

**MOTOR VEHICLE PARKING RULES
APPROVED BY THE BOARD OF DIRECTORS
FOR THE BAYWOOD VILLAGE HOMEOWNERS' ASSOCIATION**

REVISED REGULATIONS FOR CONTROL OF MOTOR VEHICLE PARKING

Article IX, Section 1(c) of the Baywood Village Homeowners' Association's (hereinafter referred to as the "Association") Bylaws authorizes the Board to adopt rules and regulations as are reasonably necessary to carry out the duties of the Association. See the attached Appendix "A" for CC&R Sections on page 4.

The Board has a duty to revise its Rules from time to time for the administration and enforcement of the Association's Rules and Regulations and the CC&Rs.

The Board approved the following **revised** Parking Rules, which are incorporated into the official Rules and Regulations of the Association. The Rules shall apply to Homeowners, Tenants and Guests. ***Owners are responsible for their tenants and guests compliance with these Parking Rules.***

1. PARKING RULES

All motor vehicles shall be parked in the garage on the Resident's Lot property.

An Owner (or a Tenant with the written permission of the Owner) may apply in writing to the Board for a limited privilege exception to this requirement to park their vehicle(s) on the designated Private Parking Common Areas of the Association's Private Streets.

1-2 To be considered for a Rule exception, the Applicant shall demonstrate and prove to the satisfaction of the Board that an exception to the Rule is warranted due to a bona fide "hardship", and that the vehicle(s) in the application are:

- a. in compliance with the CC&Rs (no commercial vehicles over ½ ton, boats or trailers); and
- b. in compliance and current with all State vehicle registration and licensing requirements, and are maintained in good operating condition.

- 1-3 The Baywood Association Board of Directors, or the Association's Manager acting under the Board's authority, shall issue and revoke parking permits and passes.

The Board shall not issue an exception parking permit if any of the following conditions are present:

- a. The garage area is being used in a manner that does not permit the parking of two State Registered and Licensed vehicles.
- b. The storage of a trailer or boat that does not permit the parking of two vehicles in the garage.
- c. The Owner or Tenant is not in compliance with these Parking Rules.
- d. Information provided in the application for parking is intentionally false.

2. GENERAL

Owners, Tenants and Guests may park their vehicles without Parking Permits in the Association's Common Areas between the hours of 7 a.m. and 11 p.m. This does not apply to the rear garage cul-de-sac fire lanes.

Owners/Tenants must register overnight guests' vehicles with the Association. Please call the Baywood Association's voice mail message service at 769-0723 to register a guest or to report a parking problem. The message will provide the Parking Company's telephone number for you to call to report the following information: your Baywood Village street address, telephone number, and the number of days of the guest's visit. Please include the license number, make, model, and color of the guest's vehicle.

Recreational vehicles, which are not permitted to be parked within the Baywood Association, shall be parked no longer than 48 hours, and only for the purpose of loading and unloading, if approved in advance by the Association.

3. PERMITS AND DESIGNATED PARKING AREAS

- a. The Baywood Association Common Areas contain about 240 parking spaces. Up to 160 Owner/Tenant parking permits may be issued, reserving 80 spaces for use by guests. Parking Permits are issued annually by the Association.
- b. Designated parking is defined as those areas of the named streets of the Baywood Village Association bordered by bollards (posts) where vehicles can be parked on one or both sides of the street and still leave the necessary 20 feet clearance required for emergency vehicles. All cul-de-sacs and garage areas are considered Fire Lanes by the Alameda Fire Department. Parking in Fire Lanes is strictly prohibited and vehicles are subject to being towed away without prior notice.

- c. The vehicle's license plate number will be the identification for each vehicle. Only a vehicle whose license number has been issued a Parking Permit by the Association shall park in the Association's Common Areas between the hours of 11:00 p.m. and 7:00 a.m. ***Vehicles with Parking Permits must be moved at least once in any 72-hour period.***

3-1 **Three types of Parking Permits** may be issued and revoked by the Baywood Association Manager as authorized by the Board of Directors.

#1: A **Temporary Parking Pass** issued by the Association to overnight Guests and new Owners/Tenants for a period not to exceed 14 days in a 60-day period. A 14-day extension may be approved upon application based on circumstances that are reasonable and justified. The Guests of Owners/Tenants who arrive during the night shall call the Association's office at (865-3363) and leave a recorded message for the Association's Management that shall include: the vehicle's license plate number, Baywood address and telephone number, and the duration of the visit.

#2: A **Hardship Exception Parking Permit** issued for a bona fide hardship. The Hardship Exception Permit is valid for a period of one Calendar Year. **Limited only to the Calendar Year 2001, "Hardship" includes one vehicle per household that is too large to fit in the garage of the Owner/Tenant.**

Beginning with Calendar Year 2002, "Hardship" is defined as a condition existing in which an Owner or Tenant requires additional garage access space to enter and exit a vehicle. **Beginning in 2002, the size of a vehicle will not be considered a "Hardship."**

#3: An **Additional Vehicle Parking Permit** issued for Owners/Tenants having more than two vehicles, which are in compliance with Sections 3 and 4. The maximum numbers of Parking Permits that may be issued are three per Residence Lot.

The Board will revoke a Parking Permit if the application contains false information, or if the basis on which the applicant's permit was issued is no longer valid.

4. PARKING PERMIT FEES

Types #1 and #2 parking permits do not require a fee. Parking Permit type #3 requires the payment of annual parking permit fee as follows:

(a) ***After January 1, 2002, Owners/Tenants with more than two vehicles parked outside of the garage, shall pay:***

| | |
|-----------------|--------------------|
| First vehicle: | \$100.00 per year |
| Second vehicle: | \$150.00 per year |
| Third vehicle: | \$270.00 per year. |

(b) Parking Permit fees will be refunded upon request on a pro-rated basis if the vehicle no longer requires a parking permit. A partial month shall be charged as a whole month.

5. VIOLATIONS AND ENFORCEMENT

1. Motor Vehicles parked overnight in Baywood designated Parking Areas without a parking permit will receive the following:
 - (a) First Courtesy Notice
 - (b) After an additional 24 hours – Second Notice
 - (c) After an additional 24 hours – Notice of Intent to Tow the Vehicle
 - (d) After an additional 24 hours – The vehicle will be towed.
2. An inoperable vehicle, or one without Current State Registration or License, shall not be kept or stored on Baywood Association property. All vehicles must be operable. Vehicles in violation will be subject to the remedies in Section 5.1.
3. The record of Owner/Tenant violations will be purged from the Association's records at the end of each Fiscal Year.

6. PARKING PERMIT VEHICLE STICKERS

The static-cling parking permit sticker issued by the Baywood Village Association must be placed in the rear window of your vehicle where it can easily be seen. If you change the vehicle to be parked in the Association's Common Parking Area, transfer the sticker to that vehicle. Be sure the Baywood Association's Manager has been advised of the vehicle's license number if it is not already on record as being covered by the Parking Permit sticker number.

APPENDIX "A"; EXCERPTS FROM THE CC&Rs

Article V, Section 13 "Parking" of the Declaration of Covenants, Conditions and Restrictions (CC&Rs) specifies that passenger motor vehicles shall be parked and garaged on the Residence Lots pursuant to the Association's Rules, provided, however, that in no event shall they be parked in driveway areas so as to extend onto any portion of the Project Common Area. Resident Lot Owners (and any tenants) shall keep their garage and driveway areas in a neat and orderly condition with all storage areas completely enclosed. No garage shall be converted to any use other than storage of vehicles. The garage driveway street cul-de-sacs are defined as Association Common Area and are designated "Fire Lanes" by the City of Alameda. They shall not be obstructed for access by emergency vehicles at any time.

Article V, Section 14 "Vehicle Repairs" of the CC&Rs specifies that no vehicles of any type shall be permanently or semi-permanently parked on the Properties or any Resident Lot for purposes of accomplishing major repairs thereto or the reconstruction thereof.

Article V, Section 15 "Boats, etc." of the CC&Rs prohibits trailers, boats, erected tents, campers or commercial vehicles classified above ½ ton, or which cannot be enclosed within the Residence Lot garage areas, and none of the foregoing shall be kept or stored in the Association's Common Areas.