

TUCSON MOUNTAIN SANCTUARY
HOMEOWNERS ASSOCIATION

RULES AND REGULATIONS

General Rules:

1. The following procedures will be followed when fining homeowners of Tucson Mountain Sanctuary for violations of the Covenants, Conditions, and Restrictions (CC&R's) of the Association.
 - A. When a violation has been observed the homeowner will be sent a notice (blue postcard) by the Managing Agent advising the homeowner of the violation and requesting that the situation be corrected.
 - B. When the violation is repeated a second time the homeowner will be sent a notice by the managing agent giving a date to bring the non-conformance into conformance and advising him/her that the Board of Directors may impose a fine for the violation
 - C. When the violation is repeated a third time a certified letter will be sent to the homeowner by the managing agent inviting the homeowner to a hearing to show just cause why a fine should not be assessed.
 - D. Should the homeowner fail to appear before the Board, the Directors may impose a fine in absentia. Any fine imposed against a homeowner must follow the established guidelines for fining.
 - E. When a fine has been imposed, it will be collected in the same manner as an assessment. The homeowner will be sent notification, stating the amount of the fine and the time allotted to remit payment. The amount of the fine will be added to the homeowner's ledger card. The Board of Directors may choose to file a lien against the Lot to protect the interest of the Association. The homeowner will be responsible for all costs incurred as a result of placing a lien against a property, including any/all legal fees.

The Board of Directors may, in its sole and absolute discretion, waive the three-notice requirement in section 1, for any act it believes that presents a clear and present danger to residents and guests.

Fine Procedure:

2. All properties shall be held, used and enjoyed subject to Article 7 Architectural Review Committee and Article 8 Uses and Restrictions of the CC&R's and any Rules and Regulations adopted by the Board. The Board of Directors will use the following fining procedure when imposing fines against homeowners for violation of Article 7 and 8 and any adopted rules.

Please refer to you CC&R's Articles 7 and 8 for explanation of each section.

Section 7.2 Review by Committee – Initial Fine \$100.00. An additional fine of \$20.00 per day for every day of non-conformance.

Section 7.7 Nonconforming Architectural Improvements – Initial Fine \$100.00. An additional fine of \$20.00 per day for every day of non-conformance after a sixty day notice has been given. After sixty days notice, Board may choose to proceed pursuant to Section 7.7 in addition to the fine.

Section 8.01 Private Residential Purposes – Initial Fine \$100.00. An additional fine of \$20.00 per day for every day of non-conformance after a thirty day notice has been given.

Section 8.02 Renting – Initial Fine \$50.00. An additional fine of \$10.00 per day for every day of non-conformance.

Section 8.03 Antennas and Exterior Additions – Initial Fine \$25.00. An additional fine of \$10.00 per day for every day of non-conformance after a ten day notice has been given.

Section 8.05 Insurance Rate – Initial Fine \$100.00. An additional fine of \$10.00 per day for every day of non-conformance after a five day notice has been given.

Section 8.06 Signs – Initial Fine \$25.00. An additional fine of \$5.00 per day for every day of non-conformance after a two day notice has been given.

Section 8.07 Nuisance – Initial Fine \$50.00. An additional fine of \$10.00 per day for every day of non-conformance after a five day notice has been given.

Section 8.08 Growth and Planting – Initial Fine \$50.00. An additional fine of \$10.00 per day for every day of non-conformance after a ten day notice has been given.

Section 8.11 Drainage – Initial Fine \$25.00. An additional fine of \$5.00 per day for every day of non-conformance after a five day notice has been given.

Section 8.12 Unsightly Articles – Initial Fine \$50.00. An additional fine of \$5.00 per day for every day of non-conformance after a five day notice has been given.

Section 8.13 Trash Containers – Initial Fine \$10.00. An additional fine of \$5.00 per day for every day of non-conformance after a two day notice has been given.

Section 8.15 Mailboxes – Initial Fine \$20.00. An additional fine of \$5.00 per day for every day of non-conformance after a ten day notice has been given.

Section 8.16 Vehicles/Carports/Garages – Initial Fine \$25.00. An additional fine of \$10.00 per day for every day of non-conformance after a two day notice has been given.

Section 8.17 Clotheslines – Initial Fine \$20.00. An additional fine of \$5.00 per day for every day of non-conformance after a ten day notice has been given.

Section 8.18 Disease and Insects – Initial Fine \$50.00. An additional fine of \$15.00 per day for every day of non-conformance after a five day notice has been given.

Resolution #1 Parking of Trailers – Initial Fine \$25.00. An additional fine of \$10.00 per day for every day of non-conformance after a four day notice has been given.


Resolution #2 Parking of Motor Vehicles on the Landscaped Portion of Any Lot – Initial Fine \$25.00. An additional fine of \$10.00 per day for every day of non-conformance after a two day notice has been given.

RV Parking/Commercial Vehicles:

3. Storage of any type of RV, fifth wheel, and/or camping trailer is strictly prohibited. They may be brought into the community and parked at a Lot for no more than 48 hours. The purpose of this time frame is to allow for adequate preparation, cleaning, and packing.

4. Any vehicle which can be classified by one or more of the following characteristics **SHALL** be viewed as a commercial vehicle:
1. Commercial plates (applies to all trucks in excess of 1 ton)
 2. Signage and/or advertisement of any kind
 3. Ladder and/or equipment racks
 4. Storage bins
 5. Designated to carry more than 10 passengers (Omnibus)
 6. Used to transport hazardous materials

APPROVED AND REVISED THIS 17TH DAY OF NOVEMBER, 2005 BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS.

Signed: 

President
Tucson Mountain Sanctuary Homeowners Association