

**Resolution No. 2014-1**  
**Parking**

BE IT RESOLVED that pursuant to Article VII, Section 1 of the Bylaws of the Northern Lights Townhome Association, Inc., the following resolution shall govern the parking of vehicles on Townhome Lots, adjacent to Townhome Lots, on Townhome driveways, in the Outlot, and on any street.

**A. General Parking Restrictions**

1. No private passenger automobiles or pickup trucks shall be parked or stored upon any Townhome Lot, except within an enclosed structure, or in a private driveway.

2. No Recreational Vehicle, as defined by the Lincoln Municipal Code, shall be parked or stored upon any Townhome Lot, except within an enclosed structure, provided that a Recreational Vehicle may be temporarily stored on a Townhome Lot for a time period not to exceed fourteen (14) days per year.

3. No other vehicles (including but not limited to mobile homes, Recreational Vehicles larger than as defined by the Lincoln Municipal Code, motor homes, boats, commercial vehicles, trailers, trucks, campers, or other similar vehicles or equipment) shall be parked or stored upon any Townhome Lot, except within an enclosed structure, provided that the vehicle may be temporarily stored on a Townhome Lot for a time period not to exceed fourteen (14) days per year.

4. No vehicles (including but not limited to those enumerated in sections A.1., A.2., and A.3. above) shall be constructed, reconstructed, or repaired upon a Townhome Lot, except within an enclosed structure, provided that the vehicle may be temporarily parked or stored on a Townhome Lot for a period not to exceed fourteen (14) days per year.

5. No vehicles (including but not limited to those enumerated in sections A.1., A.2., and A.3. above) which are not in operating condition shall be parked or stored upon any Townhome Lot, except within an enclosed structure.

**B. Street Parking Restrictions**

1. Street parking is permitted on only those portions of the streets that: (a) are not restricted by a parking sign; (b) not blocking access

to any mailbox or fire hydrant; and (c) in compliance with any and all state and county parking restrictions.

2. No private passenger automobiles or pickup trucks shall be parked on any street within fifteen (15) feet of a no parking sign, unless the sign specifies other restrictions.

3. No private passenger automobiles or pickup trucks shall be parked on any street within fifteen (15) feet of a mailbox or fire hydrant.

4. Parking on streets is not permitted for vehicles enumerated in sections A.2. and A.3. above.

5. Parking on streets is not permitted for vehicles enumerated in sections A.4. and A.5. above.

6. Parking on streets is on a first come, first served basis; no saved or assigned parking spots is permitted.

7. Parking on streets is not permitted for long-term vehicle storage (defined as exceeding a 72 hour period in any given spot).

8. Parking on streets is completely at the Owner's risk; the Association takes no responsibility for any damages resulting from any usage of street parking.

### **C. Off-Street Parking / Street Cutouts**

1. Off-street parking and/or parking in street cutouts is permitted for private passenger automobiles and pickup trucks.

2. Off-street parking and/or parking in street cutouts is not permitted for vehicles enumerated in sections A.2. and A.3. above.

3. Off-street parking and/or parking in street cutouts is not permitted for vehicles enumerated in sections A.4. and A.5. above.

4. Off-street parking and/or parking in street cutouts is on a first come, first served basis; no saved or assigned parking spots is permitted.

5. Off-street parking and/or parking in street cutouts is not permitted for long-term vehicle storage (defined as exceeding a 72 hour period in any given spot).

6. Off-street parking and/or parking in street cutouts is completely at the Owner's risk; the Association takes no responsibility for any damages resulting from any usage of off-street parking and/or parking in street cutouts.

#### **D. Parking Fines**

1. The intent of the Association in determining the parking fine policy is to provide reasonable fines for parking violations and to provide Owners an opportunity to resolve parking violations amicably.

2. First Notice: A First Notice shall be mailed to the Owner notifying the Owner of the violated parking policy and instructing the Owner to either (1) comply with the violated parking policy, or (2) appeal the First Notice all within five (5) business days. **NO FINE** shall be assessed for a First Notice.

3. Second Notice: If the parking violation has not been satisfactorily remedied, may not practicably be remedied, or there is no response from the Owner within five (5) business days after the First Notice, a Second Notice requesting compliance within five (5) business days may be mailed to the Owner. A **\$25.00 FINE** will be assessed with the Second Notice and is due within five (5) business days.

4. Third Notice: If the parking violation has not been satisfactorily remedied within five (5) business days after the Second Notice, a Third Notice requesting compliance within five (5) business days shall be mailed to the Owner. A **\$50.00 FINE** will be assessed with the Third Notice and is due within five (5) business days. The Third Notice may include language providing that "If the parking violation is not remedied within five (5) business days, the Association may tow the vehicle at the Owner's expense" (hereafter referred to as a "Notice of Towing").

5. Fourth Notice: If the parking violation has not been satisfactorily remedied within five (5) business days after the Third Notice, a Fourth Notice requesting compliance will be mailed to the Owner. A **\$100.00 FINE** will be assessed with the Fourth Notice and is due within five (5) business days. The Fourth Notice may include a Notice of Towing.

6. Notice of Towing: Five (5) business days after the Association provides the Owner with a Notice of Towing, the Association may tow the vehicle with all towing fees at Owner's expense.

7. The Association shall have the authority to deviate from the parking fine policy and scheduled fines upon consideration of the following factors:

- a. the seriousness of the violation(s);
- b. whether it is a first violation or continuing violation;
- c. whether the offense poses a danger to property or person;
- d. impact on property values;
- e. whether the owner agrees to comply and remedy the violation in good faith; and/or
- f. any other extenuating circumstances.

**E. Parking Violation Appeal** - In the event that an Owner desires to appeal a parking violation, the Owner must notify the Association in writing within five (5) business days after the First Notice. The appeal will be considered at the next regular meeting of the Association Board of Directors, but under no circumstance will occur less than fifteen (15) days after the Appeal Notice was provided to the Association Board of Directors.

**F. Effective Date** – This Resolution shall become effective at 12:01 a.m. on January 1, 2015.

IN WITNESS HEREOF, the undersigned have executed the same this 26 day of December, 2014.

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President

*Derek Schroeder*

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Secretary

*Donna Boone* DONNA BOONE