.
 - f. Performing work any time other than 7:00 a.m. to 6:00 p.m. (Monday Friday); 9:00 to 4:00 p.m. (Saturday) or on any Sunday or Holiday without prior ACB permission.
 - g. Permitting or allowing the playing of music or other non-construction sounds which are audible on properties adjacent to the Construction Site.
 - h. Engaging in any non-construction activity at the Construction Site or within the Development. Operating a motorcycle within the Development without prior ACB permission.
 - j. Allowing “rider” signs for subcontractors, architects, engineers or other construction trades on Home Lots.
 - k. Failing to maintain a safe, neat and orderly site, clean of debris.
3. Violations which carry a penalty of \$150.00 for the first notice.
 - a. Failing to properly install silt fencing prior to start of construction and to properly maintain for the duration of construction period.
 - b. Failure to keep Model Home property maintained, repaired, including interior & exterior cleaning, pool, landscape and trash pickup, etc.
 - c. Use of model homes for any other purpose other than for marketing purposes.
 - d. Conducting any business, occupation or profession on a Home Lot, or within a Home, except for the construction of improvements by Builder and any sales activities by Developer.

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- e. Using adjacent lot without prior written permission of Adjacent Lot Owner for any reason.
 - f. Submitting a building permit application to the local building authority prior to receipt of approved final plans from the ACB in accordance with Design Guidelines.
 - g. Commencement of any construction activity without the prior written consent of the ACB.
- 4. Penalties shall escalate after the 1st notice, with the penalty amount being doubled from the previous penalty for each subsequent violation.
 - 5. Violations and associated penalties shall be applied on a home-by-home basis
 - 6. The number and nature of violations committed by a Builder shall be considered by the ACB and result in additional penalties and disciplinary actions, including but not limited to reporting to lenders, trade organizations, local governments and licensing bodies, regulatory agencies, owners, or other interested parties.
 - 7. The violations and penalties presented herein do not represent the full consequence for the noncompliance; other entities have jurisdiction and regulatory authority over the activity may assess independent penalties, fines, or other disciplinary action without notice to the ACB, Declarant, or Manager.