

**LAKE MOOVALYA KEYS, INC.**  
Homeowners Association  
8670 Navajo Lane, Parker, AZ 85344

**RULES & FINES FOR INFRACTION OF RULES**

Adopted at Membership Meeting  
Revised April 2008

At the June 7, 2004 membership meeting, fines were adopted for the most serious and repetitive violations of rules and CC&R's. Rather than file costly and time-consuming lawsuits to address these violations, the imposition of fines is the least expensive method in which to reduce the number of infractions, and returning some semblance of order to the Keys.

Proof of violation will be by eyewitness account, photograph, or both. Homeowners will be held accountable for the actions of their guests, tenants and renters.

The membership has decided that noise issues are to be reported to either the General Manager or the Sheriff's Office. Noise is considered a nuisance, which is a misdemeanor and punishable by law. The Association is not imposing a fine for this nuisance, but rather encourages the reporting of this nuisance, as well as other legal nuisances and misdemeanors, such as trespassing, to the Sheriff's Office.

**Protests:** There will be a due process should anyone wish to protest a fine they have received. Protests must be submitted in writing, giving a detailed description of why they believe the fine has been imposed in error, dated and signed, and mailed to the above address, postmarked within 30 days of the date of the fine. The protest will be brought up for discussion at the next regular board meeting, which the homeowner may attend, and at which time a decision will be made. The homeowner will be notified by mail of the outcome. Fines not paid within 30 days of the date of the fine, or within 30 after the date of notification of denial of protest will result in the filing of a lien on the lot owner's property. The legal costs of preparing and filing a lien on homeowner properties will be borne by the homeowner.

The following infractions will result in the fines described below for each rule. A one-time only prior warning will be given only for those rules so designated.

**RULES AND FINES**  
LAKE MOOVALYA KEYS, INC.  
Homeowners Association  
(Revised April, 2008)

**RULE:**     **Noise** issues are to be reported to either the General Manager or the Sheriff's Office.

WARNING: None

FINE:       None

COMMENT: Excessive or unreasonable noise is considered a nuisance and a violation of the CC&R's

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**RULE:**     **7-Day Parking in Common Lot.** Vehicles (including trailers, boats and the like) may not be parked or otherwise placed in the common parking lot for more than 7 days. Violating 7-day parking in the common lot will result in a fine to the lot owner. "7-day parking" is defined as any 7 consecutive days, with a maximum of 14 total days per 30-day period, regardless of whether or not the vehicle/trailer has been moved to a new spot within the lot. **ALL VEHICLES AND TRAILERS MUST VISIBLY POST LOT ID ON THE VEHICLE OR TRAILER. (Adopted 6/7/04) OR IT WILL BE TOWED WITHOUT WARNING AT THE OWNER'S EXPENSE.** SIGNS ARE

WARNING: None

FINE:       \$25 for each 24-hour period over the time limit; \$25 per day for no Lot ID

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**RULE:**     **White Line Parking:** Parking or encroachment of a parked vehicle/trailer into the area between the two white lines or over a white line will result in a fine to the lot owner. (Adopted 6/7/04)

WARNING: At the discretion of the General Manager

FINE:       \$25 - 1<sup>ST</sup> offense; \$50 - subsequent offenses

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**RULE:**     **Double Parking of Boats.** Double parking (side-to-side mooring) of boats in the canals is prohibited and will result in a fine to the lot owner. (Adopted 3/29/08)

WARNING: Yes

FINE:       \$25 - 1<sup>ST</sup> offense; \$50 - subsequent offenses

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**RULE:**     **Unleashed Dogs.** Unleashed dogs that stray off homeowner's property will result in a fine to the lot owner of the dog. Animal Control may also be called. (Adopted 6/7/04)

WARNING: Yes

FINE:       \$25 - 1<sup>st</sup> offense; \$50 - subsequent offenses

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**RULE:**     **Dog Clean-Up.** Not picking up after your dog will result in a fine to the lot owner of the dog. (Adopted 6/7/04)

WARNING: Yes

FINE:       \$25 - 1<sup>st</sup> offense; \$50 - subsequent offenses

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**RULE:**     **Speeding and Reckless Driving.** Speeding and reckless driving of ANY vehicles, including golf carts and off-road vehicles, will result in a fine to the lot owner. (Adopted 6/7/04)

WARNING: No

FINE:       \$25 - 1<sup>st</sup> offense; \$50 - 2<sup>nd</sup> offense; \$100 - 3<sup>rd</sup> and subsequent offenses

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**RULE:**     **Sleeping in or Occupying RV's.** Lot owners may not permit an RV to be slept in or otherwise occupied on their lots. Lot owners who permit anyone to occupy an RV on their lot will be fined. (Adopted 6/7/04)

WARNING: No

FINE:       \$25 per night - 1<sup>st</sup> offense; \$50 per night - subsequent offenses

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**RULE:**     **Lot Conditions/Trash at Houses.** Lot owners must keep their lots and landscape free of trash, debris, overgrown vegetation and abandoned vehicles. Lot owners not in compliance will be fined and charged for the clean-up expense. (Adopted 6/7/04)

WARNING: Yes (30-day notice)

FINE:       \$50 per day after expiration of a 30-day notice, up to a maximum 10 days (\$500); cost of Association clean-up expense will also be borne by lot owner after the expiration of the 10-day period

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**RULE:**     **Dumpster Use.** Dumpsters shall be used for household trash only, and that trash must fit into the dumpster. Violations will result in a fine to the lot owner. A camera may be installed at the dumpster area to monitor compliance. (Adopted 6/7/04)

WARNING: No

FINE:       \$100 per offense, and homeowner must remove the item(s) from the dumpster

**RULE:      TENANT INFORMATION SHEETS FOR SHORT TERM RENTALS**

The Association regulations require that a Tenant Information Sheet be submitted to the Association for each tenant. If your property is managed by one of Parker’s real estate agencies, it is your responsibility to see that your agency provides us with a Tenant Information Sheet.

The Association is entitled to charge a **\$25.00** TIS Processing Fee for each Tenant Information Sheet that is received by the Association and the fee will be billed directly to the owner of the property. (Adopted June 1, 2020)

If you contemplate renting your property, or if you currently rent your property and we do not show your property as a rental, you must notify the Association. Likewise, if you do rent your property, please advise the Association if you change rental agencies or if you change from a rental agency to privately owned rental, or vice versa, as we do track properties by agency and privately rented.

An Accurate and complete HOA approved “Tenant Information Sheet” must be delivered to the General Manager prior to check in time or will be fined

WARNING: No  
FINE: \$15.00 per offense

**RULE:      RENTAL PROPERTIES**

Property managers and owners who rent their properties shall obtain and provide to the association the following personal information on their tenants: Names; addresses; telephone numbers; vehicle, boat and trailer license numbers; and proof of auto and boat liability insurance. Forms will be provided for Homeowners who privately rent their properties, and completed forms shall be provided to the General Manager prior to their tenants’ arrival. Properties rented through property management or real estate agencies will likewise be required to obtain the necessary information on the Association’s behalf. (Adopted 6/7/04) Renters shall follow the same rules as the homeowners are required to follow, and any violation of the rules described herein will result in a fine to the homeowner. (Adopted 6/7/04)

**FINE:      As set forth above.**

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**RULE:      Zoning Changes (Commercial to Residential).** All Association commercial properties that lot owners rezone to residential shall thereafter comply with the residential requirements of the Association’s CC&R’s or, in the alternative, homeowners must retain their commercial C-1 zoning and otherwise comply with the CC&R’s. (Adopted 6/7/04)

WARNING: No  
FINE: Not applicable

Also, for informational purposes, the following Notice to Homeowners Concerning Parking Issues was prepared and given to homeowners on April 1, 2004:

Recent complaints about various parking issues on our streets have prompted the association to communicate with all homeowners to clarify rules and regulations regarding the parking and storage of vehicles, boats, trailers and motor homes. We ask you to take a moment to review the following points so that you and your guests are familiar with these rules and regulations.

### **Parking, Storage and Boundary Lines**

- Parking in the streets between or over the white stripes is strictly prohibited. Vehicles in violation of this rule will be subject to immediate tow away as streets must be accessible to emergency vehicles at all times.
- Parking an operable vehicle for up to 72 hours is permitted on the residence side of the white stripe, when the vehicle encroaches beyond the lot boundary onto the street but not over the white stripe. Homeowner property boundaries do NOT extend to the white stripe. The streets commence at the property boundary. Any operable vehicle not violating the white line restriction but left on the street (in whole or in part) beyond 72 hours is considered storage and subject to tow away.
- Parking any vehicle within homeowner's property boundaries is not subject to the above restriction, as long as it otherwise complies with the CC&R's and the rules.

### **Rules as to Specific Types of Vehicles**

- Boats and other watercraft are considered inoperable vehicles on streets, and thus may not be parked in the street beyond homeowner property boundaries at any time, except for loading and unloading.
- Inoperable automobiles, trucks, and the like may not be parked in the street beyond homeowner property boundaries at any time.
- Motor homes and trailers may not be parked anywhere on the streets, except for loading and unloading.
- A boat, trailer or motor home that is parked within the boundaries of your property is not subject to these restrictions as long as it otherwise complies with the CC&R's and the rules.
- Motor homes may not be used for sleeping or living quarters on any developed lot, even when located within homeowner property boundaries.

### **Remedies & Consequences**

- Homeowners can either attempt to resolve parking disputes with others on their own, or they can inform the General Manager, who will provide immediate assistance.
- Parking violators will be notified in writing and/or by telephone to remove the offending vehicle.
- If vehicle is not moved within an appropriate amount of time, photographs will be taken of the vehicle depicting the violation, and a towing service will be called to tow the vehicle away.

**Remedies & Consequences Continued:**

- The Association may assess the homeowner, not the vehicle owner, for the towing fees and any related costs as a special assessment. Any such special assessment may be taken from the respective security deposit.
- Once a vehicle is towed away, any storage fees that are incurred by the towing company will be the responsibility of the vehicle owner.
- Repeat offenders are subject to tow away with or without further notice.

**PROTESTS**

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**EFFECTIVE DATE:**

The above fines as approved by the membership present at the meeting were approved by the Board of Directors on June 7, and are in effect immediately. **A grace period is being provided until JULY 1, 2004;** at which time the Association will commence the imposition of these fines.

**DATED:** June 16, 2004.