

# Emery Bay Village Homeowners Association

## Auto / Parking Policy & Rules

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The Homeowners Association (nor the Board of Directors) shall not be responsible for the maintenance, insurance, liability, theft, vandalism or any damage, which may come to any vehicle. THE VEHICLE(S) OWNER SHALL BE TOTALLY RESPONSIBLE FOR ANY VEHICLE PARKED UPON THE HOMEOWNERS ASSOCIATION PROPERTY INCLUDING PERSONAL AND/OR PRIVATE PROPERTY IN THE VEHICLE

Motor Vehicle is deemed to be: any motor vehicle that requires a DMV registration to operate on the streets, such as automobiles, trucks, SUV, or motorcycles. This list is not all-inclusive.

### Policies and Rules:

1. The Associations 'Rules and Regulations' **PERMIT EACH UNIT** (Owner or Tenant) to park **'ONLY ONE (1)' VEHICLE IN UNIT OWNER'S ASSIGNED "CARPORT."**
2. There is a maximum of (2) motor vehicles per homeowner unit.
3. All vehicles must be in operable condition and legally registered.
4. Homeowners are required to use their carports for their vehicles at all times. Only when their carport is occupied may they park in the open area parking.
5. Municipal codes prohibit unattended parking in the driveways and/or streets so that fire, police, emergency equipment, service vehicle and guests can have unimpeded access to Emery Bay Village.
6. The speed limit for traffic in the common area is 10 mph. This is the Maximum Speed.
7. Parking is not allowed in the common area driveways and/or streets, except for loading and unloading or during an emergency. Unattended cars can receive an initial warning notice. Cars that have received a warning notice and continue to park in violation shall either be towed away at the owner's expense and/or be fined.
8. Owners are responsible for their own vehicles and for vehicles belonging to their guests.
9. In the case of a rented unit, the owner is responsible for their tenants' vehicles and those of the tenant's guests.
10. Carports are considered **assigned resident parking spaces**.
11. Carport areas are for **parking purposes only**.
12. Open parking spaces are on a first-come, first- served basis.
13. Carports **may not** be used for non-vehicle storage or any other purpose. No toys, bikes, skateboards or other items or personal property are to be left or stored in the carports or parking areas.
14. Carports are not to be used for "long-term storage," including storage of a vehicle that does not leave the premises at least once every ten days. This policy can be amended on a case by case basis by the Board.
15. Parking in the open parking areas may not exceed 72 hours.

Secretary Signature: \_\_\_\_\_

Adopted: This day 24 in the Month of January in the Year of 2002.

Amendment Date: March 25, 2003

Amendment Number: 2

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16. There will be no parking in front of carports except on a temporary basis (washing car, picking up or dropping off people, unloading groceries etc.) This is due to the fire lane restrictions and fire department regulations regarding access to a condominium in case of a fire or other emergency.
17. Vehicles leaking gasoline, oil, or other fluids may, at the discretion of the Emery Bay Village Homeowners Association, be prohibited from parking at Emery Bay Village.
18. Any clean up or damage expense caused by fluid leakage will be charged back to the vehicle owner. If the owner is a guest of an owner, that homeowner may be held responsible. If the responsible party is a tenant, the homeowner of the unit being rented or leased may be held responsible. Vehicles in violation are subject to a fine or removal at the owner's expense.
19. No trailer, camper, recreational vehicle, commercial vehicle, boat or inoperative automobile shall be parked in the complex.
20. Loud music from automobile radios and tape decks are not permitted at any time within the complex. The volume should be turned down upon entering the complex. Unit Occupants are responsible for instructing guests to turn down the volume of their radios, etc, when entering the complex.
21. Mechanical work on cars in the complex common areas is not permitted at any time except for emergency repair (flat tire, etc.). Carports are not to be used for any auto repair of occupants' vehicles or for any repair of other persons' vehicles.
22. No parking on the any lawn or landscape areas is permitted.
23. The Board shall vary these policies if appropriate to accommodate special needs of disabled residents.

## **Penalties and Enforcement:**

1. Vehicles parked in violation of the rules are subject to tow without notice.
2. Any costs involved in the towing of vehicles are the responsibility of the owner of the vehicle.
3. Any costs incurred by the association in cleaning a common area parking space are the responsibility of the owner of the vehicle.
4. Any costs incurred by the association in cleaning a restricted common area parking space (carport) are the responsibility of the owner of the unit.
5. If a fine or assessment is deemed appropriate, a hearing will be called and the owner will be subject to fine assessments of \$25 per day or up to \$100 per incident.
6. Violations that cause a safety hazard or that can damage property can be fined up to \$500 per day and/or be towed at the discretion of the board, depending upon the seriousness of the conduct.

Secretary Signature: \_\_\_\_\_

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