

Denali at Mountains Edge Homeowners Association

Updated Rules & Regulations

Adopted by the Board of Directors on May 28, 2024 * Effective Date of July 1, 2024

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I. PREAMBLE

The purpose of the Rules and Regulation is to establish basic standards of conduct required of all members, residents and guests of Denali at Mountains Edge HOA. The Rules and Regulations are intended to ensure that every member, resident and guest may fully enjoy their right to the use of common area and facilities, without unduly interfering with other's identical rights. These rules and regulation are furnished to provide residents with a guide to rules that govern the community. They are not intended to replace the CC&Rs or any other governing document, but to provide further guidance or clarification of such.

II. ADMINISTRATION

- A. The Declaration: Prior to the purchase of any unit within the Denali at Mountains Edge HOA and the Developer recorded a Declaration of Covenants, Conditions & Restrictions and Reservation of Easement (CC&R's) against all units within the Denali at Mountains Edge HOA. The purpose of the Declaration is to maintain, protect, and enhance the Denali at Mountains Edge HOA, including all common area and units within the community. Each member of the Denali at Mountains Edge HOA is legally bound by the Covenants, Conditions, Restrictions.
- B. The Articles and Bylaws: The Denali at Mountains Edge HOA is a non-profit corporation organized under Chapter 82 of the Nevada Revised Statues. The filing of Articles of Incorporation or the Denali at Mountains Edge HOA with the Nevada Secretary of State establishes the Denali at Mountains Edge HOA as a legal entity with all the rights and privileges attendant to a non-profit corporation. The Bylaws of the Denali at Mountains Edge HOA established that the affairs of the Denali at Mountains Edge HOA are to be managed by a duty of elected Board of Directors and set forth the duties and Powers.
- C. Rules and Regulations: The board of directors of the Denali at Mountains Edge HOA is vested with the responsibility to adopt reasonable Rules and Regulations governing the use of units, Denali at Mountains Edge HOA property and the common areas and governing the personal conduct of members, residents and their guests. The declaration, Articles of Incorporation, Bylaws, Rules and Regulations are the governing documents for the Denali at mountains Edge HOA and control its daily affairs.
- D. Management: In as much as the Denali at Mountains Edge HOA is a non-profit corporation governed by a volunteer Board of Directors, the governing documents provide daily regulation of the Denali at Mountains Edge HOA by professional management. The Denali at Mountains Edge HOA Manager reports to and is responsible solely to the Board of Directors. The Denali at Mountains Edge HOA Manager does not make or change Denali at Mountains Edge HOA policies, as such authority is exclusively reserved to the Board of Directors. The Denali at Mountains Edge HOA Managers responsibility is to assist the Board of Directors in their duty to maintain, protect and enhance the Denali at Mountains Edge HOA.
- E. Board of Directors: Board of Directors meetings are held quarterly, or as required. Members are welcome to attend as observers, however, participation in the board proceedings is at the discretion of the board except during the open forum portions of the meeting in accordance with NRS 116.31083.

III. MEETING PROCEDURES AND CONDUCT

- A. With the exception of executive sessions meetings to review litigation issues, violations, delinquencies and other similar matters, board meetings are open to the membership.
- B. If you have an issue that you would like addressed, you must contact the Board of Directors, in writing, at least one week prior to a meeting to be placed on the agenda. The Board of Directors will need a detailed description of the issue(s) you wish to discuss. Please realize that the Board may not reach a decision on the issue in question. Additional time may be needed for research to answer your questions.
- C. Please be advised that owners are **NOT** permitted to participate in the meetings. However, homeowners will be given time to speak during the Homeowner Open Forum portion at the

beginning of the meeting regarding items on the agenda and during the Homeowner Open Forum at the end of the meeting regarding any matter affecting the community or the association in accordance with NRS 116.31083. no action may be taken upon a matter raised during the open forum at the end of the meeting until the matter has been placed on an agenda in which action may be taken.

- D. All Board of Director meetings are recorded in accordance with NRS 116.31083. A copy of the audio recording is available to a homeowner upon request, in electronic format at no charge to the unit's owner.
- E. Board meetings are conducted in accordance with Roberts Rules of Order.

IV. OWNER'S RESPONSIBILITIES

- A. It is the responsibility of each owner of a unit to see that all residents, guests and persons inhabiting their unit are in compliance with all governing documents.
- B. The Rules and Regulations set forth below apply to owners, residents and guests of the Denali at Mountains Edge HOA. It is each owner's responsibility to make certain if they lease or rent their home, that the resident receives a copy of these Rules and Regulations.
- C. Each Owner, at his own expense, subject to the Master Association Governing Documents, must reasonably maintain, repair, replace and restore all improvements located on his or her unit, and the unit itself, in neat, sanitary and attractive condition.

V. ARCHITECTURAL CONTROL

- A. No change should be made to the exterior design of any structure without written approval from the Architectural Control Committee as provided in the CC&R's. This includes, but is not limited to, fences, ornamental screens, awnings, screen doors, patio covers, sunshades, porches, decks, solar coverings, chimneys and other modifications which would affect appearance, safety, or access of common areas. See Architectural Guidelines for details.

VI. BARBECUES

- A. There shall be no exterior fires except barbecues fires contained within receptacles designed for such purpose, Barbecues with open flame or gas burners are not permitted within ten feet (10') of a building, wall or overhang per Clark County code.

VII. COMMON AREA USE

- A. Common areas may not be used for storage or parking purposes, nor in any manner which would increase the rate of insurance.
- B. No activity is permitted which cause damage to or defaces common areas and improvements thereon. Individuals responsible for any such damage will be expected to reimburse the Denali at Mountains Edge HOA for all expenses incurred in the replacement or restoration of damaged items after notice and hearing.
- C. No planting may be done in the common area by any owner, except at the discretion of the Board of Directors.
- D. Any keys, key fobs, or other means required to enter upon the shared common elements will be limited to two (2) per household. All keys or fobs shall not be given to anyone that is a non-resident of the community.

VIII. POOL

- A. The swimming pool and exercise facility are for the use and enjoyment of the Denali at Mountains Edge HOA residents and their guests. The use of these facilities is a privilege. Homeowners are responsible for any damage or misconduct attributed to their tenants or guests.
- B. Residents may bring a maximum of four (4) guests per residence to the pool area. Guests must be accompanied by a resident at all times. Pool gate codes or fobs may only be used by residents and tenants. Parties will not be permitted at the pool for any reason as the guest limit will be strictly enforced.
- C. The pool and spa are open from 5:00am until 10:00pm and closed between 10:00pm and 5:00am. These hours are subject to change in future without notice. The pool will be open seasonally from May 1st to September 30th. Pool is not heated so you will be swimming at your own risk. The pool

may be closed during portions of the season to deal with repairs or maintenance that is beyond the control of the board and management.

- D. Only radios and stereos that are battery operated, with headphones, are allowed in the area as not to disturb other residents at the pool.
- E. Unruly behavior, unsafe or offensive conduct, rowdiness, unnecessary noise, jumping or interference with other persons in the pool area is prohibited. No running, pushing, “cannonballing” or splashing is allowed in the pool area. DIVING INTO THE POOL IS PROHIBITED.
- F. The Denali at Mountains Edge HOA does not provide lifeguards. All persons using the pool do so at their own risk. The Denali at Mountains Edge HOA does not assume any liability in this regard. Any lifesaving equipment and first aid supplies are for emergency use only.
- G. Glass bottles, containers or other breakable items are prohibited in the pool area. Eating, smoking, or drinking beverages in the pool is prohibited. Drinking beverages and eating, is permitted in lounging areas only. Smoking is not allowed in any area of the pool area, clubhouse or the playground area.
- H. The use of grills, BBQs or any other cooking mechanism, especially those with an open flame, are strictly prohibited in the pool area, clubhouse or playground area.
- I. Alcoholic beverages are prohibited in the pool area. Persons under the influence of alcohol are not permitted in the pool area.
- J. Persons under the age of fourteen (14) are not allowed in the pool area unless under the direct supervision of an adult at all times. (SNHD Section 4-402.2(D)). Any person ages 14-17 cannot supervise minors under the age of 14 either, even if they are siblings or relatives; this must be an adult over the age of 18.
- K. Rafts or inflatable devices will be restricted during heavy pool periods. No Styrofoam objects may be used in or around the pool area. Anyone that brings or throws anything into the pool or onto the deck that may carry contamination, endanger the health or safety of bathers or produce unsightliness is prohibited. Basketballs, footballs and soccer balls are prohibited in the pool area. Only inflatable “beach” balls are allowed.
- L. All persons must shower before entering the pool. Persons using suntan oils or lotions must remove all excess oil or lotion prior to entering the pool. Swimming attire must be worn by all persons using the pool; street clothes are prohibited. Persons with long hair must wear a bathing cap or otherwise reasonably contain their hair.
- M. Persons suffering from a cold, fever, cough, skin disease, sores, inflamed eyes, nasal or ear discharge, or any communicable diseases are prohibited from using the pool or entering the pool area.
- N. Gates to the pool area must remain closed and locked at all times. Interfering with the automatic gate closures and/or climbing over the pool fence is prohibited, Propping the gate open is prohibited except as required by maintenance personal.
- O. Adjustments of any control or equipment regulating the pool or lights or other common area services is prohibited.
- P. Proper pool attire is required when within the pool facility area. Please note that this is a family friendly pool and attire should be limited to such. Please be respectful of others when selecting your swimming attire.
- Q. Animals are not permitted within the pool area, with the exception of trained service animals accompanying such person requiring a service animal. Such animal is prohibited from the pool.
- R. Towels or garments may not be hung on the pool area fence. When leaving the pool area, all trash and personal items must be removed.
- S. The patio furniture may not be placed in the pool and may not be removed from the pool area.
- T. Pool use is strictly governed by state and county ordinance (NAC Chapter 444). In the event of conflict between such laws and these rules, the provisions of the law shall prevail.
- U. The telephone installed at the pool area is for emergency calls to 911 only.
- V. Violations of the Denali at Mountains Edge Pool Rules and Regulations may result in a penalty assessment, restriction from the use of community amenities, and/or prosecution. Any persons who

refuse to comply with any regulation governing a public bathing or swimming facility or any rule of the facility must be excluded from the premises and Management shall bring any action necessary to prosecute or eject from the premises and such person.

IX. FITNESS CENTER RULES

- A. The fitness center is intended for and reserved for the use and enjoyment of the owners, tenants, and guests over the age of eighteen (18) unless being supervised by an adult. An owner or tenant can have up to one (1) guest with them in the fitness center at any given time. The owner or tenant must accompany the guest at all times.
- B. Use of the fitness center and the fitness equipment is at the users own risk. Minors under the age of eighteen (18) shall not use the fitness equipment or be in the facility without adult supervision. Minor under the age of sixteen (16) cannot use the equipment in the fitness facility for any reason.
- C. The hours of access of the fitness center have been initially established as 5:00am to 10:00pm. These hours are subject to change in future without notice.
- D. Common courtesy shall be required of all owners, tenants, and guests while using the fitness equipment. No offensive language or behavior shall be permitted.
- E. Proper fitness attire including shoes, active wear tops and shorts or pants shall be worn while using the fitness facilities.
- F. No food or drink is permitted in the fitness center with the exception of a close-able water bottle containing water.
- G. Use of fitness equipment shall be limited to thirty (30) minutes of each type of equipment during periods of heavy use or when others are waiting.
- H. Fitness Equipment should be wiped down after each use.
- I. Any damaged or malfunctioning equipment should be reported to the management company at the earliest opportunity. Residents and/or their guests found to cause damage to the fitness center or equipment shall be subject to loss of fitness center privileges/access, fines and/or cost of repairs, after notice and hearing.

X. EXTERIOR MAINTENANCE AND REPAIR

- A. All units must be maintained in a neat, sanitary and attractive condition at all times.
- B. Coach lights on either side of the garage door, by the front door, and any located on the side yard are required to be illuminated from dusk to dawn if they were originally wired with a photocell by the builder. These are considered the “street lights” for the community and will keep visibility high in order to deter potential issues.
- C. Basketball hoops and other sporting equipment shall not be left out when not in use. All sporting apparatuses shall be stored out of common area view when not currently in use. Such equipment is subject to potential confiscation if left in common areas.
- D. No improvement, painting, excavation or other work that alters the exterior appearance of a unit is permitted to be made without written approval for the Architectural Control Committee as provided in the CC&R's.

XI. HOLIDAY DECORATIONS

- A. Traditional holiday lights and/or decorations may be attached or installed by owner or tenant in a reasonable manner and in reasonable locations of his or her unit or other portion of a lot, provided that such installments shall not be permitted to alter or damage the unit or any other improvement on the lot itself.
- B. Holiday lights and/or decorations must be installed and removed in a reasonably seasonal manner (but not more than thirty (30) days before and not later than thirty (30) days after the holiday), and during the appropriate period of display, shall be maintained in a neat and orderly manner.

XII. INSURANCE

- A. Nothing is permitted to be kept or done within a unit or in the community that would increase or cause the cancelations of insurance pertaining to any portion of the community.
- B. Homeowner is responsible for covering of their unit, betterments, improvements and contents.

XIII. NUISANCES/EXCESSIVE NOISE

- A. The Board shall have the right to determine, in accordance with the governing documents, the definition of a nuisance.
- B. No rubbish or debris of any kind shall be placed or permitted to accumulate anywhere within the property, and no odor shall be permitted to arise therefrom so as to render the property or any portion thereof unsanitary, unsightly, or offensive.
- C. No noise or other nuisance shall be permitted to exist or be operated upon any portion of a unit so as to be offensive or detrimental to any other unit in the property or to its occupants.
- D. No speakers, horns, whistles, bells or other sound devices (other than security devices used exclusively for security purposes), noisy or smoky vehicles, large power equipment or large power tools, unlicensed off-road motor vehicles or other items which may unreasonably disturb others owners or residents or their guest shall be located, used or placed on any portion of the property without the prior written approval of the board.

XIV. PARKING AND VEHICULAR RESTRICTIONS

- A. Maximum speed limit is fifteen (15) miles per hour throughout the property.
- B. The parking spaces at the pool/clubhouse area are to be used strictly while residents are using the facilities. Overnight parking or vehicle repairs shall not be done in these areas.
- C. No owner shall park, store or keep anywhere within the property any inoperable or similar vehicle, or any large commercial-type vehicle (including, but not limited to, any camper unit, house car or motor home); any bus, trailer, trailer coach, camp trailer, boat, aircraft or mobile home; or any inoperable vehicle or any similar vehicle; provided that:
 - 1. A pick-up truck or van to include one (1) ton, when used for daily transportation of the owner or resident for the family respectively thereof, may be kept or parked entirely within a driveway (so as not to extend beyond the driveway) or an enclosed garage (note; the preceding portion of this subtraction shall not be construed to permit other commercial-type vehicles of one (1) ton or less:
 - 2. Any vehicle that has a ladder rack installed/visible or an excessive amount of commercial insignia on the vehicle (i.e. fully wrapped or partially wrapped vehicles). Prior written approval from the board shall be required prior to parking within the community:
 - 3. "RV" is hereby defined as a recreational vehicle, boat, camper, motor home, or other similar vehicle or item specifically designed or intended for recreational use and not for normal every-day transportation. RV's must be parked wholly within enclosed garages as originally constructed by Declarant: and no RV shall be permitted to be parked in a driveway or street (except reasonably for temporary and short loading and unloading periods), or in a rear yard or side yard.
- D. No parking of any vehicle shall be permitted along any curb or otherwise on any street within the community, for any uninterrupted periods longer than seventy-two (72) hours, subject to further rules and regulations as may be established from time to time by the board, street parking is to be utilized only after the full capacity of the garage and driveway is achieved with the vehicles and not for other uses.
- E. There shall be no parking whatsoever in alleys (approximately 24ft wide) and located generally at the rear-loaded garage style units.
- F. There shall be no parking of any motor vehicle, boat, trailer, or similar item on any landscaping or vacant lot.
- G. Please refrain from parking in front of someone else's sidewalk that leads to the front of their home. Although these are not tow away zones, it is common courtesy to not block the entrance to someone else's unit. No vehicles shall be parked so as to impede the normal flow of traffic or block access to other resident's units, to include garages, front doors, community walkways or stairs leading to units.
- H. Parking in front of the community mailboxes is prohibited. This impedes the ingress/egress of not only the mail person that needs to deliver the mail, but also those that are attempting to pick up their

mail. Also, you are not legally allowed to park on a sidewalk, curb or within 15 feet of an intersection without being subject to the vehicle being tagged/towed.

- I. Properties located on the exterior streets of the community, including Bering Strait, Mt. Hunter, Prudhoe Bay, Flathead River, Castle Mountain and Mt Stellar, of which the street is deemed wide enough on by the Clark County Fire Department, may have vehicles parked parallel to the home in the half driveway.
- J. No owner or tenant shall park, store or keep anywhere within the property any vehicle or vehicular equipment, mobile or otherwise, deemed to be a nuisance by the board. The board shall have the power to enforce all parking violations and vehicles violations, including the power to remove violating vehicles from any of the property to the extent permitted by applicable law.
- K. Garages shall normally be kept closed at all times, except as reasonably required for ingress and egress from the interior thereof.
- L. Repairs or restorations of vehicles are not allowed on the property. Such activity, shall at no time be permitted by the Board of Directors.
- M. Dirt bikes or similar unlicensed vehicles will not be operated anywhere in the complex, including streets therein.
- N. Licensed motorcycles anywhere in the complex shall be operated at low RPM engine speed to minimize noise pollution.

XV. PETS

- A. No animals, reptiles, poultry, fish, or fowl or insects of any kind (“Animals”) shall be raised, bred or kept in or on any unit, except that a reasonable number of dogs, cats, household birds, or fish may be kept, provided that they are not kept, bred, or maintained for commercial purposes, not in unreasonable quantities nor in violation of any applicable ordinance.
- B. Animal waste must be removed and properly disposed of on a regular basis and may not accumulate on a unit causing or creating an offensive odor.
- C. “Unreasonable Quantities” means more than three (3) normal household pets per household. The Board may determine that a reasonable number in any instance maybe be more or less.
- D. Pets must be kept within an enclosed yard or on a leash or other restraint being controlled by a person capable of controlling such an animal at all times.
- E. Pets are not permitted to be left unattended in a common area.
- F. Pets are not permitted to cause or create a nuisance or unreasonable disturbance to other neighbors. Excessive barking, wining, etc. should be reported to Animal Control at the time the infraction occurs.
- G. Pet owners are responsible for immediate removal of any waste from their pet on common areas.

XVI. SATELLITE DISH/ANTENNAE

- A. No exterior radio antenna or aerial, television antenna or aerial, microwave antenna, aerial or satellite dish, “C.B.” antenna or other antenna or aerial of any type, which is visible from any street or from anywhere in the community shall be erected or maintained anywhere in the community. Notwithstanding the forgoing, “Permitted Devices” (defined as antennas or satellite dishes; (i) which are one (1) meter or less in diameter and designed to receive direct broadcast satellite service: or (ii) which are on meter or less in diameter or diagonal measurement and designed to receive video programming services via multi-point distribution services) shall be permitted, provided that such device is:
 - 1. Located in the attic, garage, or other interior space of the unit, so as not to be visible from outside of the unit, or, if such locations are not reasonably practicable. Then,
 - 2. Located in the rear yard of the unit (i.e. the area between the plane-formed by the front façade of the unit and the rear lot line)
 - 3. Attached to or mounted on a deck or patio and extending no higher than the eaves of that portion of the roof of the unit directly in front of such antenna; or, if such location is not practicable then,

4. Attached to or mounted on the rear wall of the unit so as to extend no higher than eaves of the unit at a point directly above the position where attached or mounted to the wall; provided that,
5. If an owner reasonably determines that a permitted device cannot be located in compliance with the forgoing portions of this section without precluding reception of an acceptable quality signal, then the owner may install such permitted device in the least conspicuous alternative location within the unit where an acceptable signal can be obtained provided that,
6. Permitted Devices shall be reasonably screened from view from the street or other portion of the community, and shall be subject to the Board establishing a preferred hierarchy of alternative locations, so long as they do not unreasonably increase the cost of installation, or the use of permitted device.

B. Any wires that are ran for the purpose of the satellite dish or antennas need to be painted to match the home.

XVII. SIGNS & FLAGS

A. No “For Sale” or “For Rent” signs or similar sign shall be installed, posted, permitted, displayed or allowed on any lot or unit.

B. No flag other than the flag of the United States shall be displayed. The flag of the United States shall be displayed/flown in a manner that consistent with the Federal Flag Code and applicable Nevada Law.

XVIII. SOLAR EQUIPMENT

A. No type of solar equipment is permitted without obtaining prior written approval from the Board of Directors/Architectural Committee including, but not limited to solar collectors, panels and window screens. Any solar equipment installed on the roofs must also have pigeon deterrent fencing installed around the base of the solar panels in order to keep pigeons from nesting.

B. All conduit and/or wires that are installed during the process of the solar install are required to be painted to match the exterior of the home for minimal visibility.

XIX. RESIDENTIAL BUSINESS USE

A. See CC&R’s, Article 10, Section 10.1 for further details.

XX. TENANTS

A. All leases and rental agreements shall be in writing, for a term of at least thirty (30) days and subject to the CC&R’s. Owners are responsible for the action of their tenant(s). Any owner leasing or renting their property must comply with the following:

1. Provide management with a copy of completed lease for the Denali at Mountains Edge HOA files. The owner is responsible for providing the Association with updated tenant information.
2. Provide tenant(s) with a copy of the CC&R’s and Rules and Regulations.
3. Advise tenant(s) that they are jointly and severally liable and accountable for any infractions of the CC&R’s or Rules and Regulations. This does not absolve the owner of liability.

XXI. TRASH

A. All rubbish, trash and garbage shall be regularly removed from units by the owners or tenants thereof and shall not be allowed to accumulate thereon. All articles must be placed in the correct receptacles and should not be overflowing in receptacles to allow for the trash to be blown around. All trash must be inside a container, not on the ground. All trash cans must be kept out of common area view either behind the side yard gate/fence or in the garage. All large items shall be hauled off by owner, unless it is bulk day, to which the resident will need to adhere to the Republic Services requirements for bulk items. If the bulk items are not taken by Republic Services on bulk day, for whatever reason, resident is responsible to remove bulk items from common area view until it can be properly disposed of.

B. Trash cans must not be placed in common area for pick-up more than the day before trash pick-up and must be put away by Noon the day after trash pick-up. Please do not allow the trash cans to be in view of the common areas longer than listed above or you will be subject to the violation process.

XXII. UNSIGHTLY ARTICLES

- A. No unsightly articles are permitted to be visible from any street, unit or common area including clotheslines, refuse, storage on patios, etc.
- B. Determination of unsightly articles is at the sole discretion of the Board of Directors.

XXIII. WINDOWS

- A. Acceptable window coverings are vertical blinds, mini-blinds, draperies, curtains, shutters and other items to be in neutral color.
- B. Aluminum foil, newspaper, sheets, cardboard, reflective tint, paint, etc. are not permitted to be used as window coverings
- C. Window tinting must be approved by Architectural Review Committee and kept in good condition.
- D. Window coverings shall be installed within 120 days from close of escrow.

XXIV. PENALTY POLICIES AND PROCEDURES

- A. The Board of Directors of Denali at Mountain Edge HOA has been granted the responsibility to conduct, manage and control the affairs and business of their Denali at Mountains Edge HOA, and to adopt reasonable rules and regulations governing, among other things, the use and occupancy for the Denali at Mountains Edge HOA property. The Board is also responsible for enforcing the restrictions found in the CC&R's for Denali at Mountains Edge.

Accordingly, to provide for continuing proper operation of the Denali at Mountains Edge HOA property, the Denali at Mountains Edge HOA, through its Board of Directors, has approved the following enforcement Policies and Procedures for the Declaration now in force or as amended hereafter, and for the Rules as may be hereinafter adopted, amended or repealed.

- A. POLICY Violation of the Declaration and/or Rules are subject to the following Penalties:
 - 1. First violation notice- "Courtesy Notice" requesting the violation be corrected within thirty (30) days.
 - 2. Second violation notice- Hearing Notice – Subject to a fine up to \$100.00 per violation type.
 - A) After sending a second notice of violation, the offending member is required to appear before the Board of Directors at a hearing. The offending member is subject to a fine up to \$100 per violation as a result of the violation and in addition, The Board shall have the power to levy additional fines against the member up to \$100.00 if the violation is deemed to be a continuing violation and fined every seven days until the violation has been corrected.
 - B) If the violation has resulted in damage to the common area, The Board of Directors may order that the damage be repaired at the expense of the offending member.
 - C) If the violation is deemed to be a health, safety, and welfare violation the board may levy a fine after notice and hearing of the amount in excess of \$100.00 based on the severity of the offence and is subject to additional fines against the member if the violation is deemed to be a continuing health, safety, and welfare violation every seven days until the violation has been corrected.

B. PROCEDURES

Prior to the imposition of any penalty for violation of the declaration or Rules, the Denali at Mountains Edge HOA shall provide the offending member with notice of the violation and the opportunity to be heard in person or through a representative, as hereinafter outlined.

1. NOTICE

- A) Upon the receipt of a written report of an alleged violation of the Declaration or Rules by a member, guest or resident, the Board will issue a request for compliance.
- B) The Denali at Mountains Edge HOA member is required to respond in writing to the "Request for Compliance" by returning the resolution response sent with the "Request for Compliance". Such response must be received by the Denali at Mountains Edge HOA within ten (10-14) days evidencing that the member has taken action to resolve the violation. If the offending member fails to respond to the

“Request for Compliance”, a second Request for Compliance and “Notice of Hearing” shall be sent to the offending member at which time a hearing shall be set.

2. HEARING

- A) If the member fails to take action to cease and desist from further violation after receiving the “Second Request for Compliance and Notice of Hearing”. The Board of Directors or its designee shall order a hearing if the Denali at Mountains Edge HOA desires to impose any penalty.
- B) At the hearing, the accused member may present any evidence or make any statement relating to the violation, either in person or in writing to the Board of Directors.
- C) The violating member may submit a written statement in lieu of attending the hearing.
- D) The Board of Directors or its designee shall have the right to limit the time of the hearing and limit the time in which any evidence may be presented.

3. VIOLATION

- A) Upon hearing the evidence or reviewing the correspondence, the Board or its designee may, by a majority vote:
 - (1) Find that no violation exists, or
 - (2) Find that the member is in violation and impose the penalty as set forth hereinafter.

4. PENALTY

- A) In the event it is determined that a violation exists or was committed, the Board of Directors or its designee may order any or all of the following penalties.
 - (1) Impose a fine up to \$100.00 per violation type.
 - (2) Suspend or condition the right of the member to use the facilities owned, operated or maintained by the Denali at Mountains Edge HOA, as provided in the Declaration.
 - (3) Suspend the member’s voting privileges as provided in the Declaration.
 - (4) Enter upon a unit to make necessary repairs or to perform maintenance and assess the member for any amounts expended as provided for in the Declaration.

5. NON-COMPLIANCE

- A) If any member accused of a violation of the Declaration or Rules, after notice as provided herein, shall fail to appear for a hearing, the Board or its designee shall proceed in their absence and make a determination based on the facts presented.
- B) Any action taken by the Denali at Mountains Edge HOA shall not deprive either party of any remedies provided herein. All remedies are cumulative and none shall be exclusive. Denali at Mountains Edge HOA member shall be required to exhaust all internal remedies of the Denali at Mountains Edge HOA before resorting to a court of law.

6. APPEAL

- A) If the hearing was held by a designee of the board of Directors, the violator has the right to appeal the decision to the Board of Directors. To President, Secretary or the professional manager of the Denali at Mountains Edge HOA within ten (10) days after receive of notification of such decision.