

# Marival

## CONDOMINIUM ASSOCIATION VEHICLE POLICY

**(Relating to the use, parking and storage of vehicles)**

**ADOPTED BY BOARD:**

**3/10/04**

**WHEREAS**, Article 4, Section 4.1.1 of the Code of Regulations states that the Board shall have the right, power and authority to “Adopt and publish Rules and Regulations governing the use of the Common Areas and Facilities and the personal conduct of the Members, occupants and their guests thereon, and to establish penalties for the infraction thereof,” and,

**WHEREAS**, Article 4, Section 4.2.7 of the Code of Regulations states that It shall be the duty of the Board of Managers to: “Cause the restrictions created by the Declaration to be enforced;” and,

**WHEREAS**, Article V, of the Declaration states that "The following covenants, restrictions, conditions and limitations as to use and occupancy which shall run with the land shall be binding upon each Unit Owner, his or her family members residing in or occupying his or her Unit, guests, invitees, licensees, heirs, executors, administrators, successors, and assigns”; and,

**WHEREAS**, in order to assure safe and attractive community, the Board wishes to establish a comprehensive policy with respect to the parking and storage of vehicles;

**NOW, THEREFORE, BE IT RESOLVED THAT** the following Parking Policies be adopted by the Board:

### **I. RESTRICTIONS ON THE PARKING AND STORAGE OF VEHICLES**

#### **A. GENERAL**

1. On street parking is not permitted.
2. Residents of any one Unit may not collectively park more than two(2 operative vehicles on the Condominium Property.
3. The types of vehicles listed in subsections (a) through (f) below may not be parked or stored in open view on driveways, Common Element parking pads, or on Common Element open space or public rights-of-way within the boundaries of

the Marival at Weatherstone Condominium Association, except in such areas, if any, designated for such purpose by the Board of Managers. Any such vehicle may be stored in a garage out of open view.

- (a) Any boat, boat trailer, or automobile trailer ;
- (b) Any trailer coach or house trailer;
- (c) Any mobile home, camp car, recreational vehicle, or camper;
- (d) Any commercial truck;
- (e) Any other vehicle not defined above which is not normally or regularly used for daily transportation;
- (f) Any vehicle defined that requires a commercial license plate and/or a commercial driver's license to operate.

4. Junk or derelict vehicles may not be parked or stored in open view on residential driveways, Common Element parking spaces, streets or on Common Element open space within the boundaries of the Marival at Weatherstone Condominium Association.

- (a) A vehicle shall be deemed to be a derelict vehicle if it is inoperable, missing any necessary parts, such as, but not limited to, tires, wheels, engine, etc., that are necessary for operation of the vehicle on public streets.
- (b) A vehicle shall also be classified as a derelict vehicle if it does not have a current state inspection sticker, current license, or current county sticker.

## **B. COMMON ELEMENT PARKING SPACES**

1. Parking pads are defined as those areas, not including residential driveways or garages, designated for the purpose of parking. Common Element Parking Spaces are those spaces located on the Parking Pads designated for the purpose of parking.
2. Unit Owners and their guests are entitled to use Common Element parking spaces on a first-come, first-served basis on a temporary basis only. Unit Owners must first utilize their garage and driveway.
3. **THERE ARE NO ASSIGNED PARKING SPACES.**
4. Vehicles must be parked so as not to obstruct other parking spaces, sidewalks or ingress and egress areas.
5. No vehicles other than those clearly indicated as operated by or for a handicapped person shall be parked in spaces reserved for handicapped parking.
6. Vehicles may be parked only in Common Element Parking Spaces, residential driveways, or garages. All vehicles must comply with "No Parking" areas as posted or designated (streets).

7. The performance of repairs to vehicles shall be prohibited within the boundaries of the property except if performed inside the garage of a Unit Owner with the garage door closed.
8. Vehicles may not be parked or stored unattended in a hazardous condition, including, but not limited to, vehicles on jacks or blocks.

## **II. ASSOCIATION NOT RESPONSIBLE**

Nothing in this resolution shall be construed to hold the Association or the Board of Managers responsible for damage to vehicles or the loss of property from vehicles parked on the Common Elements.

## **III. ENFORCEMENT**

- A. The Board of Managers and the Managing Agent shall have the authority to issue a warning notice to vehicles, which are in violation of this parking policy. The notice (Exhibit A of this resolution) shall be placed on the vehicle and a copy retained by the Managing Agent.
- B. Vehicles parked in areas not designated as a residential driveway, garage, or Common Element parking space, are subject to being towed, at the owner's risk and expense, seventy-two (72) hours from the date of tagging.
- C. Any vehicle previously posted for violation of any of these regulations shall be subject to towing without notice for a repetition of said violation.

**EXHIBIT A**

**YOU ARE IN VIOLATION OF THE DULY ADOPTED VEHICLE POLICY OF MARIVAL CONDOMINIUM ASSOCIATION**

Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Desc: \_\_\_\_\_

\_\_\_ **PROHIBITED VEHICLE TYPE:** Vehicle type not permitted to be parked on driveways or Common Area parking spaces.

\_\_\_ **JUNK, DERELICT OR ABANDONED VEHICLE:** Vehicle not in operating condition.

\_\_\_ **IMPROPERLY PARKED VEHICLE:** Occupies more than one marked space, parked in a "No Parking" area, blocking sidewalk, parked in area not designated as driveway, garage, or Common Area parking space.

\_\_\_ **PROHIBITED AUTO REPAIRS:** Vehicle left unattended in a visibly disassembled condition.

\_\_\_ **OTHER:**

**VIOLATORS ARE SUBJECT TO BEING TOWED AFTER SEVENTY-TWO (72) HOURS FROM THE DATE OF THIS NOTICE AT OWNER'S RISK AND EXPENSE.** The Association assumes no responsibility whatsoever for any damage to vehicles towed.

**ANY VEHICLE PREVIOUSLY POSTED FOR A VIOLATION OF ANY OF THESE REGULATIONS SHALL BE SUBJECT TO TOWING WITHOUT NOTICE FOR ANY SECOND VIOLATION OF ANY OF THESE REGULATIONS.**

**FOR FURTHER INFORMATION -- CONTACT**

Towne Properties Asset Management Company at 513-489-4059

Location Parked: \_\_\_\_\_ \*Date Towed \_\_\_\_\_  
\*Posted By: \_\_\_\_\_ \*Time Towed \_\_\_\_\_  
Signature: \_\_\_\_\_ \*Towed By \_\_\_\_\_  
Vehicle Description: \_\_\_\_\_

The above vehicle was received by and towed to the above location on the above stated date.

By: \_\_\_\_\_ (Signature of Towing Agent)