

BLUE NILE TRAILS

HOMEOWNERS ASSOCIATION

PARKING RULES & REGULATIONS

Blue Nile Trails Homeowners Association (HOA) Board of Directors believes in facilitating and fostering a community where safety and security are paramount, and in creating and maintaining an environment where positive social interactions between residents can occur.

The Board of Directors has the authority to establish procedures for the enforcement of parking policies as stated in *Section 10.18: Parking and Vehicular Restrictions* of Blue Nile Trails' Covenants, Conditions and Restrictions (the "CC&Rs"). Broadly, the Rules and Regulations are designed with three primary objectives: 1) to establish common protocols to which all residents must adhere, and thereby support fairness and parity within the community, 2) to hold residents accountable for unacceptable behavior deviating from previously agreed to community rules, regulations and norms, and 3) to modify those behaviors deemed inappropriate and unacceptable, and in violation of the CC&Rs.

Moreover, the requirement to enforce the CC&R parking regulations is in response to many community residents who have expressed their right to see the parking situation corrected and brought into alignment with Section 10.18. Rationale to maintain parking discipline is fourfold:

1) to maintain line of sight safety for pedestrians, cyclists and motorists who may be obscured by a line of parked vehicles, 2) to ensure proper street margins for vehicles traveling in opposite directions to safely pass each other, 3) to maintain the more favorable appearance of the community, and 4) to ensure that those residents who decided to purchase a property in Blue Nile Trails, and did so predicated on the CC&Rs being enforced, are respected.

The Board of Directors wishes to take a highly reasonable approach to the enforcement of Section 10.18, and to maintain as light a touch as possible. Therefore, we would like to make clear the following:

1. The enforcement of the Section 10.18 is aimed at correcting **non-occasional, habitual, and recurring** parking behaviors which are in violation of the CC&Rs. Ingress/egress convenience is not a sufficient reason for homeowners/residents to park on the street, should the capacity of their garage and/or driveway be underutilized.
2. The enforcement of Section 10.18 is not aimed at temporary guests of the community's residents (e.g. visiting friends/family, invitees to a party, a child-sitter, cleaners, contractors, etc).
3. The enforcement of the Section 10.18 is not aimed at a resident who temporarily parks on the street for reasons including cleaning of a garage/driveway or maintaining/improving their property, etc.
4. The enforcement of the Section 10.18 is not aimed at the occasional, and reasonable, temporary loading/unloading of recreational vehicles, boats, trailers or the like.

However, as of 31, of July 2020, enforcement of Section 10.18 will include stricter penalties for the **habitual, non-occasional** violation of applicable CC&Rs. It is the intent that these rules shall be **reasonably** applied to all Owners, tenants, guests, invitees, or any others who enter upon the property. Additionally, it is the clearly stated intent of the Association, through its Board of Directors, to hold the Owner of the unit responsible for all acts of tenants, guests or invitees. Any costs of enforcement, including but not limited to, towing fees, storage charges, recovery charges, and fines, will be the responsibility of the unit owner. Blue Nile Trails Homeowners Association and its Board of Directors will not be liable for damages reported or incurred to the vehicle(s) or for items reported as missing from them.

Section 10.18 Parking and Vehicular Restrictions

(a) No Person shall park, store or keep on any Private Street or other Common Element within the Properties, any vehicle of any kind, unless specifically permitted by applicable law, or otherwise specifically permitted by the Governing Documents and/or by the Board and/or ARC.

(b) Owners and Residents shall be required to park vehicles in their garages and driveways first, before being allowed to park permitted vehicles on permitted areas of Private Streets; provided that the Board shall have the right, in its business judgment from time to time, to promulgate Rules further regulating parking.

(c) Notwithstanding the foregoing, or any other provision herein, recreational vehicles (“RVs”) must be parked wholly within enclosed garages as originally constructed by Declarant (or wholly within enclosed garages as may be specifically approved from time to time by the ARC), with the garage door closed (except reasonably for entry and egress). No RV shall be permitted to be parked in a driveway or street (except only for reasonable, temporary, and short loading or unloading).

(d) Subject to subsections (a) - (c) above, the Board is empowered to establish, supplement, and/or revise from time to time certain Rules regulating vehicles and parking, which may include, but need not be limited to, further defining RVs, establishing “parking” and “no parking” areas within the Properties, and/or establishing other parking rules or regulations, as well as enforcement by the Association of such parking limitations on the Private Streets by all means lawful for such enforcement by public authorities on public streets. No disabled, unregistered, or unlicensed vehicle shall be permitted to be parked on any Common Element or elsewhere within the Properties. Notwithstanding any of the foregoing, one camper truck, van, or similar vehicle, up to and including one (1) ton, when used for everyday-type transportation, may be kept or parked wholly enclosed within an Owner’s or Resident’s garage (or space reasonably permitting, wholly within the Owner’s or Resident’s driveway). Without limiting the foregoing, no Owner or Resident shall park, store, or keep, anywhere within the Properties, any vehicle or vehicular equipment, mobile or otherwise, deemed by the Board or the ARC to be a nuisance. No Person shall perform repair or restoration of any motor vehicle, trailer, watercraft, aircraft, or other vehicle, upon any portion of the Properties or on any Common Element; provided that repair and/or restoration of one motor vehicle shall be permitted, but only if performed wholly within an Owner’s or Resident’s garage with the garage door closed; provided further that such activity may be prohibited entirely by the Board or ARC if either determines, in its respective

reasonable discretion, that such activity constitutes a nuisance. Each Owner and/or Resident shall maintain his or her garage in a manner which ensures that the garage is capable of regularly and normally accommodating as many vehicles as it was originally designed to accommodate. Garages shall be kept closed at all times, except as reasonably required for ingress thereto and egress therefrom. The Board may establish Rules further governing or restricting parking (including, but not limited to, any guest parking in specifically designated areas, if any).

(e) Notwithstanding the foregoing or any other provision in the Governing Documents, parking and vehicular restrictions in the Governing Documents shall not be interpreted in such a manner as to permit any activity which is prohibited by applicable law (or to prohibit any activity which must not be prohibited per applicable law).

The Board would like residents to note the following regarding the towing policy:

1. Upon first violation, the offending vehicle will be cited, tagged and required to be moved to the owner's property within 48 hours.
2. If the vehicle is not moved within 48 hours, it will be towed at the owner's expense.
3. For 90 days after being initially cited and tagged, an offending vehicle is immediately eligible for towing without notice, should a recurring violation take place.
4. If the vehicle is in violation of an area that is designated as an immediate tow location, the vehicle will be towed immediately without any notification to the owner.

Blue Nile Trails Parking Requirements

1. Residents are required to first fully utilize their garage for the parking of vehicles. Should a resident's garage be fully utilized, then driveway parking is permitted. If a resident is utilizing both the garage and driveway to full capacity and additional street parking is required, the Owner is to obtain prior written Board approval for additional vehicles by contacting the management company. This does not imply a right to on-street parking, and each situation will be assessed on a case by case basis. The management company will require proof of full capacity of garage and driveway before considering any resident's request for on-street parking.
 - a. Each homeowner must register their vehicles with an annual registration form.
 - b. A unit homeowner is allotted two (2) guest parking passes for guests to display in their vehicles.
 - c. Passes that are lost, damage, or stolen will be at the sole cost of the homeowner to replace.
2. No Owner in the community shall park, store or keep any vehicle on his or her property, except wholly within the garage or to the full capacity of the driveway.
3. Any commercial-type vehicle (including but not limited to dump, cement, oil, gas, or delivery truck or like vehicle), recreational-type vehicle (including but not limited to camper, mobile home, travel trailer, or like vehicle), trailer, trailer coach, camp trailer, bus, boat, boat trailer, ATV or other similar equipment that is parked, maintained, constructed, reconstructed or repaired on the streets or other common area will be towed with proper 48 hour notice.

4. Except in the event of an emergency or as may be necessary for the performance of authorized repair or maintenance of common areas, no vehicle or maintenance equipment of any type (including dumpsters) may be parked on any street even temporarily (less than 24 hours) without the specific written consent of the Board of Directors, which consent will not be unreasonably withheld and may be obtained through the Association's management company.
5. No Owner shall park, store or keep anywhere with the Properties any vehicle, such as, any large commercial-type vehicle, any recreational vehicle (including, but not limited to, any camper, motor home, trailer, boat trailer, golf cart, jet ski, utility trailer, moving vans or other reasonably similar vehicle, boat or aircraft), or any vehicle other than a private passenger vehicle within the community unless parked wholly within a garage. Utility trailers and moving vans/trucks are only allowed on the property for loading and unloading of personal items and will have to be stored/ parked off-property overnight. Any moving van/ truck parked overnight will be towed unless Board approval is obtained prior to parking overnight. Board approval may be obtained by contacting the Management Company.
6. No Owner, tenant, guest, agent, licensee or employee of any Owner shall park, leave or abandon any vehicle within the Community in such a manner as to impede or prevent ready ingress, egress and/or passage to or from public or private streets within the Community.
7. Any oil stains in the common areas caused by a resident or guest are the sole responsibility of the individual owner for causing the damages. Additionally, the vehicle causing the damages from owner, resident, or guest may be towed at the owner's sole expense.
8. A vehicle is considered stored (and not temporarily parked) when it has been immobile for more than seventy-two (72) consecutive hours. Any vehicle which is stored will be tagged with a 48 hour notice and towed at the owner's sole expense, **unless prior Board approval is obtained by contacting the Management Company.**
9. The Board or Association will not be held responsible for any theft or damages to any vehicle visiting the property.
10. There shall be no parking of any motor vehicle, boat, trailer or similar item on any landscaping or vacant lot.
11. All vehicles must be properly registered with the Department of Motor Vehicles.
12. Parking on landscaping (i.e., rocks, plant life, and irrigation) is prohibited. Owner(s) may be held liable for any resulting damage.

13. Owner(s) may be held liable for the cost to repair any damage to the Common Elements caused by dirt, debris or oil related to their vehicle or the vehicles of the Owner's Residents or Guests.
14. Parking against the flow of traffic is prohibited.
15. Parking on, or obstructing, any sidewalk is prohibited.
16. Parking in front of mailboxes is prohibited.
17. Parking alongside red curbing is prohibited. (Subject to immediate tow)
18. Parking on any curb is prohibited.
19. Parking blocking egress and ingress to any driveway is prohibited. (Subject to immediate tow)

These Parking Rules and Regulations are hereby adopted by Blue Nile Trails Homeowners Association Board of Directors this 09, of 23, 2021 as evidenced by the signatures below.

By: Cathy Ingle
(Signature)
Cathy Ingle
(Print)
Its: President

By: Peter Ewen
(Signature)
Peter Ewen
(Print)

Its: Secretary