

SILVER CREEK

Silver Creek Home Owners Association Parking Policy Adopted October 2014 - Revised March 2019

This Parking Policy is adopted by the Board of Directors of the Silver Creek Home Owners Association (SCHOA) to clearly define the parking rules and regulations as specified in the Governing Documents (CC&R's). This policy supersedes and replaces all prior parking policies. The authority to adopt this policy is provided by the Master CC&Rs and the CC&Rs for each subdivision, except for Sterling Ridge. The authority to impose fines for the violation of the policy is provided by RCW 64.38.020 (11). Parking on County streets is prohibited by RCW 46.61.560 (the Highlands subdivision has County owned streets). This parking policy does not apply to the Sterling Ridge subdivision. As a separate condominium association, Sterling Ridge has its own parking policy.

The Pierce County Sheriff's department has the responsibility to enforce State parking restrictions on County owned streets. The Association has the authority to enforce the CC&R's as it relates to parking on County streets within Silver Creek; however, the Association cannot tow vehicles from County streets. Therefore, enforcement on County streets, such as in the Highlands subdivision, will be a combined effort between the SCHOA and the Sheriff's Department.

Parking Policy in Silver Creek for all private streets

The CC&Rs provide that vehicles may be parked only on cement or concrete surfaces on an owner's lot. Homeowners and their guests must park all vehicles either on their driveway or in their garage; vehicles may not be parked on the street. Parking in backyards is not allowed under any circumstance. Parking on or blocking any sidewalk and parking on the front or side yard of any lot is also prohibited. When a vehicle is found to be in violation of the CC&Rs, the owners have 48 hours to correct the problem; however, temporarily moving the car within that 48 hour period (such as driving to work during the day or moving to a different spot on the street) will not cure a parking violation. If a fine is imposed, the fine will be placed on the homeowner's account. It is each homeowner's responsibility to ensure that their guest or renters comply with the parking policy. Owners may be fined for any violation of the parking policy by their guests or renters.

The following is the current policy:

1. The SCHOA may enter into one or more contracts for enforcement patrols in all neighborhoods. Vehicles found to be in violation of the CC&R's may be logged as a violator, tagged, and may be towed.
2. The information collected will be added to the data base at the management company for tracking.
3. First offense - A violation warning letter will be mailed and/or a reminder sticker may be left on the vehicle window.

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4. Second offense - A violation citation letter with a \$125.00 fine will be mailed and a reminder sticker may be left on the vehicle window.
5. Third offense – A violation citation letter with a \$250.00 fine will be mailed and a reminder sticker may be left on the vehicle window.
6. Fourth and continued offenses - The vehicle may be towed and impounded and all charges will be the responsibility of the vehicle owner. An additional fine of \$500.00 per violation will be assessed to the responsible homeowner whether the vehicle is impounded or not. Vehicles impounded are subject to the rules and fees of the towing company. The homeowner will have to pay the tow company any impound charges and fees.
7. Vehicles illegally parked in violation of RCW 46.61.570 such that they block traffic, mail boxes, fire hydrants, or on sidewalks or planting strips, **will be towed and impounded immediately without warning** and all costs will be the responsibility of the vehicle owner. A fine may also be assessed to the responsible homeowner by the SCHOA under the nuisance section of the CC&R 6.17. Fines for these violations may be up to \$500 for the first offence and each subsequent violation.
8. Daytime parking violations will be handled in a like manner as night time violations.
9. The term Commercial Vehicles, as used in the Silver Creek parking restrictions, shall be defined as any vehicle with a GVW rating in excess of 15,000 pounds that is registered to a company and used primarily for commercial purposes.
10. Common pick-ups and SUV type vehicles with a GVW rating of or less than 15,000 pounds and automobiles are exempt from commercial vehicle restrictions. Signage affixed to a vehicle is not a factor in determining whether the vehicle is a Commercial Vehicle for enforcement purposes.
11. Government owned vehicles, such as police, fire department or County owned vehicles, are subject to the same parking restrictions as privately owned vehicles. The only exception to the street parking prohibition is for government owned vehicles parked in an official capacity while on duty.
12. Parked vehicles that block any sidewalk or extend into any street are in violation of both the CC&R's and Washington state statutes and are subject to fines and/or towing.
13. Vehicles parked on both sides of the street (restricting emergency vehicle passage), within 15 feet of a fire hydrant, within 30 feet of an intersection, or within 15 feet of a mail box cluster are subject to immediate towing at the vehicle owner's expense plus fines as per paragraph 7.
14. Vehicles may be parked in the designated parking "cut-outs" on designated streets (96th Avenue East and 97th Avenue Court East) in the Brookfield Community by Brookfield owners or their guests; provided, no on-street parking of any recreational vehicle or trailer of

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any type is allowed. This parking area is limited to Brookfield homeowners and their guests only.

15. Commercial Vehicles may be parked on the street while engaged in construction, moving in or out, and/or performing maintenance or repair operations; however, no overnight street parking is permitted.
16. Vehicles with expired license tabs are classified as inoperable and are not permitted to be stored on any driveway for more than 48 hours. If they are parked on the street, they will be subject to towing as an abandoned vehicle without notice.
17. Guests and renters shall comply with all parking restrictions. Homeowners are responsible for their guest's and renter's compliance with this policy.
18. Motor homes, trailers, and recreational vehicles (together "RVs") are not permitted to be parked on any street. They may obstruct the travel of EMS vehicles and may cause a safety issue. RVs are only permitted to be parked on an owner's driveway for the purpose of loading, unloading, and cleaning for a period not to exceed 48 hours on each occasion (not to exceed 96 hours per week with a break between each event of 48 hours).
19. Vehicles dripping oil, gas, or other liquids must be removed or repaired to prevent permanent damage to the asphalt or concrete. Each owner must immediately clean up any such leakage and each owner shall be responsible for any resulting damage or costs.
20. No vehicle repairs are permitted outside of an owners' garage except minor operations which can be completed in 48 hours or less.
21. Homeowners that park their vehicles on their lawns will be fined for violation of the CC&Rs.
22. The Board of Directors does not have any authority to grant a temporary variance to the on-street parking restrictions because blocking the streets is a violation of the Fire Code. The Board of Directors may grant a variance for commercial vehicle or RV parking in a driveway when a hardship exists. Such variance may not exceed 30 days. Temporary variance requests must be submitted in writing to the association management company and the Board of Directors is the sole authority to determine whether a hardship exists in these cases.