

## **PROCEDURE FOR ENFORCEMENT OF COVENANTS PARKING MOTOR VEHICLES, TRUCKS, BOATS, AND TRAILERS**

The following procedure shall be enforced as adopted by the Raintree Lake Property Owners Association Board of Directors to carry out the covenants and restrictions of the RLPOA. Specific to Article VIII, Section 9 and Article IX, Section 7.

***Section 7 Parking of Motor Vehicles, Boat and Trailers.** No trucks or commercial vehicles, boats, or other similar water-borne vehicles, house trailers, boat trailers of every other description, campers or camping units shall be permitted to be parked or to be stored on any lot, nor shall any inoperative vehicle of any type be parked or stored on any lot for more than 72 hours unless they are parked or stored in an enclosed garage or in such other enclosure approved by the Architectural Review Board, except only during periods of approved construction on the lot. This prohibition of parking shall not apply to temporary parking of trucks and commercial vehicles, such as for pick-up, delivery, and other commercial services.*

**REFERENCE:** Parking of Motor and Recreational Vehicles, Boats and Trailers.

**PROCEDURE:**

- A. The enforcement of this policy and procedure shall be the responsibility of the General Manager of the Association.
- B. Notification of violation of Article VIII, Section 9 and/or Article IX, Section 7 shall be mailed and/or delivered to property owner and/or lessee.
- C. Violator will be given ten (10) days to correct violation. If not corrected fines will be enforced based on Section F per differing vehicles. If the violation is not corrected in the allowed time per vehicle; then monetary fines and suspension of membership rights will start based on Section F.
- D. The individual in question shall have the right to an appeal and appear before the Appeals Committee. Such request shall be made in writing to the RLPOA office. If such hearing is requested, all sanctions shall be stayed until the next scheduled meeting of the Committee regarding the violation and/or the suspension of membership rights. Any decision of the Appeals Committee shall be made in writing and may be appealed to the Board of Directors in writing within ten (10) days. The Board of Directors of RLPOA shall retain the right to revise and/or modify this procedure when necessary.
- E. The following definitions and variances shall be referenced under this procedure.
  - 1. TRUCK shall be defined as any vehicle rated over one (1) ton and will not be parked on any street, driveway, or Lot.
  - 2. COMMERCIAL VEHICLE shall be defined as any vehicle that can be described as or has any one (1) or more of the following characteristics: bus, dump truck bed, tow truck bed, boom truck bed, flat bed, stake truck, box truck, refrigerated bed, greater in size than 13,000 GVWR, or greater than 22 feet length. *Effective May 1, 2007.* A commercial vehicle shall further be defined as any vehicle with a passenger capacity in excess of eight (8) persons or having combined commercial markings, signs, overlays, banners, etc. in excess of six (6) square feet of surface area. *Effective September 1, 2007.* Beginning May 1, 2008 it shall also include ladder rack(s), side glass rack(s), and/or tubing/pipe holder(s).

3. ALL OTHER TYPES OF MOTOR VEHICLES, which are deemed to be detrimental to property values and/or considered unsightly within the residential area, shall be included in this procedure.

3a. Vehicle shall mean any passenger vehicle, motorcycle, recreational vehicle, truck, or trailer that is propelled or drawn by mechanical power.

4. BOATS, BOAT TRAILERS, CAMPERS and/or RECREATIONAL VEHICLES must be operable and shall be granted special maintenance permits for a time period not to exceed ten (10) days each during the spring and fall season. This permit system shall be administered and maintained by the association office.

5. INOPERATIVE shall be defined as having any one (1) or more of the following conditions, which shall be deemed prima facie evidence that a vehicle is inoperable:

- A. Junk, wrecked, disabled or damaged beyond repair
- B. Placement of the vehicle or parts thereof upon jacks, blocks, chains or other supports;
- C. Having one (1) or more deflated or missing tires
- D. Absence of one or more parts of the vehicle necessary for the lawful operation of the vehicle upon the streets and highways;

F. Allowed fines per differing vehicles are as referenced under this procedure.

- 1. TRUCK if violated as defined in Section E there shall be a fine of \$25 and thereafter each five (5) day period of disregard the fine shall be fifty (\$50) dollars after the allowance period, unless at actual construction site.
- 2. COMMERCIAL VEHICLE if violated as defined in Section E there shall be a fine of \$25 and thereafter each five (5) day period of disregard the fine shall be fifty (\$50) dollars after the 3 day allowance period and notification of violation.
- 3. ALL OTHER TYPES OF MOTOR AND INOPERABLE VEHICLES if violated as defined in Section E there shall be a fine of \$25 and thereafter each five (5) day period of disregard the fine shall be fifty (\$50) dollars.
- 4. BOATS, BOAT TRAILERS, CAMPERS and/or RECREATIONAL VEHICLES if violated as defined in Section E there shall be a fine of \$500 and thereafter each fourteen (14) day period of disregard the fine shall be seven hundred and fifty (\$750) dollars.

THIS POLICY APPROVED AT THE MAY 21, 1991 BOARD MEETING. EFFECTIVE DATE OF ENFORCEMENT JUNE 15, 1991. Amended February 8, 2005. Amended March 24, 2005. Amended March 13, 2007. Amended September 9, 2014. Amended July 12, 2016.