PARKING AND TOWING POLICY

SUMMARY OF VEHICLE-SPECIFIC RESTRICTIONS

Vehicle Type	Restriction
Passenger Vehicles	**Generally Permitted** – Passenger cars, pickups, vans, and motorcycles, with no more than two axles and weighing less than one-ton are permitted.
Inoperable Vehicles	**No Parking** – Garage parking only. **Definition** – Obviously or actually not capable of being operated as a vehicle or if it does not have current registration or operating license plates or tags.
Commercial Vehicles	**No Parking** – Garage parking only, unless actively loading or unloading during normal business hours to service a Lot. **Definition** – Vehicles with commercial writing or primarily used or designed for commercial purposes.
Golf Carts	**No Parking** – Garage parking only.
Boats/Watercraft	**No Parking** – Garage parking only.
Tractors and Trucks (One Ton or Greater)	**No Parking** – Garage parking only, unless actively loading or unloading during normal business hours to service a Lot.
Recreational Vehicles, Campers	**No Parking** – Garage parking only, unless actively loading or unloading.

SUMMARY OF GENERAL PARKING RULES

Passenger Vehicles Only – Passenger cars, pickups, vans, and motorcycles, with no more than two axles and weighing less than one-ton are permitted. Commercial vehicles are only permitted if stored in a garage.
Street Parking Generally Prohibited – No Owner or Occupant may park a vehicle on any public or private street or thoroughfare within the community or the Property overnight or for any period of time exceeding sixteen (16) hours.
Inoperable Vehicles Prohibited – An "inoperable" vehicle is one that is obviously or actually not capable of being operated as a vehicle or a vehicle that does not have current registration or a current license tag or plate. Inoperable vehicle are prohibited unless stored in a garage.
Commercial Vehicles Prohibited – Vehicles with commercial writing or primarily used or designed for commercial purposes.
Boats, RVs, Campers, Golf Carts – Garage parking only, unless actively loading or unloading. No overnight parking.
No Parking – Garage parking only, unless actively loading or unloading.

Parking Rules and Regulations

1) Passenger Vehicles

a) Vehicles. Passenger cars, pickups, vans, and motorcycles, with no more than two axles and weighing less than one-ton are permitted. A vehicle must be operable, and must display a current license tag or plate, and inspection sticker.

b) Inoperable Vehicles [any type]. An "inoperable" vehicle is one that is obviously or actually not capable of being operated as a vehicle or a vehicle that does not have current registration or a current license tag or plate. Inoperable vehicle are prohibited unless stored in a garage.

c) Street Parking.

Owners/Occupants. Except as otherwise permitted as described herein, no Owner or Occupant may park a vehicle on any public or private street or thoroughfare within the community or the Property overnight or for any period of time exceeding sixteen (16) hours. Special approval to park a vehicle on any public or private street or thoroughfare within the community may be granted by the Association for extenuating circumstances, obtained upon request at the Association's office on a case-by-case basis.

Guests/Invitees. Guests of any Owner or Occupant shall be allowed to park their vehicles on any road or street within the community for a period not to exceed seventy-two (72) consecutive hours unless in the event of an emergency. An "emergency" means an event, which jeopardizes life or property. Any vehicle parked in the street must be parked legally and in such a manner that does not obstruct the free and unimpeded vehicular and pedestrian use of any portion of the sidewalks or alleys within the community.

d) Repairs. Washing, repairs, restoration, or maintenance (including oil changes) of vehicles is prohibited on alleys, streets or other roadways except for emergency repairs, and then only to the extent necessary to enable movement of the vehicle to a repair facility.

e) Obstructions. No vehicle may obstruct the flow of traffic, constitute a nuisance, or otherwise create a safety hazard.

2) Prohibited Vehicles.

a) Commercial Vehicles. A "commercial vehicle" means vehicles with commercial writing or primarily used or designed for commercial purposes, including a truck or van with commercial writing on the exterior. Official vehicles owned by governmental or quasi-governmental bodies are presently exempt. Commercial vehicles must be stored in a garage, unless the operator is actively engaged in loading or unloading during normal business hours to service a Lot.

b) Tractors and Trucks (1 Ton or Heavier). Tractors and Trucks must be stored in a garage, unless the operator is actively engaged in loading or unloading during normal business hours to service a Lot.

c) Golf Carts. May only be parked or stored in a garage.

d) Boats/Watercraft. May only be parked or stored in a garage

e) Recreational Vehicles, Campers, and Trailers. Recreational vehicles, trailers (either with or without wheels), campers, and camper trailers may not be parked, kept or stored on any Lot (except in a garage) except during active loading and unloading for a period not to exceed twelve (12) hours.

3) **Enforcement**.

a) Interpretation. In the event of any dispute regarding the effect or application of this policy, the interpretation of the Board of Directors (the "**Board**") will be final.

b) Nuisance. Every act or omission whereby any provision of this policy is violated, in whole or in part, is hereby declared to be a nuisance.

c) Self-Help. A vehicle in violation of this policy may be stickered, wheel-locked, towed, or otherwise removed by the Association, at the expense of the vehicle's owner. The Association expressly disclaims any liability for damage to vehicles on which the Association exercises these remedies for violations of this policy.

d) Fines. The Association may impose fines for violation of the provisions of this policy pursuant to the provisions and procedures of the Association's Fine and Enforcement Policy, as the same may be amended from time to time.

e) Legal Action. The Association may initiate, defend or intervene in any action or lawsuit brought to enforce any provision of this policy, and may seek recovery for damages for and injunctive relief against the breach of any provision hereof and may recover attorney's fees and costs associated with such action or lawsuit.

4) **Towing**

a) Towing. Any inoperable vehicle parked in violation of this policy for any period of time exceeding fifteen (15) days may be towed at the expense of the vehicle's owner in accordance with applicable law, in addition to the imposition of any fines.

b) Notice before Towing. Before towing an inoperable vehicle, the Association will provide the following notice to an Owner or Occupant or the owner or operator of the vehicle:

Sticker on Vehicle. A conspicuous notice will first be attached to the vehicle's front windshield or, if the vehicle has no front windshield, to a conspicuous part of the vehicle stating that the vehicle is inoperable and parked in violation of the Association's rules. The notice will also provide the telephone number to the towing facility maintained by the tow operator that is answered twenty-four (24) hours a day, to enable the owner or operator of the vehicle to locate the vehicle.

Additional Mailed Notice. After the notice is attached to the vehicle, the Association will send notice by certified mail, return receipt requested, to the last address shown for the owner of the vehicle according to the vehicle registration records of the Texas Department of Motor Vehicles, or if the vehicle is registered in another state, the appropriate agency of that state. The notice

must state that the vehicle is inoperable and parked in violation of the Association's rules. The notice will also state that the vehicle will be towed at the expense of the owner or operator of the vehicle if it is not removed within fifteen (15) days of the date the letter is postmarked. The notice must also provide the telephone number to the towing facility maintained by the tow operator that will remove the vehicle that is answered twenty-four (24) hours a day, to enable the owner or operator of the vehicle to locate the vehicle. The notice may also contain any information required under the Texas Property Code.

Filed and Recorded
Official Public Records
Bobbie Koepp, County Clerk
Comal County, Texas
06/17/2021 10:41:12 AM
CASHTHREE 33 Pages(s)
202106032666