

**RESOLUTION OF THE BOARD OF DIRECTORS  
MONTECITO HOMEOWNERS ASSOCIATION  
PARKING AND TOWING REGULATIONS**

WHEREAS, the Montecito Homeowners Association (the “Association”) is a Nevada non-profit corporation, duly formed under and governed by the laws of the State of Nevada, including Nevada Revised Statutes (“NRS”) Chapter 116, which governs common-interest communities in Nevada;

WHEREAS, NRS 116.3102 (1) (a) provides that, “subject to the provisions of the declaration, the association: ... [m]ay adopt and amend rules and regulations;”

WHEREAS, NRS 116.3102 (1) (s) provides that, “subject to the provisions of the declaration, the association: [m]ay direct the removal of vehicles improperly parked on property owned or leased by the association, as authorized pursuant to NRS 487.038 . . . and . . . if a vehicle is improperly parked as described in this paragraph, the association must post written notice in a conspicuous place on the vehicle or provide oral or written notice to the owner or operator of the vehicle at least 48 hours before the association may direct the removal of the vehicle, unless the vehicle: (1) Is blocking a fire hydrant, fire lane or parking space designated for the handicapped; or (2) Poses an imminent threat of causing a substantial adverse effect on the health, safety or welfare of the units’ owners or Residents of the common-interest community”;

WHEREAS, Article 2, Section 2.2 and Article 5, Section 5.2 of the Supplemental Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Montecito (“Declaration”) provides the Board of Directors (the “Board”) with the authority to:

...establish "parking" and/or "no parking" areas within the Common Elements, and to establish Rules and Regulations governing such matters, as well as to reasonably enforce such parking rules and limitations by all means lawful for such enforcement on public streets, including the removal of any violating vehicle, by those so empowered, at the expense of the Owner of the violating vehicle. If any temporary guest or recreational parking is permitted within the Common Elements, such parking shall be permitted only within any spaces and areas clearly marked for such purpose;

WHEREAS, Article 10.19 of the Declaration sets forth specific parking requirements and prohibitions and shall be enforced accordingly.

WHEREAS, the Board does hereby establish and adopt the following resolution (the “Resolution”) on behalf of the Association in order to memorialize the parking rules and the procedures to be utilized by the Board in removing improperly parked vehicles from the Community.

NOW, THEREFORE, it is hereby resolved that the Board of the Association hereby adopts the following parking and towing policy and procedure for implementation within the Community:

1. The Association adopts Article IV of the Amended and Restated Master Rules and Regulations of the Southern Highlands Master Association as its own and may enforce the same related to Zone B parking.
2. **Resident Parking.** Resident/Guest Parking. All garages/driveways must be used in such a manner as to accommodate as many vehicles as the garages/driveways were designed to accommodate. Residents may not park on the Association’s private streets without a variance as described in Section 3 below.

3. **Parking of Excess Vehicles:** Residents who desire to regularly park or keep Excess Vehicles on private streets are required to apply to the Board or its duly appointed designee for prior written approval to park or keep said Vehicles on the street within the community.
  - a) "Excess Vehicles" shall mean those Vehicles regularly seen within the Association that are operated, owned, or otherwise related to an Owner or Resident and that exceed the maximum capacity of the related Owner or Resident's garage and driveway. For example, without restricting or limiting the foregoing definition, a fifth car regularly parked at the home of an Owner having a two-car garage and a two-car driveway would be defined as an Excess Vehicle.
  - b) Individuals seeking approval must submit all information or evidence required and requested by the Board or its duly appointed designee during its consideration of the request. Owner/resident will need to provide proof to the Board that the number of vehicles owned by the Owner/resident exceeds the number of parking spaces that the garage and driveway were designed to accommodate.
  - c) Application for approval will only be considered if such street parking shall not in any way protrude into, obstruct any sidewalks, or impede traffic on any streets. Determination of such protrusion or impediment shall be made by the Board or its duly appointed designee.
  - d) Individuals seeking approval to park an Excess Vehicle on the private streets must agree to post or place stickers or vehicle tags on the Excess Vehicle if required by the Board.
    - (i) The Board will only consider allowing Excess Vehicles to be parked on private streets if there are extenuating factors including, but not limited to, disabilities that require street parking.
  - e) If such a variance is granted, a similar variance must also be obtained from the Southern Highlands Community Association Board of Directors pursuant to their adopted parking rules prior to the vehicle being parked on the streets. An Owner/resident must provide the Association with a copy of any variance issues by the Southern Highlands Community Association.
  - f) Notwithstanding the foregoing, no individual will be permitted to store or park an Excess Vehicle on the street for any uninterrupted period exceeding forty-eight (48) hours.
  - g) The Board shall have the sole decision-making power as to the granting of the right to park Excess Vehicles on the street.
  - h) The Board may further limit or prohibit any parking of Excess Vehicles if it is determined that such parking constitutes, causes, or results in a nuisance.
4. **Guest Parking:** Guests may only park non-commercial, non-recreational passenger vehicles on the sidewalk side of the streets if the Owner's garage and driveway are filled to accommodate the number of vehicles they were designed to hold. To avoid being cited for a parking rules violation, a "Guest Vehicle" street parking permit must be requested in advance from the Board or its duly appointed designee and displayed on the dashboard area of so as to be visible from the exterior of the vehicle. The permit is considered vehicle specific, valid for a specific seventy-two (72) hour period, and revocable if a street parking compliance violation is observed.

- a. If any Guest Vehicle is left parked within Montecito for any aggregate period of time exceeding seven (7) days within a calendar month, it is no longer considered a Guest Vehicle and is subject to the same restrictions as a Resident's vehicle as described above.
5. **Prohibited Parking Areas.** Clark County Code Title 13, Chapter 13.04, Section 13.04.115 defines the width of streets needed for fire apparatus access. Based upon this Code provision, no parking is allowed at any time in the following areas:
- a. No parking on the non-sidewalk side of the street and at the ends of cul-de-sacs.
  - b. Due to the lack of required clearance, no parking is allowed along the north curb of El Presidio between Refugio and Santerno. This area is designated as a "Fire Lane." Thus, the north curb of El Presidio between Refugio and Santerno will be painted red and labeled "No Parking Fire Lane."
  - c. No parking is allowed at the private entrance and exit to the Community on Grosseto Street from Somerset Hills Avenue to the Montecito front gates, as they are not wide enough to allow parking or stopping while maintaining the required clearance. The entrance and exit to Montecito on Grosseto Street are both designated as a "Fire Lane."
  - d. Curbs along the entrance and exit on Grosseto between our gates and Somerset Hills Avenue will be painted red and labeled "No Parking Fire Lane."
- Any vehicles parked and left unattended in painted Fire Lanes can be subject to immediate towing at the vehicle owner's expense. Compliance procedures will be followed for Residents who stop or park in any of these designated "Fire Lanes."
6. **Street Parking.** In instances, street parking is permitted, vehicles must be parked in compliance with the following conditions:
- a. Parking is only allowed on the sidewalk side of the street;
  - b. No individual will be permitted to store or park any Vehicle on the street for any uninterrupted period exceeding forty-eight (48) hours.
  - c. Parking is not allowed in fire safety, traffic safety, or emergency entry/exit zones marked by painted red curbs and/or "no parking" signs;
  - d. Parking in a manner that blocks a painted crosswalk or yellow-plated pedestrian curb cut to any degree is prohibited;
  - e. Parking that overlaps any part of a stop sign pole or post is prohibited;
  - f. Parking in a manner that blocks any portion of a homeowner's driveway is prohibited unless prior permission has been granted;
  - g. Parking on the sidewalks or unpaved portions of Units or Common Elements is prohibited. Any damage to the Common Elements caused by vehicles parking on them shall be repaired at the vehicle owner's expense.
7. **Inoperable Vehicles.** Inoperable vehicles are deemed to be a violation of Section 10.19(a) of the Declaration. Therefore, visibly inoperable vehicles may not be parked on the private streets. Inoperable vehicles may only be stored in the Owner's or Resident's garage. Any inoperable vehicle parked on the Association's streets is subject to tagging and towing.
8. **Unregistered Vehicles.** Unlicensed or unregistered vehicles may not be parked on private streets or on the driveway of the Unit.. Unlicensed or Unregistered vehicles must be stored

in the Owner's or Resident's garage. Any Unregistered vehicles parking on the Association's streets are deemed to be in violation of the Declaration and these Parking Rules. Should any Unregistered vehicle be parked on the streets, the Owner/Resident may be called to a hearing and fined.

9. **Large Commercial Vehicles:** Large commercial vehicles as defined in the Declaration may not be parked for any period of time within the Association, unless they are present for delivery or service purposes. Then, the large commercial vehicle may only be parked during the period necessary to perform the delivery or service. An exception has been created for public utility service vehicles, emergency service vehicles and law enforcement vehicles exempted under NRS 116.350. In addition, large commercial vehicles may be parked within a garage with the door closed but may not be parked on the driveway of the Unit.
  10. **Recreational Vehicles:** Consistent with Section 10.19(c) of the Declaration, recreational vehicles may not be operated within the Association or stored on any street or driveway therein at any time. Recreational vehicles must be parked in the garage or parked behind the front building lines of the homes on the adjacent Lots.
  11. **Damage to Surfaces:** Fluid leaks from Vehicles shall be deemed unsightly and may be a danger to the health, safety, and welfare of the Association and its Members. Any oil, rust, fluid, or similar stain must be removed immediately from all driveways, walkways, streets, and sidewalks. If such stains are not removed, the Association may remove them at the Owner's expense. Drip pans may be used to prevent leaks but must be stored in the Garage or out of sight when not in actual use.
- 12. Towing Policy.**
- a) If an Owner, occupant, tenant, guest, invitee, contractor or any family member of the foregoing park a vehicle in the Common Elements, including the private streets, in violation of the Declaration and these Rules, as may be amended from time to time, then any agent acting on behalf of or at the direction of the Board, which may include a tow car operator, shall place written notice (the "Towing Notice") of the parking violation on the vehicle that is improperly parked ("Violating Vehicle"). The Towing Notice shall, among other things, notify the owner or operator of the Violating Vehicle of the date and time after which the Violating Vehicle will be towed and the nature of the violation of the Declaration or the Association Rules. If the violation is not remedied within forty-eight (48) hours of placement of the Towing Notice on the Violating Vehicle, then the Board may direct the removal of the Violating Vehicle from the Community. Notwithstanding the foregoing, the Association shall not tow a Violating Vehicle parked in the Community, or on a private street, solely because the registration of the Violating Vehicle is expired. See NRS 116.3102 (1) (t).
  - b) The Towing Notice referenced in paragraph (a) above, commences from the time the notice is affixed to the Violating Vehicle and shall run, regardless of any intermittent departures or different parking locations within the Community. Such Towing Notice shall be deemed to apply to any Violating Vehicle that has been given the Towing Notice and is found parked in violation of the Declaration and these Rules, anywhere in the Community at any time after the lapse of the forty-eight (48) hour Towing Notice may be removed without an additional Towing Notice for a period up to six (6) months. In addition, the Association may immediately tow a Violating Vehicle cited for at least three (3) different parking violations in the Community, over a six (6) month period of

- time. Notwithstanding the foregoing, once a Violating Vehicle has been towed based on a prior Towing Notice, the Association will start the process over with a new Towing Notice.
- c) Notwithstanding any of the foregoing provisions to the contrary, if a Violating Vehicle is parked in such a manner as to (1) block a fire hydrant, fire lane or parking space designated for the handicapped; or (2) pose an imminent threat of causing a substantial adverse effect on the health, safety or welfare of the Owners or Residents of the Community, then the Board may direct the immediate removal of the Violating Vehicle from the Community. For the purpose of this provision, the Board has determined that any vehicle parked in such a manner as to impede or restrict the natural flow of street traffic, including blocking the entrance way into or the exit out of the complex, parking perpendicular to the natural flow of traffic, or blocking another Owner's or Resident's driveway poses an imminent threat of causing a substantial adverse effect on the health, safety or welfare of the Owners or Residents of the Community.
  - d) Any fees and expenses associated with towing a Violating Vehicle from the Community shall be at the sole cost and expense of the Owner of the Violating Vehicle.
13. **Rules Awareness and Compliance:** Owners/Residents are responsible for being aware of and complying with all Community Parking Rules. They also are responsible for ensuring any tenants, guests, and/or workers servicing their homes are also fully aware of said rules and the potential vehicles operated by them may be tagged or towed if parking violations committed by them are observed.
14. **Sanctions/Penalties.** The sanctions and penalties set forth herein are cumulative in nature and do not prevent the Association from taking all necessary administrative or legal action to enforce any violation of the Association's governing documents, including seeking injunctive relief or imposing fines after notice and hearing.
- This resolution of the Board of Directors has been duly adopted on this 11 day of September, 2025, at a Board of Directors Meeting.
- MONTECITO HOMEOWNERS  
ASSOCIATION
- By: *Bartholomew*
- Its: President
- By: *Robert Broustein*
- Its: Treasurer