

**MOONRIDGE MARINA PROPERTY OWNERS ASSOCIATION
VIOLATION ENFORCEMENT POLICY AND FINE SCHEDULE**

WHEREAS, Moonridge Marina Property Owners Association (the "Association"), has the authority pursuant to the Declaration of Restrictions (the "Declaration") and the Amended and Restated Articles of Incorporation of Moonridge Marina Property Owners Association (the "Articles") to determine, in its reasonable discretion, the manner of enforcement action for violations of the provisions of the governing documents.

WHEREAS, per Arizona law, after the violating Owner is given notice and an opportunity to be heard, the Board of Directors (the "Board") has the power to levy reasonable fines for violations of the governing documents.

NOW, THEREFORE, IT IS RESOLVED that the Board hereby adopts this Violation Enforcement Policy and Fine Schedule ("Policy") to set forth procedures for enforcement of the restrictions in the governing documents and the elimination of violations.

The Board intends to follow the procedures set forth herein, but reserves the right, in its sole and absolute discretion, to vary from the procedures set forth herein due to the unique circumstances of individual situations so as to help ensure that only reasonable fines and enforcement measures are used.

ESTABLISHMENT OF VIOLATION AND VIOLATION NOTICES

1. **Establishment of Violation:** Any prohibited improvement or alteration of any kind or nature erected, placed, or altered on any Lot, Parcel, or Tract which has not been first approved by the Association or which does not in all respects conform to that which has been so approved is deemed a violation. Any activity or condition on any Lot, Parcel, or Tract that is in opposition to the Declaration or other governing documents, which is not expressly authorized by the Board, is deemed a violation.
2. **Courtesy Notice:** Upon verification of the existence of a violation, a written Courtesy Notice may be mailed or e-mailed to the Owner providing specific information regarding the violation and requesting that corrective action be taken within a specific timeframe or that the violation not re-occur. The Board may decide to skip the Courtesy Notice for any violation as determined in its sole discretion.
3. **Violation Notices:** If the Association decides to skip the Courtesy Notice, the Owner fails to remedy the violation within the timeframe set forth on the Courtesy Notice, or if the violation is initially cured but then occurs again within a period of ninety (90) days from the initial violation addressed in the Courtesy Notice, a written Violation Notice shall be mailed to the Owner. The first Violation Notice shall include:
 - a. A brief description of the nature of the violation and identification of the provision(s) of the governing documents violated;
 - b. The date the violation occurred or the date the violation was observed and first and last name of the person who observed the violation of the governing documents;
 - c. A date for correction of the violation;
 - d. If applicable, the Board's intent to levy a fine against the Owner;
 - e. A statement advising the Owner of the opportunity to be heard with respect to the

violation and the timeframe (at least ten (10) business days after the Violation Notice was sent) to contact the Association, in writing, to exercise the opportunity to request the hearing;

- f. A statement advising the Owner of how the Owner may contest the violation; and
- g. A statement advising the Owner that the Owner has the right to petition for an administrative hearing on the outstanding violation to the Department of Real Estate.

4. Subsequent and/or Continuing Violation Notices: If the violation still exists after the timeframe for compliance in the prior notice or re-occurs within ninety (90) days of the prior notice, subsequent violation notices can be sent, and/or additional Fines can be imposed in accordance with this Policy. If the violation is a re-occurrence, the notice shall contain information required to be provided with the first notice.

FINES

1. Hearing and Waiver of Right to be Heard: If requested within the timeframe prescribed in the notice to the Owner, a hearing will be granted, and a reasonable effort will be made to schedule the hearing at a time convenient to both the Board and the Owner. Any of the following shall constitute a waiver of the Owner's right to the hearing:

- a. The Owner does not contact the Association to request a hearing in the timeframe prescribed in the Violation Notice to the Owner;
- b. The Owner does not respond to the Association's reasonable attempts to schedule a hearing;
- c. After a hearing is scheduled, the Owner does not attend the hearing or provide at least forty-eight (48) hours' notice of their inability to attend the hearing.

A fine may be imposed after the hearing or after the Owner waives the right to be heard. If an Owner waives the right to be heard, the Board will make a decision regarding a fine based on the information it has. Any fine imposed may be applied retroactively to the initial date of the violation.

2. Notice and Amount of Fines: The Owner will be given written notice of the amount of any fines imposed and the due date for payment of such fines. The Board intends to impose fines generally in accordance with the attached Fine Schedule for violations listed on this schedule; however, the Board reserves the right to vary from this schedule based on the nature and severity of the offense and the number and history of violations by the Owner. The amount of the fines imposed by the Board shall range from \$25.00 to a maximum of \$500.00 per calendar day.

3. Fines for Continuing and Recurring Violations: Once it has been determined by the Board that the violation is a continuing violation, the Board may impose reasonable continuing fines (such as daily, weekly or monthly fines) while the violation continues, and such continuing fines shall accrue until the Owner notifies the Association that the violation has ceased and the Board confirms that it has ceased. If any violation recurs within ninety (90) days from a past violation, it will be considered a continuation of that past violation.

4. Remedying Violation During Enforcement: If an Owner corrects a violation, as verified by the Association, then the matter will be closed. However, the Owner will remain liable for all enforcement costs and fines under this Policy, which if not paid upon demand, may be referred to

collections by appropriate procedures under the governing documents and applicable law. The Board may, in its sole discretion, choose to waive some or all fines for violations that have been remedied if no further violations occur within ninety (90) days.

REFERRAL TO LEGAL COUNSEL AND OTHER REMEDIES

Where it is determined to be in the best interest of the Association, the Board may, at any time during the enforcement process, refer the violation to legal counsel for action seeking injunctive relief against the Owner to correct or otherwise abate the violation, or to pursue any other legal or equitable remedy that may be available to the Association.

RESIDENT COMPLAINT PROCEDURE

Any resident may make a formal complaint regarding violations of the Declaration or other governing documents. The complaint must be in writing and must include the date and time along with a detailed description of the violation including the people involved. Providing evidence (for example, photos, recordings) supporting the existence of a violation that cannot be readily observed by management staff can help support enforcement action. The complaint should be mailed or e-mailed to:

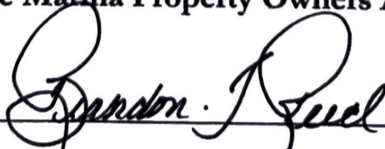
Moonridge Marina Property Owners Association
36855 Trout Lane
Parker, Arizona 85344
moonridgemarina@gmail.com

Please note that the information provided is not confidential and, if requested by the violating Owner, will be provided to them as required by law.

CERTIFICATION

This is to certify that the foregoing policy was adopted by the Board of Directors and made effective as of June 24, 2023 until such date as it may be modified, rescinded, or revoked.

Moonridge Marina Property Owners Association

Signature:  _____

Printed Name: Brandon L. Reed

Title: President, MMPOA

MOONRIDGE MARINA PROPERTY OWNERS ASSOCIATION

FINE SCHEDULE

Category	Types of Violations	Schedule of Fines
1	<ul style="list-style-type: none"> Any violations of the governing documents not specified under the other categories Signage violations Junk/trash/rubbish violation Weeds/condition of Lot violation Improper use/storage of machinery and/or equipment 	<ul style="list-style-type: none"> Courtesy Notice – no fine First Notice – minimum \$25 fine Second Notice – minimum \$50 fine Third Notice – minimum \$100 fine Continuing/Recurring Violations – minimum \$25 fine per day
2	<ul style="list-style-type: none"> Animal/pet violations (no injuries) Trade or business violation Commencing Lot improvements or modification without approval Commencing dock/waterway improvements or modification without approval Sanitation facilities violation 	<ul style="list-style-type: none"> No Courtesy Notice First Notice - minimum \$50 fine Second Notice - minimum \$100 fine Third Notice – minimum \$250 fine Continuing/Recurring Violations – minimum \$50 fine per day
3	<ul style="list-style-type: none"> Failing to properly maintain Lot and Cabana Nonconforming tanks violation Nonconforming walls/fences violation Nonconforming mobile home violation 	<ul style="list-style-type: none"> No Courtesy Notice First Notice – minimum \$100 fine Second Notice – minimum \$150 fine Third Notice – minimum \$200 fine
4	<ul style="list-style-type: none"> Violations of laws, ordinances, and governmental regulations Nuisances and Offensive Activity (noise violations, noxious conditions, etc.) Animal/pet violations (resulting in injuries to persons or other animals) Motor vehicle violations Leasehold violation Setback violation Residential buildings less than minimum square feet violation Buildings other than new construction violation Violation relating to subdivision of a Lot 	<ul style="list-style-type: none"> First Notice - minimum \$250 fine Second Notice - minimum \$500 fine Third Notice – minimum \$750 fine Continuing/Recurring Violations – minimum \$250 to maximum \$500 fine per day