

# THE PARKS HOMEOWNERS' ASSOCIATION, INC.

## Community Rules Resolution

1107

**WHEREAS**, THE PARKS HOMEOWNERS' ASSOCIATION, INC., BOARD OF DIRECTORS IS EMPOWERED BY STATUTORY LAW (ORS 94.630 (1)(A)), AND FURTHER SUPPORTED BY THE ASSOCIATION DOCUMENTS INCLUDING THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (CC&R'S) (ARTICLE 6, SECTION 6.22) AND THE **BYLAWS** (ARTICLE 4, PARAGRAPH 4.7) TO CREATE RULES AND REGULATIONS REGARDING CERTAIN ACTIONS AND ACTIVITIES OF THE ASSOCIATION AND ITS MEMBER; AND,

**WHEREAS**, THE PARKS HOMEOWNERS' ASSOCIATION, INC., BOARD OF DIRECTORS FINDS IT NECESSARY TO SET FORTH RESTRICTIONS ON CERTAIN ACTIVITIES WITHIN THE ASSOCIATION PROPERTY; AND

**WHEREAS**, The Parks CC&R's set forth a specific policy which prohibits homeowners from using neighborhood streets for vehicle parking "as a matter of course" due to the narrow roads and to enhance the livability of The Parks; and

**WHEREAS**, there are homeowners in The Parks who are now routinely parking on the streets in front of their homes "as a matter of course" and are in violation of the parking restrictions ("homeowner" means anyone owning a lot or lots in The Parks, their guests, tenants, or invitees, their children whether adult or minor and their guests and invitees, and all contractors, vendors, trades people, etc.); and

**WHEREAS**, the owners of these vehicles continue to use the street for routine "matter of course" parking after receiving numerous warning letters by mail;

**WHEREAS** The Parks Homeowners' Association, Inc., Board of Directors wishes to enhance the livability of all residents within the Association.

**NOW, THEREFORE BE IT RESOLVED**, that the following notice, fine, and towing policies are enacted effective November 5, 2007:

1. Definition of a Matter of Course

A matter of course is defined as any vehicle left parked on the street 4 out of 7 consecutive days in a one week period.

2. First Warning Notice

An initial notice of the violation shall be sent to the homeowner via regular mail requesting compliance within one week. **No fine.**

***Exception: If the offending vehicle is parked either wholly or partially on a pedestrian/bicycle pathway or a gravel drainage area next to a pathway, the homeowner shall be sent notification via regular mail providing an opportunity to request a hearing, if no hearing is requested an immediate fine of \$15/per occurrence will be assessed.***

3. Second Warning Notice

If after one week the violation still exists, a second notice shall be sent to the homeowner via Certified Mail, return receipt requested, providing and opportunity to request a hearing. If no hearing is requested an immediate fine of \$15/per day will be assessed. *The fines as called out in the "Financial Penalties Resolution" passed by The Parks Homeowners' Association Board of Directors on August 19, 2004, will then apply.*

4. Third Warning Notice

If after one week the violation still exists, a third notice shall be sent to the homeowner via Certified Mail, return receipt requested. The Third Warning Notice will inform the homeowner that the offending vehicle will be towed at the homeowner's expense within one week of DATE of the Notice.

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5. Vehicles Towed

If after three warning notices and the imposition of fines the violation still exists, the Community Manager for Central Oregon Community Management is authorized to order the offending vehicle towed and impounded, at the homeowner's expense.

THIS RESOLUTION WAS PASSED BY THE PARKS HOMEOWNERS' ASSOCIATION, INC., BOARD OF DIRECTORS ON THIS DAY **5** OF **November 2007**.