

# THE GARDENS AT SOUTH MOUNTAIN COMMUNITY ASSOCIATION

## PARKING RULES

Effective: May 1<sup>st</sup>, 2023

**Owner, Lessee or Resident Parking:** All Owners, Lessees or Residents must park their vehicles in the garage or on the driveway of a Lot pursuant to Article IV, Section 4.2 of the Declaration. An Owners, Lessees or Residents' vehicle parked overnight on a street within the community shall be subject to tow.

**Guest Parking:** From 6:00 AM to midnight, vehicles of guests of an Owner, Lessee or Resident may only park in the approved parking areas on the streets within the community, meaning those areas not designated as a No Parking Area. Vehicles of an overnight guests of an Owner, Lessee or Resident shall first be parked on the driveway of the Owner, Lessee or Resident's Lot. If there is no available parking space on the Lot's driveway, then a vehicle of an overnight guest of an Owner, Lessee or Resident may be parked in the approved parking areas on the streets within the community but for no more than two (2) days per calendar week, which is Sunday to Saturday, and no more than seven (7) days within a calendar month.

**Commercial Vehicles:** Commercial vehicles may be parked in the garage or on the driveway only, unless they are temporarily providing service during the day. Commercial vehicles shall not be parked overnight on a street within the community.

**Inoperable and Unregistered Vehicles:** Article IV, Section 4.2 of the Declaration prohibits the parking of inoperable vehicle anywhere in the Association if such inoperable vehicle is Visible From Neighboring Property. An "inoperable vehicle" is any motor vehicle that significant damage preventing it from operating, has flat or missing tire(s), or is not displaying a license plate with current registration.

**Towing of Inoperable and Unregistered Vehicles:** Article IV, Section 4.2 of the Declaration authorizes the Board to "immediately tow away without notice" an inoperable or unregistered vehicle parked in violation of Section 4.2 of the Declaration. The Association will immediately tow any inoperable or unregistered vehicles parked in the Association, if such inoperable or unregistered vehicle is Visible From Neighboring Property.

**Approved Parking Areas:** Parking of vehicles is prohibited within the cul-de-sacs, non- sidewalk side of the streets, and any curb painted red on the sidewalk side of the street. These are designated as a No Parking Area. All vehicles shall be subject to an immediate tow from these areas.

**On-Street Parking Variance:** An Owner, Lessee or Resident may request a variance from the Board of Directors to park a vehicle on a street by submitting a letter to the Board. In order for the Board to grant parking variance, the Owner, Lessee or Resident shall provide vehicle registration for all vehicles at the Lot, and photo that shows the address of the Lot and shows that the Lot's garage is being used solely for vehicle parking. The Board may also inspect the garage. The

variance granted by the Board of Directors is valid for a period of up to one (1) year and then the Owner, Lessee or Resident must submit a written renewal of the variance with the same information required. Upon issuance of a variance, the Association will provide a hanging placard to the Owner, Lessee or Resident that must be displayed in the vehicle parked on the street. If such a placard is not displayed, the vehicle shall be subject to tow.

**Temporary On-Street Parking Pass:** If an Owner, Lessee or Resident has extenuating circumstances that require a vehicle to be parked on the street, the Owner, Lessee, or Resident may submit a written request for a temporary on-street parking pass for set dates from the Association. The Association will issue a hanging placard with the dates requested for the Owner, Lessee or Resident to display in the vehicle be parked on the street. If such a placard is not displayed, the vehicle shall be subject to tow.

**Overnight on-street parking of vehicles is only allowed as specified above. All Owners, Lessees or Residents shall park their vehicles either in their Lot's garage or driveway, unless the Association has issued an on-street parking variance or temporary on-street parking pass.**

The below map designates where the approved parking areas are located within the Association.

