

Treehill Park Homeowners Assn

RESOLUTION 18-01 Parking Rules, Vehicle Restrictions & Towing

Background

The purpose of this resolution is as follows:

1. To establish clear parking and vehicle restrictions rules.
2. To establish a parking permit sticker program.
3. To replace section “IX. Vehicles and Parking” of the Condo Rules.
4. To clarify the Board’s authority in regard to towing vehicles.
5. To establish clear compliance timelines if a vehicle owner wishes to avoid having a vehicle towed.
6. To establish a fine system if a vehicle owner interferes with or attempts to interfere with a tow truck or tow truck driver.

Parking Rules and Vehicle Restrictions

1. It is everyone’s responsibility to exercise caution when driving inside Treehill Park (THP) property or into or out of Treehill onto 238th. Vehicle traffic within the property is limited to 5 miles per hour as a safety precaution. This speed limit applies to bicycles, motor scooters, motorcycles, automobiles and trucks. Stop signs are to be obeyed. Reckless driving shall be reported to the Board of Directors and the police. Please identify infractions by noting date and time, vehicle make and license plate number of the car. (Bylaws 11.0, Rules of Conduct).
2. No trucks larger than $\frac{3}{4}$ ton shall be stored or parked overnight on Association property.
3. Abandoned or inoperable vehicles, unlicensed motor vehicles and boats, recreational vehicles, trailers or machinery may not be stored overnight on Association property including assigned parking spaces. Such vehicles may be towed away at the discretion of the Board of Directors and at the expense of the vehicle’s owner.
4. One covered parking space has been assigned to each unit. In addition, there are approximately 85 uncovered/unassigned spaces on Association property (108 units). Residents shall be responsible for the proper parking of guests’ cars on a short-term basis. Vehicles shall not be parked directly behind another, beside mailboxes, along curbs, on grass, in fire lanes or in any undesignated areas. Vehicles parked in the manner described above may be towed without notice and at the vehicle owners’ expense.
5. Major vehicle repairs and any repairs to cars other than resident’s car are prohibited on Treehill Park property. Only minor and emergency repairs are allowed. All oil and other automotive fluids must be disposed of properly and pavement surface must be maintained free from litter and oil or fluid residue whether or not due to repair activities.
6. Violators of any parking rules may be towed.
7. Any vehicle—whether that of a guest or a resident—parked more than 7 consecutive days in the same covered or uncovered parking space, may be fined or towed without notice. If you are

going to be away from home for more than a week, notify the Managing Agent so that your vehicle does not get fined.

8. Owners and tenants are required to notify their guests of Treehill Park Condo's parking rules and regulations and see that their guests adhere to those rules and regulations.

9. Outdoor parking within THP is permitted only in one of the covered or uncovered parking spaces, as regulated in Section 4. Vehicles parked otherwise subject THP to the risk of being fined for emergency vehicles being hampered when responding to an emergency. Such fines would be passed on to the vehicle owner.

10. Marked commercial-use vehicles are prohibited on THP property except between the hours of 8 am and 5 pm.

11. All vehicles must have current registration and be operable.

12. All vehicle thefts, break-ins or damages must be reported to the Management Company and police.

13. Moving vans will be allowed to park overnight *only* when a resident is actively moving into, or out of, a unit.

14. No inoperable, dismantled, or wrecked vehicle or equipment may be parked, stored, or deposited anywhere within THP.

15. If a vehicle is parked in a manner that poses a health, life or safety issue to the community, the public or the residents within THP, including but not limited to fire lanes and areas posted with "no parking" signs, the vehicle may be towed immediately in compliance with ORS 98.812.

Parking Permits & Vehicle Registration

16. Residents may request up to two parking permits. A written exception request for a third parking permit shall be submitted to the Board for consideration. A parking permit is not issued to a specific vehicle, but to a specific unit. Replacements for lost parking permits will be issued at a cost of **\$25**.

17. A resident's parking permit should be placed on the left (drivers) side of the rear window of the vehicle.

18. Marked commercial vehicles will not be eligible for parking permits.

19. Vehicles displaying a parking permit will receive notification of a first parking violation from THP Board members or Management Company's staff before any further action is taken, with the exception of Sections "4", "15", "23", "24" and "25". Vehicles without a parking permit may be towed immediately upon a parking violation being noted.

20. All vehicles must be registered with the Management Company upon the purchase of a unit or the leasing of a unit, as well as at any time re-registration is requested by the Association. If requested by the Association, owners and tenants shall provide a copy of the vehicle registration.

21. Residents are required to notify the Management Company in writing of any change of vehicle ownership within 10 days of that change.

22. Parking stickers and current vehicle license or a current trip permit must be visible on all vehicles at all times while parked on THP property, except for those with a Board approved car cover.

23. Car covers are only allowed with prior approval from the Board. A written request shall be submitted to the Board for consideration. All vehicles with approved car covers are required at

all times to have a parking sticker and current vehicle license or current trip permit. Upon request, vehicle owners with an approved car cover shall verify to the Board that the vehicle license or trip permit is current. Any vehicle with an unauthorized cover will be presumed to be unlicensed and/or inoperable and will be towed if not uncovered within 72 hours of being tagged. After a vehicle has been tagged one time for having an unauthorized cover, and the cover is removed, it will be subject to being towed immediately (without notice and at the vehicle owner's expense) if it is subsequently found to be covered again.

24. Any other device or action that makes it difficult or impossible for the Board to readily determine if a vehicle is currently licensed is also prohibited, subject to the same penalties as if the vehicle were covered without authorization from the Board.

Guests

25. A "guest vehicle" is defined as one that is not owned or operated by a resident owner or tenant. Vehicles parked more frequently than three times during any seven-day period will be considered unauthorized and may be towed without notice.

Garages and Vehicle Maintenance

26. Garage doors must remain closed except when someone is in attendance and during all noise-creating activities such as the operation of power tools.

27. Garages must be used for parking vehicles, not as additional living space or primarily for storage.

28. Minor maintenance *not* involving the changing of fluids is permitted. Fluid changing or flushing is prohibited. Vehicle washing is permitted only in paved areas adjacent to the owner or tenant's unit that discharge all waste to a water quality treatment facility. Owners responsible for vehicles that leak of any kind will be assessed the cost of repair and clean up.

Recreational Vehicles

29. No boats, trailers, campers, other recreational vehicles, or other equipment or personal property shall be stored in common areas. These areas are reserved for the parking of automobiles. (Bylaws 11.0, Rules of Conduct).

30. No trailer, truck, boat, or recreational vehicle may be used as a living area within THP.

Parking Violations & Towing

31. The agreement with Retriever Towing is for on-call towing only.

32. Tows can only be authorized by THP Board members or Management Company's staff.

33. Towing will only be authorized for unpermitted vehicles, habitual offenders, or in the event of an emergency.

Notification of a Vehicle Subject to Towing

34. A Vehicle Towing Order is placed on all vehicles parked on Treehill property that are subject to being towed. The information on the Towing Order is also sent to the Association's property Management Company by fax, phone or email.

Compliance Timeline to Avoid Towing

35. Abandoned or Inoperable Vehicle(s) must be removed within 72 hours of the date on the Tow Notice.
36. Unregistered Vehicles must be registered within 3 business days of the date on the Tow Notice.
37. Illegally parked vehicles are subject to tow without notice.
38. Excessive number of vehicles must be removed within 30 days of the date on the Tow Notice.
39. Vehicles must be restored to running condition within 72 hours of the date on the Tow Notice.
40. Vehicle type/size not permitted must be removed within 72 hours of the date on the Tow Notice.

\$200 Fine for Interfering with Tow Truck or Tow Truck Driver

41. With the exception of Sections “4”, “15”, “19”, “23”, “24” and “25” above, vehicle owners are given a reasonable time to remediate the problem and avoid having a vehicle towed. In spite of this some vehicle owners do not comply and a tow truck is called to remove the vehicle(s). Once the tow truck arrives some vehicle owners attempt to interfere with or prevent their vehicle(s) from being towed.
42. “Interfering with the tow truck” shall include but not be limited to the following actions: standing in front of the tow truck, disconnection or attempting to disconnect the tow truck, harassing or threatening the tow truck driver, and/or getting in the vehicle that is to be towed.
43. Since property owners are responsible for ensuring that they, their guests and/or renters are aware of the Association Rules regarding vehicles, THE OWNER OF THE PROPERTY (if this person is different from the vehicle owner) shall be subjected to an automatic **fine of \$200** if the owner of a vehicle attempts to interfere with a tow truck or tow truck driver.

Fine is Assessed / Property Owner’s Right to a Hearing

44. The \$200 fine shall be assessed in the form of an invoice and mailed to the property owner at their last known address and will be payable within thirty (30) days.
45. If the property owner believes this fine was assessed in error she/he shall have the right to request a hearing with the Board of Directors. The request for the hearing must be submitted in writing to the Association’s property Management Company by fax, mail or email.
46. If the property owner does not request a hearing and if the fine is not paid within thirty (30) days any penalties will automatically be assessed, per Resolution 18-02, Schedule of Fines.

Owner / Renter Notification of this Resolution

47. A copy of this resolution shall be mailed to all homeowners at their last known address. A copy shall also be mailed to all known renters at the time this resolution was adopted.