

**“14. Disciplinary Procedures:**

- A. **Violations of Chartered Club Rules and Regulations unrelated to Conduct Code Violations, Safety Equipment and/or Facility Usage Concerns, or Failure to Pay Dues:** ~~An example of such a violation would be the failure to comply with specific Club participation rules.~~

**1. Procedure**

- a. A Violation Report is completed by a Club officer, Club member, Community Association Staff member, Association’s Director of Lifestyle, **SCSHCA Board Director**, ~~Board member~~ or another designated representative of the Community Association and submitted to the Club's Executive Board.
- b. If the Club’s Executive Board believes a violation has occurred a Warning Notice will be completed and forwarded to the Club Member and the Director of Lifestyle. At the discretion of the Club’s Executive Board, this step may be skipped if, based on the seriousness of the violation report, more immediate action is warranted.
- c. If the violation persists after a Warning Notice has been issued, the matter will be turned over to the ~~Board of Directors~~. **Covenants Committee**. If the matter is turned over to the ~~Board~~ **Covenants Committee**, for potential disciplinary action, the ~~Board~~ **Covenants Committee** will send the Club Member a Hearing Notice identifying the alleged violation and setting forth the date, time and place, at least ten (10) days from the date of the notice, where the Club Member can be heard before the ~~Board~~ **Covenants Committee**.
- d. ~~Failure to appear at the hearing could result in immediate suspension of Club Membership.~~ **The Club Member has the right to attend the hearing before the Covenants Committee and address the Covenants Committee. If the Club Member wishes to attend the hearing but cannot attend the hearing on the date scheduled or wishes for a postponement of the hearing for any other cause, then the Club Member may request a continuance of the hearing. Any such request must be in writing and addressed to the Covenants Committee. The Board Covenants Committee will make specific findings at the hearing as it relates to the violation of the Chartered Club Rules & Regulations rules including noting them on the Ruling Notice sent to the Club Member. Ruling Notices should be sent within fifteen (15) days after the Covenants Committee hearing has been concluded.**

**2. Remedies**

- a. **For disciplinary actions available to the Covenants Committee, please refer to Sun City Shadow Hills Enforcement Procedures, Section C, Step 4 - Hearing Procedures, #5, noting specifically that the Covenants Committee may only impose the following disciplinary actions: (i) impose one or more reasonable fines according to the Fine Schedule, and (ii) suspend a Club Member’s transponder privileges if such validly imposed fine remains unpaid for more than thirty (30) days from the date the Hearing Results Notice is mailed and if such a remedy was**

provided for in the Hearing Results Notice. The Covenants Committee may only recommend to the SCSHCA Board that the SCSHCA Board may (i) impose one or more Special Individual Assessments; and/or (ii) suspend a Member's common area privileges, and/or use of the recreational facilities or any other membership privileges (including Club Membership).

- b. Following the hearing of the Covenants Committee, the Club Member or the Club's Executive Board may appeal the Covenants Committee's decision to the SCSHCA Board. Also, pursuant to the *Sun City Shadow Hills Enforcement Procedures, Step 5 - Review By Board of Directors/Initiated By Board*, the SCSHCA Board may appeal any decision of the Covenants Committee. Only the SCSHCA Board may suspend a Member's common area privileges, and/or use of the recreational facilities or any other membership privileges (including Club Membership).

~~a. First Violation: Up to Ninety (90) Days Club Membership Suspension.~~

~~b. Subsequent Violations: Up to one hundred eighty (180) days Club Membership suspension or termination of Club Membership. If the Board terminates the Club Membership, the Club Member may not reapply for Club Membership until a period of one year has passed.~~

~~c. The decisions and rulings of the Board related to suspension of Club Memberships are final and binding on the Club Member. If the Club member would like to appeal the final decision, by providing additional information not available during the hearing. And if the Club Member gives written notice of the appeal within fifteen (15) days after the notice of said suspension or termination has been sent to the Club Member, the Board will schedule an appeal hearing. The Board will hear the appeal and the new information. The Board will then rule on the appeal and mail a written ruling to the Club member within 15 days.~~

- B. **Violations of Chartered Club Rules and Regulations Related to Safety Equipment and/or Facility Usage Concerns:** If an individual cannot or will not comply with stated operating procedures, or in the eyes of the Club's Executive Board, cannot safely properly operate or use Club equipment or properly use the Common Area facilities, the Club's Executive Board may suspend all or part of privileges relating to the use of said equipment or facilities, on a temporary basis, until formal notice and hearing can be provided, using the same processes as stated above. However, before making such a decision, the Club's Executive Board should make every effort to provide additional training instruction in hopes of re-qualifying an individual. In most cases, a suspension of operating privileges will not be considered disciplinary in nature, and will only be activated to protect the best interests of the individual, the Club, and the Community Association.

Any suspension of operating privileges based on safety equipment or facilities usage concerns may be appealed to the SCSHCA Board at any time by delivering a written notice of such appeal to the Community Association's Director of Lifestyle. Thereafter, a hearing will be scheduled before the SCSHCA Board to determine whether or not the suspension of operating privileges should continue or whether it should be rescinded.

The suspension of operating privileges should continue during the course of providing **the** notice and ~~the~~ hearing process unless and until rescinded by the **SCSHCA** Board. The decision of the **SCSHCA** Board is final and binding and not appealable.

- C. **Non-Payment of Club Dues or Other Monetary Commitments:** Club Member dues are separate and distinct from the various assessments that Owners pay to the Community Association. Failure to pay Association assessments shall be handled consistent with the Association's collection policy and **Enforcement** Procedures. Failure to pay Club dues shall be handled in the manner prescribed by each Club and may include automatic revocation of the Club Member's membership without further notice; provided, however, that the Club Member shall have his/her membership reinstated upon payment of the delinquent dues.

Failure to honor commitments to appear for **Club** events shall be handled in the manner prescribed by each Club and may include a minimal administrative charge of no more than \$10.00 plus actual costs incurred by the **Club** (e.g. banquet guarantees) for a Member's failure to appear at a Club event to which he/she has previously committed.

- D. **Violations of the Association's Conduct Code:** Conduct Code violations, shall be handled by the ~~Compliance~~ **Covenants** Committee or the **SCSHCA** Board of Directors consistent with the Association's Enforcement Procedures. Examples of Conduct Code violations are: (1) rude and belligerent behavior toward a Club Member; or (2) Verbal threats to a ~~another~~ Club Member or an Association **Staff** member."