

MVMA – Meridian Valley Maintenance Association

Parking

BACKGROUND

The Declaration of Restrictions (DORs) limits the parking of certain vehicles on both the common grounds and on private property within Meridian Valley. The By-laws and the DORs empower the MVMA Board of Trustees (BOT) to establish rules and to impose penalties for violation of these rules.

MVMA BY-LAWS

ARTICLE VI, Section 2(i): Duties of The Board:....”To do any and all other acts as it may deem necessary to preserve, effectuate and implement the meaning and intent of the Articles, By-Laws and the Declaration. “

DECLARATION OF RESTRICTIONS,

ARTICLE IV, Section 4(a). Limits. The right-of-way along and across the common properties shall be exclusively for the purpose of walking thereon or traveling thereon by bicycle or motor vehicle with three or more wheels. The easement and right of way herein granted shall be nonexclusive and use thereof shall be subject to such reasonable rules and regulations as the Association may establish from time to time for safety purposes, for the purpose of protecting the private ways and for the purpose of protecting the peace and quiet. Such rules and regulations may include, but need not be limited to, traffic regulations in general, speed limits, or limits as to the type and size of vehicles which may use the private ways and the prohibition and/or limitation of parking. [Article VII, Section 1(a)(b) provide remedies for parking and traffic violations on the roads, including fines and loss of use of the common properties.]

ARTICLE VI, Section 6(f). Business and Commercial Use of Property Prohibited. No trade, craft, business, profession, commercial or manufacturing enterprise or business or commercial activity of any kind shall be conducted or carried on upon any residential lot, or within any building located on residential lot or condominium site, nor shall any goods, equipment, vehicles (including but not limited to boats, buses, trucks and trailers of any description) or materials or supplies used in connection with any trade, service, or business, wherever the same may be conducted, or any vehicles in excess of 6,000 pounds gross weight (including buses, trucks and trailers of any description) used for private purposes, be kept, parked, stored, dismantled or repaired on any residential lot or on any street within the property nor shall anything be done on any residential lot which may be or may become an annoyance or nuisance to the neighborhood.

ARTICLE VI, Section 6(g). No owner or contract purchaser of any residential lot shall permit any vehicle owned by him or by any member of his family or by any acquaintance, and which is in an extreme state of disrepair, to be abandoned or to remain parked upon any street on any yard or driveway of any residential lot, within the existing property for a period in excess of forty-eight (48) hours.... A vehicle shall be deemed to be in an extreme state of disrepair when in the opinion of the architectural committee its presence offends the reasonable sensibilities of the occupants of the neighborhood.

MVMA – Meridian Valley Maintenance Association **Parking**

ARTICLE VI, Section 6(r). All boats, buses, trucks, recreational vehicles, campers (when dismantled) and trailers on the residential lots must be stored or parked in a garage which conforms to the building requirements set out in Article VI. None of the above vehicles may be stored in the driveway or yard areas of the residential lots or in the street area in front of the residential lots. Likewise, parking of the above mentioned vehicles in these areas for a period of more than one day is prohibited and none of those areas shall serve as the normal parking place for any of the vehicles in question. Likewise, automobiles shall not be stored in the yard or street areas, nor shall autos have their permanent parking place in any yard or street. The purpose of this section is to provide that the storage of all vehicles be done in enclosed areas, (excepting autos which may be stored in driveways, subject to the limitations in Article VI, Section 6 (g.)) and that all vehicles be stored except when in “use”. The allowance of the one day parking exception is to allow temporary parking when such vehicles are being washed, loaded, and unloaded, etc., incident to the “use” of those vehicles. Living by any person or persons in any vehicle on, or adjacent to the residential lots is expressly prohibited and shall not be considered a “use” as that word is used in this section, so as to allow such vehicle to be parked in any yard, driveway or street for longer than the one day limit as mentioned above.”

RULES AND REGULATIONS

The general intent of the MVMA Declaration of Restrictions is vehicles parked on private property are limited to those in regular use, recreational vehicles are stored in garages or offsite and no vehicle is parked or stored in a yard. To clarify in detail,

- Vehicles in regular use must be parked in a driveway or on an improved parking area.
- Vehicles not in regular use must be stored in garages or offsite.
- Vehicles may be parked on a MVMA street for no more than 24 hours and no more than one overnight per month. Parking permits are available at the guardhouse for five (5) nights to allow for out-of-town guest parking or property improvements that require vehicles to be on the street. [After five (5) days the permit is renewable if on-going construction warrants.]
- RV type vehicles are allowed only if stored/parked in a garage. RV's, boats, trailers, etc., may be parked outside a garage or on the street for one day while being outfitted or cleaned. These vehicles may not be used as extra bedroom accommodations.
- Vehicles in an “extreme state of disrepair” must be removed within 48 hours.
- Commercial vehicles and vehicles with advertising displayed are allowed only if parked in a garage or the advertising covered (magnet sign covers are available at auto supply shops or online).
- An excessive number of vehicles or vehicle appearance may be cited as a violation if it is determined to be a nuisance or an appearance problem.

MVMA – Meridian Valley Maintenance Association Parking

DEFINITIONS & INTERPRETATIONS:

- A driveway is a hard surface (concrete, brick, etc) connecting the street to the entry of the garage.
- An improved parking area is a hard surface (including gravel, rock or similar surface) which is used for loading/unloading passengers and/or parking.
- A vehicle includes automobiles, pick-ups, SUV's and passenger vans that can/could be parked/stored in a garage.
- An RV is defined as a van, bus or pickup specifically outfitted for overnight accommodation, or a house trailer or other trailer designed to accommodate boats, campers or other recreational equipment.
- Parking implies temporarily leaving a vehicle in a place until its next use when its use is routine and regular.
- Storing implies leaving a vehicle in a place for an extended period of time in anticipation of future use.
- Advertising does not include standard vehicle manufacturer's identification, license plate holders, school/college designations, etc.
- Commercial vehicles/equipment includes but is not limited to, trucks, boats, buses, trailers of any description used in conjunction with any trade, service, or business or any private vehicle in excess of 6000 pounds gross weight. Unmarked company owned vehicles are not considered to be a commercial vehicle.

PARKING VIOLATIONS AND REMEDIES

VIOLATION: Parking of prohibited vehicles on homeowner's property or any other violation of Article VI, Sections 6(f)(g)(r) of the DORs. Examples include but are not limited to RVs, commercial equipment or vehicles stored utility trailers, boats, recreational vehicles and unused cars or trucks.

REMEDIES: The Board may take these steps and impose the fines described below for violations under this policy. Notwithstanding the specific fines called for in this policy, the MVMA and BOT reserve the right to pursue *any other available remedy or sanction in lieu of or concurrently with this procedure*.

- **First Infraction:** Homeowner is sent a letter containing a copy of the DORs, a copy of the parking policy approved by the BOT and a request to remove or garage the prohibited vehicle(s) immediately.

MVMA – Meridian Valley Maintenance Association **Parking**

- **Second Infraction:** At least a week after the first letter, homeowner is sent an infraction notice (“ticket”) for \$25, a copy of the first letter and a dated picture of the prohibited vehicle or location. In addition as part of the second infraction notice, the homeowner will be informed of the right to a hearing with the Architecture Committee (AC) if he/she believes the parking policy does not apply in their case. In the absence of such a request, the AC will forward the notice of the fine to the BOT for collection.
- **Third Infraction:** At least a week after the second letter, the homeowner is sent an infraction notice (“ticket”) for \$50, a copy of the first two letters and a new dated picture of the prohibited vehicle or location. In addition as part of the third infraction notice the AC may choose to make a specific offer to the homeowner to have the prohibited vehicle removed at its earliest convenience and bill the owner on a schedule not to exceed six months (fees and interest to apply only to unpaid account balances).
- **Fourth Infraction:** At least a week after the third letter, the homeowner is sent an infraction notice (“ticket”) for \$100, a copy of the first three letters and another dated picture of the prohibited vehicle. At this time, homeowner will be notified the site will be monitored weekly and additional fines of \$100 will be assessed for continued violation at each weekly time period.

[Note: Financial penalties will be billed monthly and subject to fees, interest and property liens for non-payment.]

Revised July 14, 2016
Revised, February 7, 2001
Revised, June 7, 2000
Revised, May 2, 2000
Revised, February, 2000
June 2, 1999