

**COURTYARDS AT SPRINGFIELD
CONDOMINIUM ASSOCIATION**
Resolution of the Board of Directors

PARKING AND GARAGE USE

RECITALS

- A. “**Association**” is the Courtyards at Springville Condominium Association.
- B. “**Condominium**” is the Courtyards at Springville Condominium.
- C. The Association and the Condominium are governed by the following documents recorded in Washington County, Oregon:
1. *Declaration Submitting Courtyards at Springville Condominium, Stage 1 to Condominium Ownership*, recorded as Document No. 2001059740, the *Supplemental Declaration Submitting Courtyards at Springville Condominium, Stage 2 to Condominium Ownership*, recorded as document 2004-131258, the *Supplemental Declaration Submitting Courtyards at Springville Condominium, Stage 3 to Condominium Ownership* recorded as document number 2005-144831 and the *Supplemental Declaration Submitting Courtyards at Springville Condominium, Stage 4 to Condominium Ownership*, recorded as document number 2006-099570 in the deed records for Washington County, Oregon and as they have been amended and supplemented from time to time (collectively “**Declaration**”);
 2. *Bylaws of Courtyards at Springville Condominium Association*, recorded as Exhibit E to the Declaration, including any amendments thereto (“**Bylaws**”); and
 3. The Plat of *Courtyards at Springville Condominium*, originally recorded as Document No. 2001059739 in the deed records for Washington, County, Oregon including all supplemental plats (“**Plat**”).
- D. The Association is also governed by the provisions of the Oregon Condominium Act, ORS Chapter 100.
- E. Section 14.3 of the Declaration, Section 3.7 of the Bylaws, and ORS 100.405 vest the Board of Directors (“**Board**”) with all of the powers and duties necessary for the administration of the affairs of the Association.
- F. Under Section 7.5(o) of the Bylaws and ORS 100.405(4)(a), the Board may adopt Rules and Regulations and Section and Article 3.7(e) of the Bylaws further authorizes the Board to take legal action to enforce the Declaration, Bylaws and any rules and regulations promulgated thereunder.

- G. Section 7.5(l) of the Bylaws requires Owners and Residents to use garages for parking and that garages may not be used as a living area or for any storage purposes which would prevent parking of a vehicle.
- H. Section 7.6(g) and 7.6(o) of the Bylaws authorize the Board to adopt additional rules and regulations governing the conduct of persons and the use of common element parking spaces as it may deem necessary or appropriate.
- I. The Condominium contains limited common element parking spaces assigned to the individual unit owners or the tenants of their units for the sole purpose of parking. The Condominium also contains a very limited number of general common element parking spaces intended primarily for use by visitors and secondarily for use as overflow parking by owners and tenants.
- J. It has recently come to the attention of the Board that a significant number of owners and residents are using their limited common element garages for storage or business purposes, rather than for parking, as required by the Bylaws. Furthermore, a number of owners are using general common element spaces as their primary parking areas rather than as overflow or visitor parking.
- K. The Board has determined that it is in Association's best interest to adopt a uniform and systematic procedure for the registration of vehicles parked in the Association as well as the enforcement of parking rules and regulations to ensure that there is adequate parking for Owners, tenants and guests.

RESOLUTION

NOW, THEREFORE, IT IS RESOLVED, pursuant to the authority granted to the Board in Sections 7.6(h) and (o) of the Bylaws, that the rules and procedures set forth below shall be the process for handling vehicle registration and parking violations. These rules and procedures shall amend and supersede any prior rules of the Association relating to parking and registration of vehicles:

ARTICLE 1 Definitions

- 1.1 As used in this Resolution, the following words have the meanings provided:
 - (a) **“Manager”** means the community manager hired by the Association.
 - (b) **“Owner”** means any member of the Association by virtue of being a title holder of any unit or an authorized representative of a title holder.
 - (c) **“Open Space”** means any general common element parking.

- (d) **“Private Parking Space”** means any limited common element parking space described in Declaration or Bylaws or indicated on the Plat, and which may include parking pads and parking spaces marked as “RESERVED.”
 - (e) **“Resident”** means an Owner, tenant of an Owner, or spouse, partner, family member or guest of a Owner or tenant who occupies a Unit at the Condominium.
 - (f) **“Visitor”** means any person who is neither a Resident nor a Owner but is on the Condominium property by invitation from a Resident or Owner.
- 1.2 **Other Definitions.** Unless otherwise provided, all other definitions in the Declaration and Bylaws apply to these Rules.

ARTICLE 2

Registration

- 2.1 **Mandatory Registration Owner and Resident Registration of Vehicles.** Every Owner and Resident who parks a vehicle within the Condominium (in either a Private Parking Space or Open Space) must register all such vehicles with the Manager. This can be done by regular mail, telephone call or email so long as the Owner or Resident informs the Manager of the 1) make, 2) model, 3) color, 4) year, and 5) license plate number of the vehicle.
- (a) **Existing Residents and Owners.** Residents must register any vehicles regularly parked on the Condominium property within 30 days of the date this Resolution is signed.
 - (b) **New Residents and Owners.** All new Residents must register any vehicle they plan to park on the Condominium property upon taking possession of a unit or within 10 days after the beginning of a lease of a unit, whichever is earlier.
 - (c) **New Vehicles.** If a Resident acquires a new vehicle during possession of a unit, the Resident must register the vehicle within 10 days after acquiring the vehicle. Notwithstanding this provision, the vehicle must be registered prior to being parked in any Open Space.
 - (d) **First Come, First Served.** There are a finite number of Open Spaces on Condominium Property. Parking stickers for additional Open Space parking will be provided to Residents on a first-come first served basis with preference being given to those Residents who have more than one vehicle registered who demonstrate that they are already parking a separate vehicle in their limited common element garage in compliance with Section 7.5(l) of the Bylaws.

2.2 **Parking Stickers and Vehicle Identification.**

- (a) **Residents.** The Association, acting through its community manager, shall issue a vehicle identification sticker or placard with a unique number for each vehicle registered pursuant to this policy. Upon issuance of the parking sticker, Residents must affix the sticker to the driver's side back window prior to parking on the Condominium property.
- (b) **Visitors.** Visitors will not be required to have any vehicle identification. However, upon request by the Board, Manager or a parking enforcement assignee, all Visitors will be required to indicate which unit they are visiting along with the name of the Owner or Resident of that unit.
- (c) **Extended Visitor.** Visitors planning to park in excess of 48 hours in an Open Space can obtain an extended visitor pass allowing them to park in Visitor Spaces by having their Resident host contact the Manager with a request for a pass along with information about why the pass is needed. Passes will be assigned in the sole and final discretion of the Board.

- 2.3 **Fines Failure to Register.** Owners are solely responsible for any violation of the Association parking and registration rules by their guests, tenants or tenant's guests. If a Resident fails to register the Resident's vehicle within the time frame required in this Article or if a Resident fails to display their registration on their vehicle in compliance with this policy, the Association may, after notice and an opportunity to be heard, issue a fine in the amount of \$100 per unregistered vehicle. If the vehicle remains unregistered, the Association may levy a recurring fine in the amount of \$100 per month that the Owner or Resident fails to register his or her vehicle.

ARTICLE 3 Parking Restrictions

- 3.1 **Parking Sign.** The Association shall cause a sign to be posted at entrances of the Condominium that indicate that public parking is prohibited at the Condominium and that any unauthorized vehicles will be towed at the vehicle owner's expense.
- 3.2 **Open Spaces.** Open Spaces are primarily for Visitors. Residents who are already parking a vehicle in their garage pursuant to Section 4.1, below, must park any additional vehicles they own in an open space, but only with prior Permission of the Board and a valid parking sticker issued by the Board or Manager.

- 3.3 **Visitor Parking.** Visitors may park in Open Spaces only and for a period not to exceed 48 hours. If a Visitor vehicle is parked in more than one space over a span of 48 hours then the time period spent in each separate space shall count toward an aggregate limit of 48 hours.
- 3.4 **Other Prohibited Parking.** The following parking of vehicles is prohibited at the Condominium.
- (a) Parking at any time in a fire lane or along a curb marked in red.
 - (b) Parking at any time in a no-parking zone.
 - (c) Parking on any roadway within the community except in designated parking spaces.
 - (d) Double parking, meaning any vehicle parked in any way that prevents another vehicle from exiting the property.
 - (e) Parking of a vehicle in such a way that will block a sidewalk or walkway or in any way that will impede passage by pedestrians, strollers, or wheelchairs, etc.
 - (f) Parking in a handicap parking space without proper identification in accordance with Oregon law.
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- (g) Parking of a vehicle in an “extreme state of disrepair,” as defined in Section 7.5(g) of the Bylaws.
 - (h) Parking of unlicensed vehicles or vehicles that do not bear a license plate in any Visitor Space or Open Space.
 - (i) Parking of a vehicle in a Visitor Space or Open Space for more than 48 consecutive hours without prior Board approval.

Article 4 Garage Restrictions

4.1 **Garages Use.** Section 7.5(l) of the Bylaws provides that Garages must only be used for parking of vehicles. They may not be used as living area or for storage purposes which would prevent parking a vehicle. Residents who own at least one vehicle are required to park their vehicle or one of their vehicles in their limited common element garage.

4.2 **Garage Electricity.** Electricity running to garages is a paid for by the Association and is not separately metered to the Residents of the individual unit. As such, personal use of garage electricity is not permitted except to the extent required to operate garage doors. Use of refrigerators, freezers, power tools, personal light fixtures and other uses of Association electricity is prohibited.

4.3 **Right to Inspect.** The Association may inspect a Resident's garage after reasonable notice and, if violations of this section are noted, may impose fines for violations in accordance with Section 5.3, below. For the purposes of this section, reasonable notice shall be 72 hours or more. In lieu of an inspection, the Resident may provide Management a photograph verifying compliance with these Garage Parking Rules or other evidence satisfactory to the Board. The Association will attempt to inspect each garage at least once per year. Refusing an inspection or failing to respond to a request will also result in fines pursuant to Section 5.3, below.

ARTICLE 5 Enforcement

5.1 Towing.

(a) **Immediate Towing.** The Association shall immediately tow any vehicle in violation of the following rules without notice to the vehicle's owner:

- (1) A vehicle parked at any time in a fire lane or along a curb marked in red.
- (2) A vehicle parked at any time in a no-parking zone.
- (3) A vehicle parked on any roadway within the community except in designated parking spaces.
- (4) A vehicle double parked, meaning any vehicle parked in any way that prevents another vehicle from exiting the property.
- (5) A vehicle parked in such a way that will block a sidewalk or walkway or in any way that will impede passage by pedestrians, strollers, or wheelchairs, etc.
- (6) A vehicle parked in a handicap parking space without proper identification in accordance with Oregon law.

- (b) **Towing after a Warning.** The Association shall place a warning notice as provided in subsection (c) below for the following violations:
- (1) A Resident's vehicle parked in any Open Space without a parking sticker;
 - (2) A Visitor's vehicle parked in any Open space for a period exceeding 48 hours;
 - (3) A Resident's vehicle parked in any Open Space without prior permission from the Board;
 - (4) A vehicle parked in an Open Space that is in an "extreme state of disrepair" as defined in Section 7.5(g) of the Bylaws.
 - (5) A vehicle that is unlicensed or not bearing a license plate parked in any Open Space.
 - (6) A vehicle parked in any Open Space for more than 48 consecutive hours without prior Board approval.
- (c) **Warning Notice.** The Association or the Manager shall post a written warning on the vehicle in violation of the rules in subsection (b) above. The warning shall be substantially in the following form:

PARKING VIOLATION

THIS VEHICLE IS IN VIOLATION OF THE PARKING RULES AND REGULATIONS OF THE COURTYARDS AT SPRINGVILLE CONDOMINIUM OWNERS ASSOCIATION. IF THIS VEHICLE IS NOT REMOVED WITHIN FORTY-EIGHT (48) HOURS, THE VEHICLE WILL BE TOWED AT YOUR OWN AND SOLE EXPENSE. PLEASE CONTACT [manager] at [number] IF YOU HAVE QUESTIONS.

- (d) After a warning Notice has been issued for any item in 4.1(b), the Board may tow the vehicle if the violation is not resolved.

5.2 **Exception for Visitor Parking.** The Association has discretion, in special circumstances, to grant exceptions to Residents to park in Visitor Spaces. Exceptions will be granted on a case by case basis at the sole discretion of the Board. Owners who need use of Open Space parking for a special circumstance are encouraged to request additional parking in advance of the event.

5.3 **Fines for Violation.** In addition to the right to tow vehicles, if any vehicle is in repeated violation of any rules contained herein within any twelve month period, the Association may, after notice and opportunity to be heard, levy the following fines against any Owner who is responsible for the violation:

- (a) For the first offense, the Owner shall receive a warning without any fine.
- (b) For the second and all additional offenses, the Owner shall receive a \$100 fine.

5.4 **Notice and Opportunity to Be Heard.** Owners must be given notice which shall inform the Owner of the nature of the violation and of his or her right to request a hearing before the Manager within 10 days of the notice in order to have the fine waived. Manager may deny the waiver in the Manager's sole discretion.

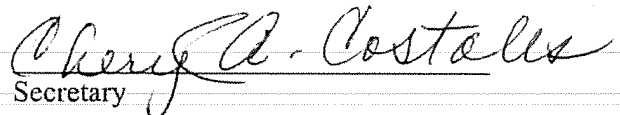
5.5 **Appeal.** If the Manager denies a request to waive the fine, the Manager shall notify the violator in writing stating the reasons for the denial within 10 days. The violator may appeal the decision to the Board within 10 days after the decision by making a written request to the Board asking for review of the decision. The violator shall be given notice and opportunity to be heard at the next regular meeting of the Board. The Board shall notify the violator in writing of its decision on the appeal within 10 days of its next regular meeting.

NOW, BE IT FURTHER RESOLVED that a copy of this Resolution shall be sent to all Owners at their last known address.

ATTEST:



Chairperson
Board of Directors
Courtyards at Springville
Condominium Association



Secretary
Board of Directors
Courtyards at Springville
Condominium Association

DATED this 8th of April, 2014.