

After recording return to:
Pamela Halse
Association Management Services, LLC
P.O. Box 5298
Bozeman, MT 59717-5298

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Page: 1 of 6 10/16/2013 02:24:50 PM Fee: \$52.00
Charlotte Mills - Gallatin County, MT MISC



**PARK PLACE CONDOMINIUM ASSOCIATION AT BAXTER MEADOWS
PARKING POLICY**

The Bylaws of the Park Place Condominium Owners Association (“BYLAWS”) were recorded by the Gallatin County Clerk and Recorder’s Office on May 7, 2004, as Document No. 2149235. Pursuant to Article VIII, Section D, of the Bylaws, the Board of Directors (“BOARD”) has the power to promulgate and adopt rules and regulations for the use of the Common Elements and for the occupancy of the units so as not to interfere with the peace and quiet of all the residents. Such rules shall be approved by seventy-five percent (75%) of the total votes attributable to the Condominium units at any regular or special meeting of the Association.

WHEREAS Section 2.4 of the Park Place Covenants states:

“No parking places on the property are initially designated for individual condominium units, and the unit owners shall have the right to use the Condominium parking areas as general common elements. Subsequent use and assignment of parking spaces shall be pursuant to regulation of the Association.”, and

WHEREAS, 5.1(h) of the Park Place Covenants states:

“No unit or driveway shall be used for the storage of any inoperable vehicle, machinery or equipment, or other personal property of any quantity in excess of the immediate needs and personal use of the owner or occupants of a unit. All equipment and vehicles kept on the property, including recreational vehicles, campers, trailers, motor homes, boats, and all other recreational equipment, shall be enclosed in the garage. No one shall reside in such recreational vehicles, motor homes, campers, trailers, or other recreational equipment stored on the property.”, and

WHEREAS the Board wishes to establish a parking policy applicable to Common Element and Limited Common Element parking in order to assure equitable parking arrangements as well as safe and attractive parking areas, as appropriate;

NOW, THEREFORE, BE IT RESOLVED THAT the following parking policies be adopted by the Board:

I. GENERAL PROVISIONS

- A. The Park Place Condominium paved courtyard and the parking spaces inside this courtyard are Common Elements shared by all the units. The paved courtyard is designated for use as ingress and egress of vehicles only by residents from their individual garages and parking places as otherwise described in this policy. The paved courtyard shall not be blocked, used for social gatherings, used as a playground, or for storage of any personal items other than as spelled out in this policy or authorized by the Park Place Condominium Board.
- B. All unit owners have two (2) parking spaces in their respective garages. Parking shall be limited to individual garages and on-street parking. Unit owners shall have the right to use the Condominium Parking Areas as general Common Elements, but no parking places on the property are designated for individual units as stated in the Declarations for Park Place Condominiums.
- C. The Common Element parking is for temporary use by Owners and Residents only. No Common Element parking spaces may be assigned to Renters as part of any rental agreement. Any fines incurred by a resident or tenant will be the responsibility of the owner of the unit. It is the responsibility of the property owner to provide a copy of this policy to any renters or residents of their condo.
- D. No Visitor parking is allowed in the courtyard or any Common Element spaces at any time for any length of time. Unauthorized parking by visitors may result in the vehicle being towed without further notification. Signage will be posted as the only notification of this policy. Towing charges and fees are the responsibility of the owner of the vehicle. The owner of a unit may also be fined by the Board for violating the Visitor parking rule.
- E. No overnight parking is allowed in any Common Element parking areas unless explicitly authorized by the Association Board. Owners may petition the Park Place Board for special authorization.
- F. All vehicles must be moved from Common Element parking spaces to allow for snow removal services when it snows, as well as for general maintenance.
- G. Owner and resident commercial vehicles may not be parked inside the courtyard of Park Place. A "commercial vehicle" is defined as any vehicle which is painted with or otherwise displays any sign identifying or advertising any business, commercial venture, or transport service of any kind, including taxicabs.

H. Except as otherwise expressly provided herein:

1. No trailer, camper, recreational or similar vehicle, whether or not self-propelled, or bicycle, snowmobile, or boat shall be parked in any Common Element parking area. Motorcycles may only be temporarily (not overnight) parked in Common Element parking.
2. No non-operational, junk or derelict vehicle shall be kept on any of the Common or Limited Common Elements.
3. Vehicles shall not be parked so as to obstruct the spaces for other vehicles, or the sidewalks, garage doors, or driveways.
4. No unauthorized vehicle shall be parked in any parking space. Any vehicle, the owner of which cannot be identified from Association records, by Association Management and/or located by inquiry of unit residents shall be deemed a trespassing vehicle.
5. No vehicle shall be parked with a conspicuous "For Sale" or other temporary, removable sign displayed.
6. All unit owner's or resident's vehicles parked on the Common Elements or Limited Common Elements shall be kept in good order, condition or repair so as not to constitute a hazard or a nuisance by reason of noise, exhaust emission, appearance or otherwise.
7. No flammable items may be kept or stored in any Common Elements or Limited Common Elements designated for approved vehicles.
8. No repair work of any kind, including painting of vehicles, is permitted on the Common Elements or Limited Common Elements. Drainage of any automotive fluids is prohibited.
9. No signs, initials, numbers, storage containers or any other additions or alterations for parking spaces may be painted, displayed or erected; provided, however, that the Board of Directors may provide an appropriate identification of any parking space designated as a Reserved Common Element.
10. No vehicle shall be parked on any grassy or landscaped area.
11. Washing of personal vehicles is permitted as long as it is not blocking the ingress or egress from any unit. This is for routine washing only. Any debris or filth removed by the process of washing must be washed away completely. The cost of any damage to or cleaning of the paved courtyard will be assessed to the owner of the offending unit.
12. The unnecessary sounding of vehicle horns and playing at excessive volume of radios, tape players, or other sound producing devices, or the repeated and prolonged sounding of car alarms (except for emergency situations) are prohibited.
13. Neighbors shall be courteous and work with others and notify others at least five (5) days in advance for large vehicles, such as moving trucks, which may impede ingress or egress. Notice for large delivery vehicles shall be given as soon as confirmation of the delivery date/time is known by the resident.

- I. A single maintenance parking space is designated for the Association in the attached site plan.

II. ENFORCEMENT AND COMPLIANCE

If any vehicle is alleged to be in violation of the Park Place Parking Policy, the Association may refer the matter to:

- A. Members of the Association Board.
- B. The Homeowner Association (HOA), or its designated Representative. The Representative shall arrange for the vehicle to be towed from the property at the risk and expense of the vehicle owner. The HOA, the HOA representative, or the Board may levy warnings and fines upon the unit owner as authorized by the Association as follows within a one (1) year period:
 1. First Offense: Written warning to tenant and/or owner.
 2. Second Offense: Fine to owner of \$50.00.
 3. Third Offense: Fine to owner of \$250.00 plus \$100 for each subsequent event.

Nonpayment of such sanctions may result in a lien upon the property of the owner after 90 days. Such sanctions may be levied against owners for the conduct of an occupant or tenant of a unit.

1. Prior to towing a vehicle of any owner or resident of Park Place Condominiums, the HOA Board or its designated Representative shall:
 - a. Place a written notice on the vehicle stating the date of the notice, the make/model of the vehicle, the license plate number (if available), and any other items which clarify the description of the vehicle. If vehicle is registered with the Association, the Association will provide written notice of the violations to the vehicle owner.
 - b. The notice shall list the section(s) of the governing instruments constituting the violation(s).
 2. If a vehicle is parked in a garage parking space and is not registered as belonging to that space, the owner or tenant may request the HOA board or its designee to initiate towing procedures immediately without further notice.
- C. All owners and residents of Park Place Condominiums shall maintain a current list of all vehicles associated with each unit. This list shall include the make, model and color of the vehicle and the license plate number. Owners have the burden to provide the license plate numbers to the Board. This information shall be maintained by the HOA board or its designee and shall be consulted before taking any action, to include towing a vehicle. If an owner has leased or rented the unit to another, the owner shall be responsible for providing the vehicle information to the HOA or its designee. In the event the owner has failed to

