

**THE SUN GROVES
HOMEOWNERS ASSOCIATION**

DATE: February 2010

TO: The Sun Groves Homeowners Association Residents

FROM: Carla Helmstadter, Community Manager

RE: Revised Parking Rules and Regulations
Fine and Enforcement
Policy Procedure for Parking

As the Sun Groves community grows and evolves, part of the responsibility of the Board of Directors is to revise the policies and procedures we utilize to operate the day to day business of the Association when needed. One such area is the Parking Policy and the Fine and Enforcement Policy for parking.

In working with our Sun Groves legal counsel, the attached Parking Policy and Enforcement Policy have been updated to better reflect the needs of the community as a whole and concur with the Arizona Statutes that regulate Community Associations. These updated policies will be effective on March 1, 2010.

Should you have any questions, please contact Carla Helmstadter at 602-906-4909 or via email at chelmstadter@aamaz.com.

The Sun Groves Homeowners Association Parking Rules and Regulations

The term "vehicles" as used in these Parking rules and regulations, shall include, without limitation: automobiles, trucks, vans, boats, boat trailers, motorcycles, camper shells, detached campers, motor homes, recreational vehicles, travel trailers, tent trailers, hang gliders, ultra lights, or other similar vehicles and equipment.

1. Overnight street parking is prohibited within the community. Overnight street parking has been defined by the Board of Directors as any vehicle parked on the street at any time between the hours of Midnight and 5:00 a.m. without prior approval from the Association. Construction, service and delivery vehicles shall be exempt from this provision for such period of time as is reasonably necessary to provide service or make a delivery to a residence or the Common Area. Vehicles permitted by law to park on streets and driveways (i.e. some emergency response vehicles) are exempt from this provision.
2. Residents are prohibited from parking or storing disabled vehicles in any unenclosed parking area, including but not limited to private driveways appurtenant to a Dwelling Unit. A vehicle shall be considered "disabled" if it does not have a current license tag, is up on blocks, is obviously inoperable, or has flat tires or other signs of non-use as determined by the Board of Directors or its designated representative. Except for emergency vehicle repairs, no vehicle shall be constructed, reconstructed or repaired upon any Lot, Parcel, street or Common Area.
3. Any and all federal, state, local and The Sun Groves Guidelines, Rules & Regulations shall be followed at all times while within the Association's boundaries.
4. Traffic signs shall be obeyed at all times.
5. Parking of vehicles on sidewalks and landscaped (including granite) areas is prohibited.
6. No boats or other watercraft, camper shells, detached campers, motor homes, recreational vehicles, 5th-Wheelers/ATV/off road vehicles, hang gliders, ultra lights, or other similar equipment: trailers including but not limited to: travel/equipment trailers (both open and closed), boat trailers, tent trailers, shall be kept, placed or maintained upon the Property or any roadways adjacent thereto, **except** within a fully enclosed garage, appurtenant to a Dwelling Unit or for the purpose of loading/unloading not to exceed 72 consecutive hours.
7. No vehicle is permitted to hang over the sidewalk.
8. Violations of this policy shall apply to the Lot the vehicle is associated with and not to a specific vehicle.
9. Residents may request a temporary waiver of the Policy by contacting the Association. The Board of Directors or its designated Representative, in its sole discretion, shall have the authority to grant temporary waivers.
10. Violations of these Rules and Regulations will be addressed according to the Fine Policy and Procedure for Sun Groves and any amendments thereto.

**The Sun Groves
Homeowners Association**

Fine and Enforcement Policy Procedure for Parking

First Notice

Reminder letter that vehicle is parked in violation of The Sun Groves Homeowners Association CC&Rs Article 10.11 will be sent to the Homeowner of the property. In the event that the Homeowner of the property can be identified as an absentee Homeowner, a copy of the violation letter will also be sent to the tenant at the property address. The Homeowner will be given (10) ten calendar days to bring the violation into compliance.

Second Notice

The second letter will again define the violation and notify the Homeowner that the property has not been brought into compliance. The letter shall include notice that a fine of \$50.00 has been imposed to their association account. This fine is collectable just as it is for any other assessment amount. The Homeowner will be given (10) ten days to bring the violation into compliance.

Third Notice

A third letter from the Association reviewing the repeated violations and attempts to resolve the issue shall be mailed. Letter shall include notice to that a fine of \$100.00 has been imposed for such violations. The Homeowner will be given (10) ten days to bring the violation into compliance. The notification letter will offer an opportunity for a Hearing.

Fourth Notice

The fourth letter will notify the Homeowner that a fine has been assessed against them for \$200.00, and that if the violations continue for an additional (10) ten calendar days the Association may exercise other enforcement rights provided for by law or in the CC&Rs. Any cost incurred, including attorney fees, by the Association related to this matter will be assessed against the Homeowner.

Hearing

The third notice (and all subsequent notices for that violation) shall include a provision regarding the opportunity for the Owner to request a hearing with the Board of Directors and an opportunity to contest the violation. The notice will allow the Owner ten (10) business days to contact the Association Manager or other such person as designated in the notice, in writing, to request a hearing on the violation and/or contest the violation. Failure by the Owner to request a hearing within ten (10) business days shall constitute a waiver of the right to a hearing on the violation.

Injunctive Relief

The Association may seek Injunctive Relief following the assessment of a fine.

This Fine Policy is in addition to any and all other remedies provided for by (he laws of the State of Arizona and the Covenants Conditions and Restrictions of Sun Groves and any amendments thereto and the use hereof does not inhibit the Association exercising any other rights of enforcement which may include any and all legal means.