

**BLOSSOM HILLS TWO COMMUNITY ASSOCIATION**

**PARKING AND TOWING POLICY**

This Parking and Towing Policy (“Policy”) is hereby adopted by the Board of Directors (“Board”) of Blossom Hills Two Community Association (“Association”), by a majority vote of the Board.

**WHEREAS**, the Association is governed by the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Blossom Hills Two, recorded with the Office of the Maricopa County Recorder at Instrument No. 2013-0523521 (“Declaration”) and the Association Rules.

**WHEREAS**, Sections 10.2 and 10.11 of the Declaration address and govern the parking of Motor Vehicles in the community.

**WHEREAS**, in accordance with Section 10.11 of the Declaration, the Board recognizes the need for a Parking Policy to address, enforce, and ensure compliance with the parking restrictions in the Declaration

**WHEREAS**, the terms used herein shall have the same meaning as the terms used in the Declaration and other documents of the Association.

**THEREFORE, BE IT RESOLVED** that the Board hereby adopts the following Parking Policy (“Policy”) that shall apply to any Motor Vehicle, trailer, or similar equipment that enters the community and parks in violation of the Declaration or this Policy. This Policy shall be enforced in addition to any existing restrictions in the Declaration or other governing documents of the Association

**Motor Vehicles**

1. A “Motor Vehicle” is defined to include a car, van, sport utility vehicle, bus, truck, recreational vehicle, motor home, motorcycle, all-terrain vehicle, utility vehicle, pickup truck or other motor vehicle.
2. Unless otherwise stated in this Policy, **no Motor Vehicle may be parked on a street.**
3. All Motor Vehicles must be parked in an Owner’s garage and may be parked on the driveway if the garage is holding the maximum number of Motor Vehicles it is intended to hold.
4. All Motor Vehicles must otherwise be parked in accordance with Section 10.2 and 10.11 of the Declaration.

5. This Policy shall not apply to a Motor Vehicle governed by Arizona Revised Statute § 33-1809.

### **Vehicle Repairs & Inoperable Motor Vehicles**

1. No Motor Vehicle is permitted to be constructed, reconstructed or repaired on any driveway or street in the community and may only be done in a manner that is not Visible From Neighboring Property.
2. Inoperable Motor Vehicles are not permitted to be parked in the community unless they are parked in such a manner so as not to be Visible From Neighboring Property. A Motor Vehicle shall be deemed inoperable if it has expired tags, is unlicensed, or has not been operated or moved for at least seven (7) days.

### **Towing**

1. Any Motor Vehicle parked on a street in violation of the Declaration or this Policy may be towed at the sole cost and expense of the vehicle's owner.
2. In the event a Motor Vehicle is observed parked on a street in violation of this Policy, a violation notice shall be sent to the Owner of the home adjacent to where the Motor Vehicle is parked providing the owner of the Motor Vehicle twenty-four (24) hours to move the Motor Vehicle to a permitted location.
3. In the event the same Motor Vehicle is observed parked on a street in violation of this Policy within three (3) months of the first violation notice, a second violation notice shall be issued to the Owner of the home adjacent to where the Motor Vehicle is parked providing the owner of the Motor Vehicle twenty-four (24) hours to move the Motor Vehicle to a permitted location.
4. In the event the same Motor Vehicle is not removed from the street after the second violation notice or is observed parked on a street in violation of this Policy within three (3) months after the second violation notice, the Motor Vehicle may be towed at the owner's expense without any further notice.
5. In the event the Association incurs any expense from towing a Motor Vehicle that is not paid by the vehicle's owner, the Association may seek reimbursement from the Owner whose guest, tenant or Occupant improperly parked his or her Motor Vehicle.
6. All Owners are responsible for ensuring that their guests, tenants, and Occupants comply with this Policy.

## Fines

1. Notwithstanding the Association's Enforcement Policy, the Association may send parking violation notices, impose reasonable monetary fines, or exercise any other available legal remedy for any violation of this Policy in accordance with the terms stated herein.
  
2. In the event an Owner or the Owner's guest, tenant or Occupant is deemed in violation of this Policy, the Association may provide the Owner with Notice of said violation and impose monetary fines as follows:
  - a. Courtesy Notice. A courtesy parking violation notice shall be mailed to the Owner demanding compliance with this Policy within five (5) days.
  
  - b. Fine Notice. If the violation is not timely corrected or if another violation of this Policy occurs any time within three (3) months of the courtesy notice, a violation fine notice shall be mailed to the Owner demanding compliance within five (5) days and informing the Owner that a fine has been imposed.
  
  - c. Subsequent Fine Notices. If the violation is not timely corrected or if another violation of this Policy occurs any time within three (3) months of the previous violation fine notice, a subsequent violation fine notice shall be mailed to the Owner demanding compliance within five (5) days and informing the Owner that a fine has been imposed in accordance with the chart below.

### **Schedule of Fines:**

Courtesy Notice:	\$0.00
1 <sup>st</sup> Fine Notice:	\$50.00
2 <sup>nd</sup> Fine Notice:	\$100.00
Any Subsequent Fine Notice:	\$200.00

### **Appealing a Violation Notice**

1. An Owner who receives a notice for a violation of this Policy may appeal said notice and any fine imposed within twenty-one (21) days of receipt of the notice. The Owner shall be required to send their appeal to the Association's management company in writing via certified mail and provide the Association with a detailed explanation with supporting documentation explaining why they were not in violation of the Policy and should not have received the violation notice.

2. The Board will review all appeals and any decision that is made will be provided to the Owner in writing. If a Board decision is not received within thirty (30) days of the Association's receipt of an Owner's appeal, the appeal shall be deemed denied.

This Resolution was passed this 31 day of January, 2022, by the Board of Directors \_\_\_\_\_  
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By:

*Antonio Cortes*

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