

Legacy Courtyard Community Association

BOARD OF DIRECTORS'

PARKING AND TOWING POLICY

RESOLUTION OF THE BOARD OF DIRECTORS

WHEREAS, Legacy Courtyard Community Association (“the Association”) is a Nevada nonprofit corporation duly organized and existing under the laws of the State of Nevada; and

WHEREAS, Article 21, Section 21.3 of the Association CC&Rs gives the Board the express right to adopt and enforce rules and regulations relating to the parking of vehicles within the Association Project; and

WHEREAS, NRS 116.3102(a), and Article 25, Section 25(s) of the CC&R’s gives the Board the authority to have vehicles that are in violation of the governing documents towed from the neighborhoods; and

WHEREAS, limited parking in the Association Project has become a problem due multiple vehicle household. The Association deems it necessary to adopt this Parking and Towing Policy to assist in more effective enforcement of the parking prohibitions found in the CC&Rs; and

WHEREAS, the provisions of this policy are in addition to the covenants as set forth in the CC&Rs. All terms used herein shall have the same meaning as they do in the CC&Rs unless the context requires otherwise; and

NOW, THEREFORE, BE IT RESOLVED, that the following Parking and Towing Policy is hereby adopted by the Board:

A. Vehicle Permit Registration:

- 1) Vehicle Registration: Each resident must keep all vehicles registered as defined by the Department of Motor vehicles. Vehicles with expired (more than 60 days) or that fail to have any registration are subject to tagging for removal from the property.

B. Parking Restrictions:

- 1) Parking of Authorized Vehicles by Residents: Authorized Vehicles are allowed to be parked in open parking space only if the following conditions are met: (a) the resident of the unit to which the Authorized Vehicle is associated utilizes all garage space first for parking and that the garage accommodates as many vehicles as intended; (b) the resident of the unit of the Authorized vehicle does not have a driveway area in front of their unit; (c) no vehicle may be parked in open spaces for more than two consecutive days.

- 2) Parking by Guests, Invitees and other Non-Residents: Vehicles of guests, invitees and other non-residents (“Non-Residents”) are permitted to park in open spaces between the hours of 7 am to 11 pm. Any Non-Resident vehicles that need to park within the community for more than forty-eight hours must notify management (via e-mail) as soon as possible with guest vehicle information to avoid tagging or towing of the vehicle.
- 3) Parking by Recreational Vehicles: Recreational Vehicles may be parked during the hours of 7 am to 11 pm for loading and unloading purposes but may not be parked during those hours for more than 4 hours per day. If any resident needs to park his or her Recreational Vehicle in the street or open parking space for more than 4 hours or park during Prohibited Hours, that resident must obtain authorization from the Association, through its management, before doing so. If authorization is given, a notice to be placed in the windshield of the Non-Resident vehicle will be issued to the requesting resident.
- 4) Parking by Prohibited Vehicles: Prohibited Vehicles shall not be parked within the community at any time for any reason, unless specifically authorized by the Association. Prohibited vehicles include boats, ATV’s, commercial vehicles, and trailers supporting or hauling the listed prohibited vehicles.
- 5) Washing of Vehicles in Common Areas: Residents are prohibited from washing any type of vehicle on the common streets and/or driveway. Damage to the common streets or debris left as a result of this activity will be repaired or cleaned by the association and will be assessed to the homeowner account.

C Other Parking and Traffic Rules.

- 1) Repair & Restoration: Repair or restoration of any Authorized Vehicle, Recreational Vehicle or Prohibited Vehicle is not permitted unless done solely within the resident’s enclosed Garage. Provided, however, that such activity may be prohibited entirely by the Board, if the Board, in its reasonable discretion, determines such activity to be a nuisance.
- 2) Nuisance Prohibitions: Any vehicle or vehicular equipment, mobile or otherwise, even if otherwise an Authorized Vehicle, within the community that is deemed a nuisance by the Board, in its reasonable discretion, shall not be allowed. Any vehicle, even if otherwise an Authorized Vehicle, within the community that is deemed to be an unsightly article by the Board, in its reasonable discretion, shall not be allowed. Parking of any vehicle on the common street is prohibited. Unregistered or expired registration vehicles are strictly prohibited and will be towed at owner’s expense.
- 3) Speed Limit. The speed limit on the Association streets is fifteen (15) miles per hour. Careless or reckless driving in the Association is strictly prohibited.
- 4) Fire Lane or Other Emergency Blocking Parking. No vehicle shall be parked within fifteen (15') feet of any fire hydrant or adjacent to red painted zones or otherwise block access to handicapped parking, if any, or access by any emergency vehicle. Any vehicle parked by a fire hydrant or within a red painted zone is subject to immediate tow away without notice at owner's expense.
- 5) No Sidewalk or Curb Parking: No vehicle at any time shall be parked partially or fully on any

sidewalk or curb in the association.

- 6) Short Term Parking: Short term parking in front of garages is allowed for up to thirty minutes to load and unload a vehicle.
- 7) Other Enforcement. This policy may be enforced in accordance with the enforcement rights herein and may also be enforced in accordance with the Association's compliance and fine Policy.

D. Towing of Vehicles.

- 1) The Board may direct that any vehicle in violation of this Policy and other governing documents including, but not limited to, the CC&Rs, may be towed in accordance with law.
- 2) Any vehicle in the community in violation of the above provisions, or any provision of the CC&Rs or any other applicable Governing Document of the Association, may be fined and may be subject to towing, where the Association has the right, but not the duty or the obligation, to have the violating vehicle towed, subject to the following:
 - a. Prior to exercising the right to tow the vehicle, the Association, or a designee of the Association, shall post written notice on the violating vehicle forty-eight (48) hours prior to having it towed.
 - b. The notice shall state the vehicle is in violation of the Association's parking regulations and if the vehicle is not removed from the street and if it does not remain otherwise compliant with all parking regulations prior to the expiration of the forty-eight (48) hour notice, the vehicle may be towed.
 - c. The forty-eight (48) hour notice applies from the time notice is posted on the vehicle. Should any vehicle receiving such notice violate the same parking rule or regulation for which the notice was given within sixty (60) days of that notice, no further notice will be necessary and the Association may remove such vehicle.
 - d. The vehicle owner shall be responsible for all expenses incurred in the towing and retrieval of the vehicle.
 - e. The right of the Association to have a violating vehicle towed shall not require any notice other than the forty-eight (48) hour posting described herein or hearing prior to removal of the vehicle.
- 3) **Provided, however**, any vehicle that is blocking a fire hydrant, designated red zone, fire lane or parking space designated for the handicapped, or poses an imminent threat of causing a substantial adverse effect on the health, safety or welfare of the owners or tenants, as determined by the Board, may be **immediately** towed without any notice and the vehicle owner shall be responsible for all expenses incurred in the towing and retrieval of the vehicle.

IN WITNESS WHEREOF, this **PARKING AND TOWING POLICY** has been executed by the Association as of this ____ day of _____2019. The undersigned hereby certify that this **PARKING AND TOWING POLICY** has been adopted and approved in accordance with the NRS 116 and the Associations governing documents.

Legacy Courtyard Community Association, a Nevada non-profit corporation

By:	By:
Its: President	Its: Secretary
(Print Name): _____	(Print Name): _____