

Villemont Owners' Association
Parking Enforcement Rules/Policy
ADOPTED September 1, 2010
EFFECTIVE September 20, 2010

Amends and restates Section B-10 of the Existing Parking Policy as follows:

B-10. PARKING/PRIVATE STREETS

- A) The streets within the Villemont Community are Private. Any vehicle parked improperly within the community is subject to towing in accordance with the California Vehicle Code.
- B) All vehicles within the community must display current license plates.
- C) The private streets within the Community shall not be used for recreational purposes, including "joy riding" or racing. Motorcycles, mopeds, and carts shall be allowed on such private streets only for ingress and egress.
- D) Any vehicle parked in whole or in part in a fire lane or motor court area is subject to immediate tow. This area includes the driveway apron areas of garages in motor courts.
- E) **Owner/Resident Parking.**

1. In order to distinguish Owner/Resident and non-resident/guest vehicles, all Owners/Residents shall complete a Vehicle Information Sheet and submit it to the Association management company. The Vehicle Information Sheet includes the name of the Unit Owner of Record, the Names of Residents living on the property and identifies ***all*** resident vehicle manufacturer models, colors and the vehicle license numbers. VIN numbers must be included for vehicles waiting for license plates. The Vehicle Information Sheet must be clear and readable. Owners/Residents must register each vehicle they own or regularly drive on or to the community with the Association. Residents shall keep their vehicles registered at all times and in a good state of repair.

2. A Vehicle Information Sheet will be sent to all Owners. Owners are responsible for ensuring that Vehicle Information Sheets are completed and returned by tenants or other Residents residing in an Owners Unit. Vehicle Information Sheets distributed must be returned to the management company within 10 business days. In the event that the management company does not receive the Vehicle Information Sheet for a vehicle regularly parking in the community (more than nine (9) times in a calendar month period), such vehicle will be considered to be an Owner/Resident Vehicle and is subject to enforcement action including towing of the vehicle. The Association defines regular parking as more than nine, (9) times in a calendar month period. Management must receive any changes or updates to the Vehicle Information Sheet within 10 business days of any newly acquired vehicle.

3. Owners who do not return the Vehicle Information Sheet or return an incomplete or unreadable Vehicle Information Sheet within 10 days of notice may be called to hearing and are subject to enforcement action including but not limited to

suspension of common recreational facility access and fines of \$50.00 per day until the complete information sheet is returned to Management.

4. Owners/Residents are permitted to park only two (2) vehicles within the community ***and such vehicles must be parked wholly within the Resident's garage at all times.*** Residents shall not use their garage for any purpose that would preclude the parking of their passenger vehicles used for transportation purposes in both bays of the garage. Garage doors must remain closed except for entering/exiting and when the garage is in use and attended. Garages shall not be converted to living quarters or workshops or used for storage in a way, including storage of recreational devices, that will preclude the use of each bay in the garage for the parking of passenger vehicles used for transportation purposes. Garages shall remain clean of any oil stains at all times.

5. Owners/Residents are prohibited from parking on the street, in any motor court or in any guest parking space.

6. The Association is not responsible for providing parking for additional Owner/Resident vehicles and/or oversized vehicles, which cannot be parked wholly within the Resident's garage.

7. For the thirty (30) day period following their move-in, Owners/Residents may be issued a temporary safe list status, which will permit them to park on the street only as necessary in order to permit them to organize their garages. Residents must park within their garages at all times upon expiration of the temporary safe list status. Temporary safe list status must be requested, in writing with acknowledgement granted, in writing by the association. To obtain a temporary safe list status contact the management company.

8. The Board and/or Association management shall have the authority to grant temporary variances to the stated parking rules under extenuating circumstances. Such temporary variances shall only be valid if received in advance and documented in writing by the Board and/or Association management. In granting variances the following guidelines shall apply:

- a. A request for a temporary parking variance must be submitted to the Association in writing and include the following information: (i) the reason the temporary variance is being requested; (ii) the estimated time the temporary variance will be needed; (iii) the make, model and license plate number of the vehicle; and (iv) any additional documents that support the need for the temporary variance as may be requested by the Board and/or Association management.
- b. All temporary variance requests will be determined on a case-by-case basis. Decisions on variance requests are final. Submitting a request for a temporary variance does not guarantee that a temporary variance will be granted.
- c. Examples of temporary variance requests include, but are not limited to: (i) disabilities; (ii) short-term occupancy of another person who will live with an owner or resident for a stated period of time, e.g., such as a family member who is caring for an elderly parent or assisting after the birth of a child; or (iii) medical conditions.
- d. The Board reserves the right to designate specific parking areas in the community as variance parking only. If such an area is so designated, then the person receiving a temporary variance for his or her vehicle must park in the designated area and

display the “Variance Pass” at all times. Failure to display the Variance Pass while parked in designated variance only parking may result in fines or towing in accordance with these rules.

- e. If specific temporary variance parking is not designated by the Board then any person who receives a variance for his or her vehicle must display a “Variance Pass” at all times when parking on any street or in off-street parking spaces in the development. Failure to display the Variance Pass may result in fines or towing in accordance with these rules.
 - f. A vehicle displaying a Variance Pass **cannot** park in any prohibited parking zone, such as in fire lanes, motor courts, or garage apron areas.
 - g. A “Variance Pass” must be surrendered to the Association at such time the variance is no longer applicable. Failure to surrender the pass may result in fines. If a vehicle displays an expired “Variance Pass” it will be cited and subject to tow in accordance with these rules.
 - h. Issuance of a temporary variance does not automatically entitle the variance pass holder a parking spot
9. Owners/Residents shall be permitted to park their recreational vehicle, trailer or boat on the street for up to a four hour period for the purposes of actively loading or unloading the vehicle. Boats, RVs and trailers parked on streets must also comply with the following provisions:
- 1. The Association must be notified, in writing (either by fax, mail or email), at least 24 hours in advance of such activity. The notice must include the name of the Owner/Resident, type of vehicle, license plate number and expected time when the vehicle will be on the properties. Generally, notice must be submitted to the management company during regular business hours, Monday-Friday, 8:00-5:00 p.m. If loading and unloading activity is planned on Saturday, Sunday or a holiday, notice must be received by 4:00 p.m. on Friday or by 4:00 p.m. on the last business day in advance of the holiday.
 - 2. The vehicle must be attended. In other words, loading and unloading is actively taking place.
 - 3. RVs, Boats and Trailers that are free standing must be hitched to a transport vehicle with active loading and unloading taking place.

F) Guest Parking.

- 1. Guests and invitees of Owner/Residents must display current, valid guest parking passes in vehicles when parking in the community.
- 2. **Guests and invitees of Owners/Residents who are entertaining may temporarily park their vehicles on the street for the duration of the party or event, not to exceed twelve (12) hours. When an Owner/Resident is conducting a function that will result in more than two guest vehicles they must forward written notice to the Association via the management company at least 72 hours in advance of the event, noting the number of expected guests.**
- 3. **Guests or visitors may not park their vehicles in motor courts. Any vehicles parking in whole or in part within motor court or fire lane areas are subject to immediate tow. This includes garage apron areas.**

4. Each Owner/Resident Unit shall be issued two (2) Annual Guest Parking Passes. Guest parking passes can only be used by the same vehicle nine (9) times within a calendar month period. The calendar month period shall be calculated from the 1st of the calendar month to the end of the calendar month. Guest Parking Passes cannot be used by the Owner/Resident Vehicles. Guest passes will not be issued to Residents unless Vehicle Information Forms for Owner/Resident vehicles have been completed and returned to the Association. Guest passes may not be utilized by Owners/Residents to whom they were not issued. In other words, a Resident/Owner may not loan, gift or sell, Guest passes to another party.

5. Any Guest vehicle parked within the community more than nine (9) times in a calendar month shall be considered an "Owner/Resident" vehicle and shall be required to be parked off-site or within an Owner/Resident garage. Once a vehicle utilizing a guest pass has been noted as parked within the community more than 9 times in a calendar month it is subject to tow. This provision is in place to ensure that guest passes are not utilized by Owners and/or Residents.

G) Enforcement and Towing.

1. The Association shall have the power and authority to cause the towing, at the vehicle owner's expense, of vehicles, which are parked within the Community in violation of any of the Governing Documents and/or these parking rules.

a. Owner/Resident Vehicles: Owner/Resident Vehicles are defined as vehicles that have been registered with the Association via a Vehicle Information Sheet and/or deemed an Owner/Resident Vehicle because they have been parked more than nine (9) times in a calendar month period. As noted in the parking rules, Owners/Residents are prohibited from parking on any street, in any motor court or in any guest parking space. In the event that an Owner and/or Resident violates the parking rules and/or policy, the following procedure will take place:

- I. The first time a parking patrol agent identifies any vehicle that is an Owner/Resident vehicle (Registered as such with the Association or deemed a resident vehicle by being parked either more than nine (9) times in a calendar month period) parked in violation of the Governing documents and/or parking rules/policy a notice will be placed on the vehicle and management will be notified.
- II. The second time a parking patrol agent identifies any vehicle that is an Owner/Resident vehicle parked in violation of the parking rules and/or policy a notice will be placed on the vehicle for a second time and management will be notified.
- III. The third time a parking patrol agent identifies any vehicle that is an Owner/Resident vehicle parked in violation of the parking rules and/or policy *the vehicle is subject to tow.*

b. Other Vehicles: In the event that "other vehicles", defined as vehicles that are not: (a) registered with the Association, (b) displaying a Guest Parking Pass, or (c) displaying a Variance Pass, are parked in violation of the

governing documents and/or parking rules or policies, the following procedure shall take place:

- I. The first time a parking patrol agent identifies any other vehicle parked in violation of the governing documents and/or the parking rules or policies, a notice will be placed on the vehicle and management will be notified.
- II. The second time a parking patrol agent identifies any other vehicle parked in violation of the governing documents and/or the parking rules or policies, a second notice will be placed on the vehicle and management will be notified.
- III. The third time a parking patrol agent identifies any other vehicle parked in violation of the governing documents and/or the parking rules or policies, ***the vehicle is subject to tow.***

c. RVs, Boats, Trailers: RVs, Boats and Trailers parked in violation of the parking rules are subject to immediate tow.

d. ***Any and all vehicles parked in fire lanes*** are subject to immediate tow without warning.

2. In addition to towing, Owners/Residents and their tenants in violation of the adopted Parking Enforcement Rules/Policy are subject to a hearing before the Board of Directors and the imposition of fines and suspension of recreational facility privileges. Guests in violation of the adopted Parking Enforcement Rules/Policy are the responsibility of the Unit Owner; the Unit Owner is subject to a hearing before the Board of Directors and the imposition of fines, suspension of recreational facility access and any other enforcement action deemed necessary by the Board of Directors. Fines shall be assessed at \$50.00 per occurrence.