

Sea Country

87-2000 Pakeke St. Waianae, HI 96792

Office (808) 668-4275 Cell (808) 630-7157

September 6, 2016

From: Sea Country Community Association Board of Directors
To: All Sea Country Owners & Residents
RE: Revised Parking Rules

Dear Owner & Residents of Sea Country,

The safety conditions on our roads within Sea Country Community Association have declined over the past few years. Parking on our roads has increased to a point that driving on our main streets has become dangerous for pedestrians, children playing and owners entering and exiting driveways. Over the past few years, we have had several accidents on our main streets. Children have been hit by cars, owners have been unable to get out of their driveways, cars side been side swiped on our streets as well as pets being run over.

The primary reason for the unsafe driving conditions is due to over parking on the roads. When vehicles are parked up to every driveway, it makes it impossible to see or navigate safely while driving on the street. In many cases, a driver needs to back up 5 to 10 homes to allow a driver to pass going the other way.

When Sea Country was developed and approved by Honolulu City and Country, the roadways were approved based on Honolulu City & County parking regulation being enforced. In all sub-associations that have the roads dedicated, the association is in conflict with Honolulu City and Country parking regulations.

Now that the majority of the streets in Sea Country are dedicated, the Sea Country Board of Directors is compelled to adopt the included revised parking house rules. The revised parking house rules mirror City & Country parking regulations. Our streets were designed to allow for safe passage when City and Country parking regulations are being followed. **The revised house rules will eliminate 70% of parking in the affected areas and allow for safe passage of our streets.**

Governing DCCR'S:

*5.4 d: "Violation of Law or Insurance. No Owner or Occupant shall permit anything to be done or kept in or upon such Owner's Lot or in or upon any Common Area which will result in the cancellation, or increase in premium, or reduction in coverage of insurance maintained by the Master Association **or which would be in violation of any law.**"*

*5.4h: "Boats and Motor Vehicles. Except as specifically permitted by the Master Association Rules: (i) no boats, trailers, busses, motor homes, campers or other vehicles shall be parked or stored in or upon the Roads or stored upon a Lot except within an enclosed garage as permitted by the Design Guidelines or as permitted under subsection (iii) below; (ii) no vehicle shall be repaired, serviced or rebuilt on any Lot (except within an enclosed garage) or upon the Roads; and **(iii) nothing shall be parked on the Roads except in such parking areas as may be designated by the Board or as designated by the City and County of Honolulu if the roads are dedicated.** The Board may remove, or cause to be removed, any unauthorized vehicle at the expense of the owner thereof in any manner consistent with law. The provisions of this Section 4.4(h) shall not be deemed to prohibit commercial and construction vehicles, in the ordinary course of business, from making deliveries or otherwise providing service to or within the Property."*

Effective 9-6-2016, Sea Country Community Association will adopt the Revised Parking Rules Dated 8-29-2016.

The revised parking house rules date 8-29-2016 will replace all previous parking house rules and parking fining policy.

Over the next 60 days Sea Country Community Association will be phasing in the revised parking rules. The first 30 days, warning violation notices will be issued. In the final 30 days of the 60-day period, the association will be fining and towing any vehicle that receives two violation notices for the same violation. After the 60-day period, the stated fining policy will take effect.

FOR THE SEA COUNTRY COMMUNITY ASSOCIATION BOARD OF DIRECTORS

Edward Lauer

A handwritten signature in black ink, appearing to read "Edward Lauer", enclosed within a large, loopy oval flourish.

General Manager
Sea Country Community Association

Sea Country Parking House Rules

parking house rules replace all former parking house rules
(House Rules revised and adopted) 8-29-2016

Stopping, standing or parking prohibited in specified places-- No signs required.

No person shall stop, stand or park a vehicle in any of the following places:

- (1) On a sidewalk;
- (2) In front of a public or private driveway or **within four feet** of either side of a public or private driveway;
- (3) Within an intersection, along the edges or curbsides around corners and in channelized areas of any two intersecting streets;
- (4) Within **10 feet** of a fire hydrant;
- (5) On a crosswalk;
- (6) Within **20 feet** of a crosswalk at an intersection or within 20 feet upon the approach to any midblock crosswalk;
- (7) Within **30 feet** upon the approach to a stop sign located at the side of a roadway;
- (8) On the far side of the street at any signalized intersection, within 30 feet of the curb line of the intersecting street. As used herein, the term "signalized intersection" means an intersection at which traffic is controlled by official traffic control signals;
- (9) On the roadway side of any vehicle stopped or parked at the edge or curb of a roadway;
- (10) Within the turnaround area of any dead-end street.

Obstruction to sidewalk prohibited.

No person shall stand or park a vehicle in such a manner that any portion of such vehicle obstructs a sidewalk or portion thereof.

Parking not to obstruct traffic.

No person shall park any vehicle upon a street or alley in such a manner or under such conditions as to leave available less than **10 feet** of the width of the street or alley for the free movement of vehicular traffic.

Standing or parking close to curb.

Upon any roadway within a business or residence district, no person shall stand or park a vehicle other than parallel with the edge of the roadway, headed in the direction of traffic, and with the curb-side wheels of the vehicle within 12 inches of the edge of the roadway;

Abandoned vehicles on highway.

No person shall abandon any vehicle on the public highway. Leaving vehicles unattended for more than 24 hours shall constitute abandonment.

Parking on Lawns and driveways.

No vehicle can be parked on front lawn areas or within their backyard or parked sideways on driveway

Registration of vehicles.

Any vehicle that has an expired registration tag or safety inspection sticker or nonoperational cannot be parked on roadway or in front yard driveways any vehicle in this condition will also be subject to tow at owner's expense.

Resident parking driveways/Oil

- a. No Owner, Occupant or guest may park in another Lot's driveway without written permission from the Lot Owner, which permission must be on file with Sea Country manager's office.
- b. Any vehicle parked in another Lot's driveway without written permission on file may be towed at the vehicle owner's expense.
- d. No vehicle may leak oil onto the Community roadways. Any vehicle found leaking oil will be responsible for removing oil from affected area at resident's expense and/or repairing any damage resulting from the oil leakage.
- e. Any vehicle leaking oil is not permitted to park on the Community roadways until such vehicle oil leak has been repaired.

Vehicle noise

- a. No music audible from outside of vehicles while traveling through, parked or standing in Sea Country.
- b. No excess acceleration of vehicles.
- c. No excess noise from modified exhaust systems

Any parking rule may result in a \$100.00 fine per incident and or towing at owner's expense.

Parking Violations Fines

The Board may impose monetary fines for a violation of any association rules.

1. First offense: The Board may impose a \$100.00 fine and or tow vehicle per violation.
2. For a continuing violation, the Board may impose a \$100.00 fine per day for each offence until the violation has been corrected.

All fines imposed will be deducted from your maintenance fee payment as stated in the Priority of Payment Schedule. Any fine not paid in full may result in late fees being imposed, and/or a lien being filed against your Lot as set forth in the Declaration and Bylaws.

Appeal from Fines:

Any person fined ("appellant") may appeal the fine as follows:

Notice of Appeal: By delivering to the Property Manager, within twenty (20) days after the date of delivery or mailing to the appellant, whichever is first in time, of written notice of such fine and / or penalty, a written notice of his or her appeal and the reasons thereof. The delivery of notice of appeal shall not halt the accrual of any ongoing fine imposed for the violation, which is the subject of the appeal. However, the Board may waive or rescind all or part of such fine for good cause at the time of hearing such appeal.

Time for Hearing Appeal: All appeals shall be heard at a meeting of the Board within ninety (90) days after the notice of appeal has been delivered to the Property Manager.

Procedure: A statement of facts upon which the fine and / or penalty was based shall be delivered or mailed to the appellant at least ten (10) days before the meeting. At the meeting, the appellant and / or witnesses on his / her behalf may present his / her defenses and supporting evidence, if any. The Board may ask other persons to attend and present testimony and the Board may consider all relevant testimony, evidence and information related to the offense.

Disposition of Appeal: The Board shall vote as to whether the fine and / or the amount thereof, and / or the penalty, will be affirmed. If less than a majority of the directors participating in the meeting vote in the affirmative, the fine and / or penalty shall be rescinded. If a majority of the directors participating in the meeting shall vote to uphold the fine or any portion thereof, that sum shall be remitted by the appellant in full, within twenty (20) days of the date that the appellant is delivered or mailed written notice of the decision of the Board upon the appeal. If a majority of the directors participating in the meeting shall vote to uphold the penalty, the penalty shall continue in force.

AMENDMENTS

These Rules may be amended by the Board of Directors at a duly called meeting, as provided in the Bylaws, and shall become effective when notice thereof is delivered to the Owner.

The Board hereby adopts the foregoing Master Association Rules this day of August 29, 2016.

Nichole Wright

Nichole Wright, Board President