

**Eagles Bluff - Canada Hills Village 14 Homeowners Association
Resolution #2017-01 – Parking Policy and Regulations**

WHEREAS, the Subject Properties in the Eagles Bluff - Canada Hills Village 14 Homeowners Association are under jurisdiction of the Declaration of Covenants, Conditions, and Restrictions (CC&R's) for the Association; and

WHEREAS, Covenants, Conditions and Restrictions (CC&R's) of the Eagles Bluff - Canada Hills Village 14 Homeowners Association, recorded at Docket 9607 at Page 2275, states that the Board of Directors shall have the power to adopt and publish rules and regulations governing the use of the Common Areas and facilities...; and

WHEREAS, the Board of Directors desires to revise the policy as it applies to parking within the Community; and

WHEREAS, the Board of Directors has followed its own standards and procedures, which are both fair and reasonable; and

WHEREAS, the Board of Directors rendered this decision in good faith, and in a manner which is neither discriminatory nor capricious.

THIS RESOLUTION pertains to clarification of Section 9.17 Vehicles/Carports/Garages of the Covenants, Conditions and Restrictions (CC&R's) and the revision of #2006-02 Parking Regulations and Policies for the Association approved by the Board of Directors, on the 26th day of June 2006.

THEREBY, GOOD CAUSE EXISTING, IT IS HEREBY RESOLVED:

Vehicles may not be parked outside an enclosed garage in Eagles Bluff – Canada Hills Village 14 at any time, with the exceptions and restrictions as set forth within this Resolution. Furthermore, the Association requires that garage and driveway space be utilized for overnight vehicle parking in all circumstances, before overnight street parking is used. Requests for special permission to override these restrictions must be submitted in writing, to the Association's Manager. Special permission may be denied at the discretion of the Board. Vehicles in violation of these rules may be towed away at the owner's expense.

DEFINITIONS:

- I. Vehicles shall include but are not limited to automobiles, pickup trucks, passenger vans, recreational vehicle (RV), motor homes, motorcycles, motorized scooters, golf carts.
- II. Overnight parking is defined as parking a vehicle outside of an enclosed garage, during overnight hours.
- III. Overnight hours is defined as occurring between the hours of 9:00 PM to 6:00 AM, local time.
- IV. A 24-hour period or "day", is defined as beginning at 6:00 AM local time.
- V. For the purposes of this Resolution, the terms "Homeowner" and "Owner of the Lot" are synonymous.

1 EXCEPTIONS

- 1.1 A vehicle may be parked in the homeowner's driveway, during all hours, without special permission from the Board of Directors. Due to the short length of many driveways within the community, a vehicle is permitted to be parked in the driveway, while blocking access to the sidewalk. Subject to the restrictions stated in Section 2 of this resolution.
- 1.2 A vehicle may be parked on the street without special permission from the Board of Directors, except during overnight hours. Subject to restrictions stated in Section 2 of this resolution.
- 1.3 To accommodate guests or other special circumstances, one vehicle per Lot, may be parked on the street during overnight hours, without permission from the Board of Directors, for no more than five (5) times in a calendar month. Subject to restrictions stated in Section 2 of this resolution.
- 1.4 Specific on-call/emergency vehicles, detailed in [ARS. 33-1809](#), may be parked on the street at all hours. Emergency responder vehicles such as an ambulance or EMT truck, and public utilities such as Xfinity, TEP, CenturyLink, and SW Gas, may park on private property streets and on public/City-owned streets; they are absolved from a homeowners' association parking restrictions.

2 RESTRICTIONS

- 2.1 The act of using more than one vehicle in rotation, that exceeds or violates to any of these provisions, rules and restrictions, is not permitted. The "act" that exceeds or violates any provision rule or restriction is prohibited, not the "vehicle" used in that act.
- 2.2 At no time shall there be any outside storage or parking of any motor vehicle in stages of construction, reconstruction, modification or the rebuilding of parts of motor vehicles such as frames, bodies engines or other parts or accessories.
- 2.3 No motor home, recreational vehicle (RV), boat, trailer or commercial vehicle, may be parked on the streets or driveways, without prior permission of the Board, except to load and unload supplies and equipment for a period of not more than 24 hours. The Board may make exceptions as warranted by circumstances.
- 2.4 No motor home, recreational vehicle (RV), boat, trailer or commercial vehicle, may be stored or parked on the Owner of the Lot's property, except when enclosed within the garage. The Board may make exceptions as warranted by circumstances.
- 2.5 At no time shall there be any outside storage or parking of bicycles, scooters, ATVs, un-licensed vehicles or golf carts. The Board may make exceptions as warranted by circumstances.
- 2.6 Reserved
- 2.7 No vehicle may be parked in the street in front of another homeowner's lot during overnight hours, without that homeowner's permission.
- 2.8 No vehicle may be parked on unpaved surfaces at any time.
- 2.9 No vehicle may be parked opposite to the flow of two-way traffic at any time.
- 2.10 No vehicle may be parked on the street as to impede the safe passage of traffic at any time.
- 2.11 No vehicle may be parked on the street or in a driveway in such a manner as to extend any part of the vehicle or its cargo over the curb, except while actively loading or unloading items from that vehicle.

- 2.12 No vehicle may be parked within 16 feet of any intersection.
- 2.13 No vehicle may be parked in such a manner as to block access to garages, fire hydrants, cart paths, entrances to common areas and pedestrian crossing areas at any time.

3 VIOLATIONS

- 3.1 Violation - A violation is deemed as any act that violates the policies or regulations set forth in this resolution. Multiple acts that violate a policy or regulation set forth in this resolution shall result in a violation for each act. Alleged violations committed by the Owner of the Lot, his or her family or licensee, tenant or lessee or invitee or agent acting for the Owner of the Lot, will be the sole responsibility of the Owner of the Lot to correct.
- 3.2 Occurrence - Unless otherwise stated, an occurrence shall be defined as an act that violates the policies or regulations set forth in this resolution that allegedly occurs in a 24-hour period. A single alleged violation, such as stated in Section 2.8, can occur only once in that 24-hour period.
- 3.3 Liability - If a fine is imposed upon a minor who is found to be in violation of this rule, the Owner of the Lot, the parents or legal guardian having custody or control of the minor shall be jointly and severally liable with the minor for payment of the fine, whether or not the Owner of the Lot, the parents or guardian knew of, or anticipated, a violation of this rule.
- 3.4 Application of Traffic Laws - Any unlawful act involving the use of a vehicle, within the Community of Eagles Bluff - Canada Hills Village 14, shall be additionally punishable as a civil traffic violation pursuant to [Article 11-3 of the Oro Valley Town Code](#).

4 APPEAL PROCESS

- 4.1 The Owner of the Lot may appeal any violation of this resolution, as set forth in *Resolution #2003-03 Resolution of the Board of Directors Regarding the Imposition of Fines*.

5 – 10 Reserved

The Board of Directors realizes that circumstances may arise when strict adherence to these regulations may be difficult. Such regulations serve to protect the safety, security, and esthetics of our community.

The effective date of this resolution is November 20, 2017.

Confirmed this 9th day November, 2017 at a meeting of the Board of Directors.