

MOUNTAIN TRAILS COMMUNITY ASSOCIATION
PARKING VIOLATION FINE POLICY
Effective January 1, 2023
Revised April 17, 2024

Pursuant to the Declaration, the Association shall have the right to adopt a schedule of fines for violation of any provision of the Governing Documents. Overnight street parking is defined as parking on the street between midnight and 5:00 am. The following Overnight Street Parking **VIOLATION** Fine Policy shall be followed for Mountain Trails Community Association:

FIRST OVERNIGHT PARKING VIOLATION NOTICE: A notice will be placed on your vehicle serving as notice, as well, a notice of the parking violation shall be mailed to the Owner within 14 days, as a follow-up requesting compliance. - **NO FINE.**

SECOND OVERNIGHT PARKING VIOLATION NOTICE: If the violation still after the placed notice and follow up initial notice of violation and/or is observed again after placed violation notice, even if the violation was not continuous, a second notice will be placed on the vehicle and a follow up notice will be mailed to the Owner. A **\$75.00 FINE** will be assessed with the second notice of violation and is due immediately.

THIRD OVERNIGHT PARKING VIOLATION NOTICE: If violation still exists after the second notice of violation and/or is observed again after the second violation, even if violation was not continuous, a third notice requesting compliance shall be mailed to the Owner and **the vehicle will be towed at the Owner's expense.**

FIRST OVERNIGHT POOL PARKING VIOLATION NOTICE: No overnight parking is permitted at the pool. An initial violation notice will be placed on your vehicle requesting compliance. - **NO FINE.**

SECOND OVERNIGHT POOL PARKING VIOLATION NOTICE: If violation still exists after the initial notice of violation, **the vehicle will be towed at the Owner's expense.**

PARKING ON LANDSCAPING/XERISCAPE VIOLATION NOTICE: If vehicles are parked on landscaped/xeriscape portion of the lot, an initial notice shall be mailed to the Owner within fourteen (14) days and placed on the vehicle requesting compliance., - **NO FINE.**

SECOND PARKING ON LANDSCAPING/XERISCAPE VIOLATION NOTICE: If violation still exists after the initial notice of violation and/or is observed again, even if violation was not continuous, a second notice requesting compliance shall be mailed to the Owner and placed on vehicle. A **\$50.00 FINE** will be assessed with the second notice of violation and is due immediately.

THIRD PARKING ON LANDSCAPING/XERISCAPE VIOLATION NOTICE: If violation still exists after the second notice of violation and/or is observed after the second violation, a **\$75.00 FINE** will be assessed with the third notice of violation and is due immediately.

Subsequent PARKING VIOLATIONS ON LANDSCAPING/XERISCAPE VIOLATION NOTICE: If violation continues after the third notice of violation and/or is observed again, continued notices

requesting compliance shall be mailed to the Owner. A **\$150.00 FINE** will be assessed the fourth notice of violation and is due immediately. Subsequent parking violations will increase by \$50.00 for each additional violation with a maximum \$500.00 fine.

PARKING VIOLATION SO AS TO ENCROACH ON A SIDEWALK VIOLATION NOTICE: If vehicles are parked so as to encroach on a sidewalk, an initial notice shall be mailed to the Owner within fourteen (14) days and placed on the vehicle requesting compliance. – **NO FINE.**

SECOND PARKING VIOLATION SO AS TO ENCROACH ON A SIDEWALK VIOLATION NOTICE: If violation still exists after the initial notice of violation and/or is observed again, a second notice requesting compliance shall be mailed to the Owner and placed on vehicle. A **\$50.00 FINE** will be assessed with the second notice of violation and is due immediately.

THIRD PARKING VIOLATION SO AS TO ENCROACH ON A SIDEWALK VIOLATION NOTICE: If violation still exists after the second notice of violation, even if violation was not continuous, a second notice requesting compliance shall be mailed to the Owner and placed on the vehicle. A **\$75.00 FINE** will be assessed with the third notice of violation and is due immediately.

Subsequent PARKING VIOLATION SO AS TO ENCROACH ON A SIDEWALK VIOLATION NOTICE: If violation still exists after the third violation subsequent violation notices requesting compliance shall be mailed to the Owner. A \$100.00 FINE will be assessed with the fourth notice of violation and is due immediately. Subsequent parking violations will increase by \$50.00 for each additional violation with a maximum \$500.00 fine.

FIRE HYDRANT VIOLATION PARKING: No person shall park a vehicle or permit it to stand, whether attended or unattended, **within fifteen (15) feet** in either direction of a fire hydrant at any time or be subject to tow immediately and without notice.

FINES: No fine shall be imposed without first providing a written warning to the Owner describing the violation and stating that failure to correct the violation immediately after the original violation shall make the Owner ***subject to imposition of a fine***. Failure to pay any fine shall subject the Owner to the same potential penalties and enforcement as failure to pay any assessments under the Declaration.

Notwithstanding the foregoing, the Board of Directors reserves the right to seek Injunctive Relief at any time regardless of the presence or absence of notices hereunder, for any violation that the Board of Directors determines in its sole and absolute discretion constitutes a material danger to persons or property or requires immediate action for any other substantial reason.

The Board of Directors reserves the right to take any action permitted by law or the Declaration, in addition to the above-mentioned parking fine policy.

**CONSENT TO ACTION
BY THE BOARD OF DIRECTORS
MOUNTAIN TRAILS COMMUNITY ASSOCIATION**

c/o Kinney Management Services
6303 S. Rural RD., Suite 3
Tempe, AZ 85283
(480) 508-4017

The Board of Directors of Mountain Trails Community Association, an Arizona nonprofit corporation, hereby take the following actions in writing following majority consent from a Board meeting held on April 17, 2024.

The Board of Directors hereby approves the Parking Fine Policy for Mountain Trails Community Association attached to this resolution.

The Board of Directors hereby instructs the managing agent to notify all Owners of the implementation of the Overnight Street Parking Fine Policy effective as of July 1, 2024.

IN WITNESS WHEREOF, the undersigned have executed this consent as of

this 15th May day of, 2024.



Valerie Flower
President, Board of Directors