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Wayne Ranch Community Association
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CAPTION HEADING:

Parking and Enforcement Resolution

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**WAYNE RANCH HOMEONERS ASSOCIATION
RESOLUTION BY THE BOARD OF DIRECTORS**

PARKING VIOLATION AND ENFORCEMENT POLICY

Pursuant to the authority contained in Article 4, Section 4.22, Use Restrictions, of the Declaration, the Board of Directors of the Wayne Ranch Homeowners Association Inc. hereby adopts the following resolution by unanimous consent for and as the actions of the Wayne Ranch Homeowners, as of the date set forth above:

On the 22nd day of February 2017, at a meeting of the Board of Directors of the Wayne Ranch Homeowners Association, whereby a quorum of the members of the Board were present in person, a majority of the members of the Board

RESOLVED, to adopt the following:

Parking Violation and Enforcement policy which includes the inspection schedule, enforcement rules, fine schedule and Appeal process for parking violations of the CC&R's and Rules and Regulations as may be adopted or modified from time to time by the Board of Directors for the Wayne Ranch Homeowners Association.

The scope and intent of this resolution is to apply uniformly to all members, residents and guests of the Wayne Ranch Homeowners Association.

WHEREAS pursuant to Article 4, Section 4.20 of the Declaration,

Trucks, Trailers, Campers and Boats. No motor vehicle classed by the manufacturer as having a payload capacity of $\frac{3}{4}$ -ton or more, mobile home, motor home, trailer, camper shell, detached camper, boat, boat trailer, hang glider, ultra lights or other similar equipment may be parked or stored on any area in the Project so as to be Visible From Neighboring Property, Common Area or street; provided, however, this provision shall not apply to (1) sport utility vehicles, pickup trucks of less than $\frac{3}{4}$ -ton payload capacity with camper shells not exceeding seven (7) feet in height measured from ground level, and mini-motor homes not exceeding seven (7) feet in height and eighteen (18) feet in length all of which are parked as provided in Section 4.22 below and are used on a regular and recurring basis for basic transportation, (ii) trucks, trailers and campers parked in a recreational vehicle storage area within a residential area or other areas designated for such parking; provided, however, that all such parking areas have been approved by the Board or Declarant; or (iii) temporary construction shelters or facilities maintained during, and used exclusively in connection with the construction of any improvement approved by the Architectural Committee.

WHEREAS pursuant to Article 4, Section 4.21 of the Declaration,

Motor Vehicles. No motor vehicle of any kind shall be constructed, reconstructed or repaired upon any Lot, street or other area in the Project, and no inoperable vehicle may be stored or parked so as to be Visible From Neighboring Property or to be visible from Common Areas or streets; provided, however, that this provision shall not apply to (i) emergency vehicle repairs, and

(ii) the parking of motor vehicles in garages or other parking areas in the Project designated or approved by the Declarant or the Boards so long as such vehicles are in good operating condition and appearance and are not under repair. No motorcycle, motorbike, all-terrain vehicle, off-road vehicle or any similar vehicle may be parked, maintained, or operated on any portion of the project except in garages on lots. No automobile or other motor vehicle may be parked on any road or street in the Project, except automobiles or motor vehicles of guests of owners which may be parked on a road or street in the Project for a period of not more than twenty-four (24) hours.

WHEREAS pursuant to Article 4, Section 4.22 of the Declaration,

Parking. Vehicles of all Owners and Residents, and of their employees, guests and invitees, are to be kept in garages or other parking areas designated or approved by the Declarant or the Board, provided, however, the foregoing shall not be construed to permit the parking or storing in the above described areas of any vehicle whose parking or storage in the Project is otherwise prohibited herein. The Association Rules may permit temporary parking on streets or other Project areas for public or private social events or other permitted activities.

WHEREAS the Board of Directors recognizes the need for Rules and Regulations to ensure safety and enforcement relating to the operation and parking of any truck, mobile home, travel trailer, tent trailer, trailer, camper shell, detached camper, recreation vehicle, boat, boat trailer or similar equipment or vehicle or any automobile, motorcycle, motorbike, or other motor vehicles on the streets within Wayne Ranch.

WHEREAS the Board of Directors desires to have a more detailed rule and set of regulations and enforcement of parking violations.

THEREFORE, BE IT RESOLVED that the Board of Directors of the Wayne Ranch Homeowners Association, hereby approves and adopts the following PARKING VIOLATION AND ENFORCEMENT POLICY for any parking violations of the CC&R's, Association Rules and the following parking policy.

PARKING VIOLATION AND ENFORCEMENT POLICY

A. Street Parking

a. Any truck, mobile home, travel trailer, tent trailer, trailer, camper shell, detached camper, recreational vehicle, boat, boat trailer or similar equipment OR vehicle or any automobile, motorcycle, motorbike, or other motor vehicle parked on any street right-of-way for more than twenty-four consecutive hours *or that habitually park on* any street right-of-way, common area and/or other streets within the Association may be subject to the Street parking violation enforcement and fine schedule.

i. *“habitually parked on”* shall be defined as: any vehicles associated with a single Lot parked on any street right-of-way, common area and/or other streets within the Association, in excess of two (2) occurrences in a five

(5) day rolling period, or four (4) occurrences in a thirty (30) day rolling period.

B. Parking on Owner's Lots

1. **Recreational Vehicles on Driveways:** Any truck, mobile home, travel trailer, tent trailer, trailer, camper shell, detached camper, recreational vehicle, boat, boat trailer or similar equipment on the driveway of any LOT in excess of 48 hours within a 7 day period may be subject to the parking violation enforcement and fine schedule.
2. **Parking on unapproved surfaces:** Any truck, mobile home, travel trailer, tent trailer, trailer, camper shell, detached camper, recreational vehicle, boat, boat trailer or similar equipment AND/OR any vehicles or any automobile, motorcycle, motorbike, or other motor vehicles parked on any unapproved surfaces of the LOT (i.e. landscaping, rocks, sidewalks, etc.) may be subject to the parking violation enforcement and fine schedule.
3. **Parking in backyard:** Any truck, mobile home, travel trailer, tent trailer, trailer, camper shell, detached camper, recreational vehicle, boat, boat trailer or similar equipment AND/OR any vehicles or any automobile, motorcycle, motorbike, or other motor vehicles parked in the backyard where it visible from neighboring Lots, common area or streets, may be subject to the parking violation enforcement and fine schedule.
4. **Inoperable Vehicles:** Any vehicles or any automobile, motorcycle, motorbike, or other motor vehicles parked on a driveway of a LOT, which does not have a legal license plate or current registration, or appears to be inoperable in any way (i.e. in disrepair, flat tire, tarp over the top) may be subject to the parking violation enforcement and fine schedule.

C. Notice of Violation AND Fine/Enforcement Schedule.

If the Association shall view any truck, mobile home, travel trailer, tent trailer, trailer, camper shell, detached camper, recreation vehicle, boat, boat trailer or similar equipment or vehicle or any automobile, motorcycle, motorbike, or other motor vehicle or any Owner of any Owner or invitee, licensee, or lessee of such Owner in violation of the Declaration, and/or Association Rules and this Policy:

1. **Initial notice:** a letter shall be mailed to the Property Owner when parking violations have been identified on 2 separate occurrences within the rolling 30 day period, and will contain the following information: date and description of the parking violation, notice that monetary fines may be imposed on the 4th occurrence of non-compliance, subject to the Board's decision after the owner has been heard on the issue, if the owner so requests
 - a. The Owner may provide the association with a written response by certified mail within ten business days after the date of the notice.
 - b. If the Association receives a written response by certified mail within

ten business days after the date of the initial notice of the violation, the Association shall respond to the notice within 10 business days of receipt of the letter.

- c. If the Owner disputing the violation and possible fines, the Owner may request Dispute Resolution, pursuant to Article 12 Section 12.1.1.

Note: If the Association does not receive a written response by certified mail from the Owner within ten business days after the date of the initial notice of the violation and/or the violation is not cured within fifteen days from the date of the first notice, or 10 days after the association responds to the Owner's certified letter (as described in subsection C.1.b. above), the Association may proceed with the following Fines and Enforcement.

2. **Second Notice:** a letter shall be mailed to the Property Owner on the 4th separate parking violation occurrence within the rolling 30 day period and will state that a fine in the amount of **\$25.00** has been imposed for continued noncompliance and further noncompliance may result in additional monetary fines and possible legal action.

Note: If the violation is not cured within **5 days**, and the owner has not requested a hearing, the Association may proceed with Fines & Enforcement.

3. **Third notice:** a letter shall be mailed to the Property Owner on the 5^h separate parking violation occurrence within the rolling 30 day period and will state that a fine in the amount of **\$50.00** has been imposed for continued noncompliance and further noncompliance may result in additional monetary fines and possible legal action.

Note: If the violation is not cured within **5 days**, and the owner has not requested a hearing, the Association may proceed with Fines & Enforcement.

4. **Subsequent non-compliance:** Upon board review and approval at an Executive Board Meeting, the Association will seek relief of violations through the Association Attorney and the Court system. All legal costs will be a part of the judgment that is being sought against the Owner.

5. **Collection of Violation Fines & Charges:** If the owner fails to pay any monetary fines imposed, administrative fees and/or legal fees, all costs shall be become due and the personal liability of the owner. The Board of Directors on behalf of the Association may bring an action at law against the owner personally obligated to pay the delinquent amount owed pursuant to the remedies available.

The board of Directors reserves the right to take any action permitted by law or the CC&R's, in addition to the above mentioned fine policy

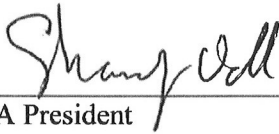
Procedures:

1. Homeowners will be notified by first class mail of all violations.
2. The homeowner has the right to a hearing before the Board where decisions of the Board are final.
3. Board will direct Management Company, as to waiving or assessing of fines at each hearing or board meeting and for all pending fines and/or legal action with the Association's Attorney.

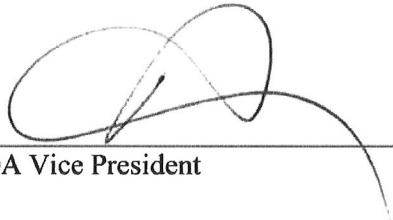
RESOLVED, that the board shall retain the right to amend or repeal this resolution.

IN WITNESS WHEREOF, the undersigned have executed this consent as of this 22nd day February 2017.

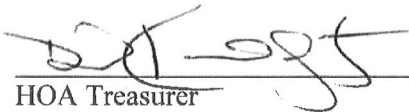
Attest:



HOA President



HOA Vice President



HOA Treasurer



HOA Secretary



HOA Member at Large