

PROMONTORY CONSERVANCY ENFORCEMENT POLICY AND FINE SCHEDULE

EFFECTIVE OCTOBER 10, 2012 (amended April 1, 2013, November 12, 2014, March 2017, and March 2023)

The Promontory Conservancy Board hereby institutes the following guidelines for violation notification, enforcement and assessment in order to carry out its duty to upholding Promontory's Governing Documents (including the *Design Guidelines, Covenants, Conditions, and Restrictions ("CC&Rs")*, and *By-Laws*, all as may be amended from time to time) justly and responsibly with respect to all Promontory homeowners.

Pursuant to the *Design Guidelines* and *CCR's*, the Conservancy and/or a committee of the Conservancy may inspect Promontory homesites from time to time and issue a *Notice of Violation* or a *Notice of Noncompliance ("Notice")* whenever necessary. Depending on the nature of the violation, the Architectural Review Committee (or a representative thereof) and/or Conservancy staff, on behalf of the Board or one of the Conservancy committees, may, pursuant to the *Design Guidelines, CCR's*, and/or *By-Laws* give the alleged violator an opportunity to correct the violation prior to recommending an action be taken by the Board against the violator/homesite. In some instances, and in the sole discretion of Conservancy staff (with Board ratification where necessary) immediate action will be taken. A *Notice* sent by the Conservancy Board to a Promontory owner or person in violation shall always state the nature of the alleged violation and the proposed sanction to be imposed, along with the required corrections to bring the homesite into compliance within a timeframe mandated by the Board. In any case of fine institution, the fine will always be appealable by the violator(s) and/or owner(s) to the Covenants Committee and/or Board pursuant to and within time constraints set forth in the *CCR's; Section 7.4* and the *By-Laws; Section 3.24*.

In instances of violations of the Governing Documents, notices will be sent in hard copy to the Owners (and sent via email where possible). Should there be a failure to correct the violation with the given timeframe, the Conservancy Director/staff, on behalf of the Board, will institute an enforcement/punitive sanction, fine, and/or action against the owner of the violating homesite or in some instances, against a different person causing the violation. The typical fines for the following violations have been ratified by the Conservancy Board as of the dates set forth above:

SCHEDULE OF FINES

1. Failure to Properly Maintain Homesite Landscaping or Exterior (i.e. unapproved exterior stain, dead/dying trees, unapproved and/or manicured lawns, or any landscaping addition not having pre-ARC approval).	\$2,500
2. Failure to treat Noxious Weeds.	\$100 + cost to treat
3. Unpainted/Unapproved Satellite Dish	\$100 + cost to paint
4. Unscreened A/C units.	\$150
5. Vehicle Violations: Speeding/Failure to Stop/Improper Passing/nuisance driving (Resets Annually)	\$100-1st incident \$250-2nd incident \$500 3rd+ incidents
Improper/Unapproved Parking (Fine +Cost to Repair, if any) Subject to increase per CC&Rs in the Board's discretion.	\$100-1st incident \$250-2nd incident \$500 3rd+ incidents \$5,000 in Pinnacle Roadways
6. Construction Site Violations Failure to clean construction debris (after warning and 48-hour notice):	

<p>Failure to keep dumpsters covered (after warning and 48-hour notice):</p> <p>Failure to clean mud tracked on roads (after warning and 48-hour notice):</p> <p>Failure to repair or patch damage to road:</p> <p>If the construction site violations are not timely cured, the fines will increase by \$500.00 for each 48-hour period until cured.</p>	<p>\$100.00 + cost to cleanup</p> <p>\$100 + cost to repair</p>
<p>7. Home Business, Public Estate Sale, and/or Leasing Violation: \$1,000/day for continued violation; Up to \$10,000 maximum per violation</p>	<p>\$1,000/day</p>
<p>8. Discharge of Weapons</p>	<p>\$1,500/incident</p>
<p>9. Trash Can Violation Can left on street more than 24 hours after garbage pickup and can returned by Conservancy employee</p>	<p>\$25</p>
<p>10. Encroachment of Road Right of Way (placement of landscaping, address markers, or snow in the road right of way)</p>	<p>\$100 + cost of removal</p>
<p>11. Outside Storage (items stored in plain view of roadways, neighboring homes, golf courses or open space)</p>	<p>\$100 (increasing by \$100 every 48 hours until cured)</p>
<p>12. Landscape Lighting (failure to comply with Design Guidelines 3.13)</p>	<p>\$100 (increasing by \$100 every 48 hours until cured)</p>
<p>13. Pet Violations: Off-leash Dogs w/Owner: Failure to Remove Dog Waste</p> <p>Dogs running at large and/or being a nuisance or hazard (i.e. attacking another person and/or wildlife):</p>	<p>\$100 and increase, per Board, for repeat offenders.</p> <p>\$250 and increase for repeat offenders and/or for instances deemed more severe on a case-by-case basis per Board. Maximum fine for pet violations is \$10,000</p>
<p>14. Failure to request/achieve ARC Final Release No Final Release in three years and/or three strikes for construction site noncompliance during building and/or landscaping;</p>	<p>\$10,000 (Deposit Donation)</p>
<p>15. 3rd + Final Inspection</p>	<p>\$100 Each</p>