

**RESOLUTION OF THE
CATALINA CONDOMINIUM ASSOCIATION, INC.
REGARDING POLICY AND PROCEDURE FOR VEHICLE PARKING**

SUBJECT: Adoption of a policy and procedure for the parking of vehicles within the Community.

PURPOSE: To adopt a standard policy and procedure to follow regarding the parking of vehicles.

AUTHORITY: The Declaration, Bylaws, Articles of Incorporation, and Colorado law.

**EFFECTIVE
DATE:** __03.28.24_____

RESOLUTION: The Association hereby adopts the following Policy and Procedures:

1. **Definitions.**

- a. Abandoned or disabled vehicle. Any vehicle which has not been driven under its own propulsion or has not been moved for a period of three (3) days or longer.
- b. Emergency Vehicle. A motor vehicle that meets all of the following criteria:
 - i. The vehicle is required by an Owner or occupant's employer to be parked at the Owner or occupant's residence as a condition of the Owner or occupant's employment;
 - ii. The vehicle has a gross weight of ten thousand pounds or less;
 - iii. The vehicle is used by an Owner or occupant who is a member of a volunteer fire department or employed as an Emergency Service Provider;
 - iv. The vehicle bears an official emblem or other visible designation of the Emergency Service Provider.

If requested by the Association, an Owner or occupant shall provide proof, in a means acceptable to the Board of Directors, of qualification of a vehicle under the above definition.

- c. Recreational Vehicle. Any motorized or non-motorized vehicles whose primary purpose is for recreation, specifically including but not limited to

boats, trailers, campers, snowmobiles, motor homes, mobile homes, bus, off-road recreational vehicles, horse trailers or other similar vehicles.

- d. **Commercial Vehicle.** A vehicle that meets any of the following characteristics or combination of characteristics:
 - i. Any vehicle with business signage or logos, which by themselves, or the combination of the same, cover more than 20% of the vehicle;
 - ii. Any vehicle displaying advertisements for commercial enterprise, which advertisements cover more than 20% of the vehicle;
 - iii. Vans with extended side panels;
 - iv. Any vehicle with racks, ladders, or panels designed to carry equipment;
 - v. Any vehicle with material or equipment protruding beyond the front, rear, top or sides of the vehicle (including any vertical extension above the limits of truck sides or van/automobile top, but not including a standard truck box).
2. **Emergency Vehicle Parking.** Notwithstanding any covenant, rule or regulation to the contrary, any Emergency Vehicle may be parked by an Owner or resident in the Community. While parked, the Emergency Vehicle shall not obstruct emergency access or interfere with the reasonable needs of other Owners to use the streets, driveways, and parking areas within the Community, as determined by the Board of Directors.
3. **Abandoned and Disabled Vehicle Parking.** All abandoned or disabled vehicles shall not be stored, parked or otherwise kept in any part of the Community, including streets and parking spaces.
4. **Recreational Vehicle Parking.** Except as otherwise provided herein, no Recreational Vehicles as defined above shall be parked on in the Community, including designated parking spaces, other Common Elements, or other parking areas within the Community. Such vehicles shall be parked, stored or otherwise kept in an enclosed garage or outside of the Community.
5. **Commercial Vehicle Parking.** Except as otherwise provided herein, Commercial Vehicles, as defined above, shall only be parked within a garage. Parking of Commercial Vehicles in designated parking spaces, other Common Elements, or other parking areas within the Community is prohibited.
6. **Loading/Unloading Vehicles.** Recreational Vehicles, Commercial Vehicles, moving vans, storage pods or units, or any other vehicle being used for loading,

unloading may be parked in the Community for up to four (4) consecutive hours for the purpose of loading and/or unloading only.

7. **Parking Permits for Common Elements.** Each Unit shall receive two (2) resident parking permits at no charge. One resident parking permit shall identify the specific designated Limited Common Element parking space allocated to a Unit, as depicted on the Plat Maps for the Community. The other resident parking permit shall be a general parking permit. Additional permits, should the same become lost or damaged, are available from the Association through the management company for a charge.
8. **Resident and Visitor Parking.**
 - a. Residents displaying a general parking permit may park in Common Element parking spaces which are not designated as visitor or guest parking and which are not designated for a specific Unit.
 - b. Residents displaying a parking permit which designates a specific Limited Common Element parking may park only in the spot designated on the permit.
 - c. Residents shall not park in spaces specifically designated for visitors or guests.
 - d. Visitors and guests shall not park in spaces which are designated as resident parking.
 - e. With the exception of the areas outlined herein, no vehicle shall be parked anywhere else in the Community including, but not limited to fire lanes or private streets.
 - f. Common Element parking spaces (which are not designated for individual Units) are available on a first come, first served, basis.
 - g. Visitors may park their vehicles during any time of the day or night (but for no longer than 48 hours) in the designated visitor spots in the community.
9. **Violations** - Any violation of this Parking Policy may result in a fine, after notice and an opportunity for a hearing pursuant to the Association's Enforcement Policy, and/or towing as provided herein.

10. **Towing**

- a. Except as set forth in subsection (c) below, which allows for immediate towing, in the event a vehicle is parked in violation of the Declaration or this Resolution, the Association will post written notice ("Notice") on the windshield of the vehicle at least 24 hours prior to towing, which notice will contain the following information:
 - i. The vehicle will be towed without consent if it remains parked inappropriately;
 - ii. Description of the parking violation;
 - iii. The vehicle will be towed if it is not moved; and
 - iv. If the vehicle continues to violate the Parking Regulations in the same manner, this may lead to immediate towing without notice.
- b. If the violation continues past the time for correction stated on the Notice, the vehicle may be towed in accordance with the Notice, without further notice to the vehicle owner or user, and the owner thereof shall be solely responsible for all towing and storage charges.
- c. Immediate Towing: A vehicle will be subject to immediate towing, without notice, if:
 - i. The vehicle is parked in a designated fire lane;
 - ii. The vehicle is parked in a handicap parking space without displaying an appropriate placard or license plate;
 - iii. The vehicle is blocking a driveway or roadway enough to effectively obstruct access;
 - iv. The vehicle has received two or more previous notices for violating the Parking Regulations in the same manner;
 - v. The vehicle is parked in a space designated for use of a particular resident.
 - vi. The vehicle is being repossessed by a creditor with a lien or security interest in the vehicle;
 - vii. The removal is expressly ordered or authorized by a court order, an administrative order, or a peace officer or by operation of law; or
 - viii. The vehicle is parked without displaying valid authorization in a parking lot marked for the exclusive use of residents.
- d. If a vehicle is towed in accordance with this Policy, neither the Association nor any officer or agent of the Association shall be liable to any person for towing and storage costs or for any claim of damage as a result of the towing activity.

11. **Requirement to Notify Tenants.** Owners who rent out their Units or allow others to use them are required to provide their tenants with this Policy. Owners are also required to provide hangtags, as applicable.
12. **Maintenance.** Per the Declaration, no maintenance, repair, rebuilding, dismantling, repainting and/or servicing of vehicles within the Community shall be allowed.
13. **Definitions.** Unless otherwise defined in this Policy, initially capitalized or terms defined in the Declaration shall have the same meaning herein.
13. **Supplement to Law.** The provisions of this Policy shall be in addition to and in supplement of the terms and provisions of the Declaration and the law of the State of Colorado governing the Community.
14. **Deviations.** The Board may deviate from the procedures set forth in this Policy if in its sole discretion such deviation is reasonable under the circumstances.
15. **Amendment.** This Policy may be amended from time to time by the Board of Directors.

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