

DAWN HOMEOWNERS ASSOCIATION, INC.

POLICY RESOLUTION

PARKING

WHEREAS, Article VI, Section 1 of the Bylaws provides the Board of Directors with the power and duty to adopt and publish rules and regulations governing the use of all portions of the property;

WHEREAS, the Declaration obligates each member of the Association to comply with the rules and regulations promulgated by the Board; and

WHEREAS, the Board has determined that it is in the Association's best interest to develop rules and regulations regarding parking on the Property. NOW, THEREFORE, BE IT RESOLVED THAT the following rules are adopted with respect to parking on all areas of the Property.

I. **UNAPPROVED VEHICLES:** The following described vehicles shall be prohibited from parking at any time in the Dawn community except when picking up or delivering passengers or merchandise or during the performance of work or services at the location:

A. Commercial Vehicles. Any commercial vehicle, including the following:

1. Any vehicle in which the driver is ordinarily hired for transport, including, but not limited to, taxis, limousines, or buses; or
2. Any vehicle with uncovered exterior logos, signs, letters, numbers, advertising, or irregular and distinct coloring which creates the appearance of a commercial vehicle, or
3. Any unmarked vehicle with commercial paraphernalia or equipment attached, strapped, or affixed to the exterior of the vehicle, including, but not limited to, storage containers, racks, ladders, pipes; or
4. Any unmarked vehicle with an excessive amount of commercial equipment or supplies within the interior of the vehicle which is in obvious plain view from another parking space or from the sidewalk, including, but not limited to, pesticide, paint buckets, propane tanks, cabling, uncovered or unsecured tools or other supplies; or
5. Any unmarked vehicle, which because of its irregular height, length, shape, or weight, is not a conventional private passenger vehicle and is more suited for a commercial purpose.
6. The strict prohibition against commercial vehicles shall not apply if the resident covers the commercial vehicle (or that portion of the vehicle which has commercial vehicle characteristics) at all times while parked within the community or parks the commercial vehicle in the garage.

7. Police cars or other cars which are owned by or contain the logo of a County emergency service provider shall not be considered a commercial vehicle under this definition.

B. Recreational Vehicles. Any boat, boat trailer, motor home, self-contained camper, mobile home, trailer, pop-up camper/tent trailer, horse trailer or similarly oriented vehicle shall have 48 hours for loading and unloading. Private or public school or church buses are unapproved vehicles under both this section and the commercial vehicle section.

C. Inoperative Vehicles. Any vehicle with a malfunction of an essential part required for the legal operation of the vehicle or which is partially or totally disassembled by the removal of tires, wheels, engine, or other essential parts required for legal operation of the vehicle. Vehicles without proper and up to date tags, cobwebs or flat tires are considered inoperable.

D. Abandoned Vehicles. Any vehicle left unmoved on the street for more than 7 consecutive days, unless the owner provides written notice to the Board in advance that he or she will be away and unable to move the vehicle for a period greater than 7 days. In cases where a violation is committed, a notice will be placed on the vehicle, and if no response is received within seven (7) days, it will be subject to towing.

E. Other Equipment and Machinery. Any agricultural, industrial, construction or similar machinery or equipment.

II. **RULES AND REGULATIONS**

A. Speed Limit in Dawn HOA is 15 MPH.

B. Recreational and Commercial. No recreational or commercial vehicles as described above shall be parked in the Dawn community except for 48 hours for loading and unloading.

C. Repairs. Major repairs or maintenance to vehicles, painting of vehicles, or the drainage of automobile fluids is not permitted anywhere in the Dawn community, except for minor repairs or maintenance, such as repairing a flat tire or re-charging of a dead battery.

D. Dumping of Materials. The dumping, disposal or leakage of oil, grease, or any other chemical residual substance or particles is prohibited.

E. Owners and Operator's Responsibilities.

1. Homeowner's vehicles should be parked preferably in the garage, second choice would be in the driveway.

2. Cars parked in driveways shall be parked in such a manner as to not impede sidewalks or extend beyond driveways. Habitually parking in front of another homeowner's house could result in towing.

3. Vehicles shall not be parked in fire lanes, within 15 feet of fire hydrants, impede the normal flow of traffic, block any sidewalk, mailbox or driveway, extend into the street, or prevent a homeowner from getting in or out of their driveway. You must be 18 inches from any driveway and drivers are required to park in the same direction

as moving traffic when parked on the street. Warning will be provided and then the vehicle will be subject to towing.

4. Garages shall not be converted into living spaces.

F. Homeowner's Responsibilities. All Homeowners are responsible for ensuring that their family members, employees, visitors, guests, tenants and agents observe and comply with all rules and regulations as may be adopted by the Board of Directors.

III. **ENFORCEMENT**

A. In General.

1. Vehicle Removal. The Board of Directors shall have the authority to have any vehicle not in compliance with the provisions of the Resolution removed from the Association Property. This authority may be delegated to the Management Agent of the Association. All costs and risks of towing and impoundment shall be the sole responsibility of the vehicle's owner.

2. Violation Subject to Immediate Action. Any vehicle (a) parked in a designated fire lane or within 15 feet of a fire hydrant, (b) sidewalk, (c) impeding access to sidewalk ramps or mailboxes, (d) extending into street, (e) constituting a safety hazard, (f) blocking a driveway or parked within 18 inches of a neighboring driveway, shall be subject to immediate removal without notification to the owner of the vehicle.

3. Citation Notices. In the case of all other situations not addressed in this policy, the Board or its designated representative shall post a citation notice on any vehicle not in compliance with the rules and regulations of the Association. No other form of notice is required. If the owner of the vehicle does not bring the vehicle into compliance within seven days of the date of the notice or contact the management company, the vehicle will be subject to removal by towing.

4. Subsequent violations committed within any consecutive three (3) month period shall subject the violating vehicle to immediate towing without notification.

5. Any requests from Owners for enforcement of this parking policy by the Association against another resident must be directed to the Board or Management Company. No anonymous complaints will be accepted.

6. The Board reserves the right and power to impose monetary charges as a sanction for violations of this parking policy. Before any such charge may be imposed, the Board shall provide the Owner with notice of the violation and an opportunity to request a hearing before the Board of Directors. The Board reserves the power to impose a monetary charge of \$50 for a single offense.

B. Attorneys' Fees and Costs. If the Association must enforce this resolution through any form of legal action, the offending Owner shall be responsible for all expense and/or attorneys' fees incurred by the Association in enforcing the provisions of this Resolution.

C. Liability.

1. The Association assumes no responsibility for and disclaims responsibility for any damage to any vehicle parked or operated in the Dawn community.
2. Homeowners shall be held liable for any expenses incurred by the Association as a result of any damage done to the common areas by the use, repair or maintenance of their vehicle, or as a result of negligence, whether on the part of the homeowner, his family, tenants, guests or agents.
3. Any exceptions or changes to the above policy must be approved in writing by the Board of Directors of the Dawn Homeowners Association, Inc.

IV. REPEAL OF PRIOR POLICIES

The rules and regulations set forth in this policy resolution supersede and replace all rules and regulations set forth in any prior parking policy.

V. EFFECTIVE DATE

The rules and regulations set forth in this policy resolution are effective as of January 1, 2016. DAWN HOMEOWNERS ASSOCIATION, INC.