

ORIGINAL

**Gateway Townhomes at Brier Creek Association, Inc.
Policy Resolution No. 2014-1
Parking and Parking Pass Rules and Procedures**

WHEREAS, Article III of the Bylaws assigns the Board of Directors all of the powers and duties necessary for the administration of the affairs of the Association and further states that the Board may adopt, publish, amend and enforce Rules and Regulations governing the Property including to enforce and carry out provisions of the Declaration, these Bylaws and the Articles, including, without limitation, all provisions related to the maintenance, repair and upkeep of all Stormwater Control Measures located on the Property, and exercise all rights of the Association and the Board set forth in the Declaration, these Bylaws and the Articles;

WHEREAS, Article VIII, Section 13 of the Declaration of Covenants, Conditions, and Restrictions states that the Executive Board shall have the authority to adopt, publish, and enforce rules and regulations governing all Common Elements and all Lots, except those Lots owned by the Declarant, and which are hereby subjected to this Declaration,

WHEREAS, the Board recognizes the need for specific parking rules and regulations to be set and followed in the Gateway Townhome Community;

WHEREAS, the Board recognizes the need for specific parking rules and regulations to be set and followed in the Gateway Townhome Community;

WHEREAS, the Board has combined and revised Policy Resolutions 2010-1 and 2012-1 to be set and followed in the Gateway Townhome Community;

NOW, THEREFORE, BE IT RESOLVED THAT, the following policy is adopted by the board:

1. All homeowners in the Gateway Townhomes at Brier Creek Association are assigned two personal, designated parking spaces, one space in the garage and one space on the driveway.
2. Parking is allowed in the streets unless marked otherwise. "No Parking" areas are marked with yellow striping and/or "No Parking" stenciling, in front of fire hydrants, at corners and in alleyways, as alleyways are designated by the Raleigh Fire Department as fire lanes. Parking is not allowed on the grass or sidewalks and vehicles will be subject to towing

NOTE: Alleyways which have concrete pad extensions at the end will not be painted with stripes to designate parking spaces. These are "no parking" areas and are there to allow clearance for those residents living at the end of the alleys to back out of their driveways safely.

3. Vehicles must display the appropriate plate, placard, or permit to park in spaces designated as handicapped.

4. Street parking spaces are not assigned unless approval has been given by the Board of Directors. Reserved spots will be decided on a case by case basis.
5. Pool Season runs from May-September. During these months, parking in front of the pool is reserved from 7AM to 9 PM for pool use only. At all other times it is available for resident and guest parking. Towing may be used to enforce this rule. Pool Parking does not require a pass but this does not allow for storage of vehicles. See Rule #8
6. Owners/residents must adhere to the 5 Minute Parking Limit in the parking spaces so marked at the mailboxes.
7. No vehicle of any type which appears abandoned or inoperative shall be stored or kept on any part of the Common area or on any Lot, and no automobiles or other mechanical equipment may be dismantled or parts thereof stored on any said Lot (other than for emergencies). All vehicles must be in operable condition and display current tags as required by state law to operate on public streets.
8. Vehicles may not be stored on the street (except Arnold Palmer Dr which is a public street), or at the pool. Any motor vehicle left on the street for more than ten (10) days will be considered stored and will be subject to towing. If you are leaving town for more than ten (10) days it is expected that you will leave your vehicle on your own property. This is to provide fair and equal opportunity for all residents to make use of our limited street parking on a day to day basis.
9. No commercial vehicle (a vehicle requiring a commercial tag, or a tag registered to a commercial company), government vehicle (government vehicle being defined as having city or government markings), boats, trailers, recreational vehicles or any other vehicle prohibited by the covenants shall be permitted to be stored or repaired upon any part of the Lots or common areas unless parked in the garage. This rule does not apply to government vehicles that are Official Emergency Vehicles. See Rule #17. Allowing passenger cars and trucks with display advertising will be decided on a case by case basis.
10. Owners and guests not adhering to this resolution may be subject to **random towing** at vehicle's owner expense. The towing company's information is located on signs at each of the front entrances and is subject to change with Board approval.
11. Residents and non-resident owners are responsible for the actions of their tenants, dependants, guests or assigns and are liable in case of rules infractions or property damage to the townhome community or personal property of other individuals for improper parking. It is the responsibility of the townhome owner to inform new tenants of these regulations. As a resident in the townhome community, it is the responsibility of all of us to see that our guests park in the designated areas and that we share areas with limited parking space.

12. In order to implement this policy, the Board of Directors is vested with the authority to enforce the parking policy by appointing the following person(s) to have the ability to tow vehicles: the Board of Directors, the management agency, the towing company, and/or an appointed person or committee member.
13. The Gateway Townhomes at Brier Creek Association, those with authority to act on behalf of the association as stated in rule # 11, shall not be liable for damage to a vehicle resulting from towing or storage of that vehicle from the community due to the vehicle being in violation of this parking resolution.
14. Owners with current HOA accounts are eligible to receive 1 parking pass at no charge. Owners with delinquent accounts are not eligible for a parking pass until the HOA account is current.
15. Parking passes are required to be hung from the rear view mirror of your vehicle(s) in clear view when parked on the street during the hours of 12:00 am until 6:00 am. Vehicles not displaying the parking pass; and/or not displaying the pass properly while parked on the street from 12:00 am until 6:00 am can be towed.
16. Owners without parking passes must park vehicles in their assigned garage and/or driveway or on Arnold Palmer Dr, which is a public street and does not require a pass.
17. Official Emergency Vehicles are not required to display a pass while parked on the street between 12:00 am and 6:00 am. The following vehicles are considered Official Emergency Vehicles: Police, EMS, Ambulances, and Fire Trucks etc.
18. Owners with current HOA accounts are eligible to purchase 1 additional pass for \$100.
19. If a parking pass is lost or if you want more than two passes; owners are eligible to purchase a replacement or third pass for \$150 only after submitting a formal request to the HOA Board of Directors and receiving approval. The requests are reviewed on a case by case basis.
20. Temporary visitor's passes are available through the HOA office or through the mail. Visitor's passes are only issued for a maximum of 5 days. If the vehicle is not moved after the visitors pass expires, the vehicle can be towed.
21. There is limited parking space in the Community. Possessing a parking pass allows for, but does not guarantee an overnight parking space on the street.

This resolution shall remain in effect until otherwise rescinded, modified, or amended by a majority of the Board of Directors.

Resolution Action Recorded

Resolution Type: Policy

No. 2014-1

Pertaining to: Parking

Duly adopted at a meeting of the Board of Directors held: April 2, 2014

Motion by: Stephanie B. Seconded by: DORIAN T.

Vote:

YES NO ABSTAIN ABSENT

Daniel Yeom
President YES NO ABSTAIN ABSENT

Stephene Beke
Vice President YES NO ABSTAIN ABSENT

Marcia
Secretary YES NO ABSTAIN ABSENT

Dorian T.
Treasurer YES NO ABSTAIN ABSENT

Natasha
Member at Large YES NO ABSTAIN ABSENT

ATTEST:
Marcia
Secretary

4/2/2014
Date