

HIGHLAND GREENS CONDOMINIUMS ASSOCIATION

Policy & Procedures – Parking Rules

The following procedures have been adopted by Highland Greens Condominium Association (“Association” or “Lodge”) with respect to parking. This policy applies to owners, occupants, tenants and guests in the Community.

WHEREAS, Primary parking that is available for use by owners and their guests are those spaces located within the Lodge surface parking lot, and outside parking is very limited and must be carefully regulated to ensure equal access and proper use by all Unit Owners; and

WHEREAS, the Association has only 51 outside parking spaces available for use by Owners and their guests; this equates to only one parking space per Unit; and

WHEREAS, the Association does not currently have any parking spaces designed for use by RV's, trailers, boats, or for the long-term storage of vehicles; and

WHEREAS, the parking of vehicles that block lot entrances or traffic lanes can have major negative impacts on other Owners and create unsafe conditions; and

WHEREAS, the improper parking of vehicles can have a major negative impact on the cost and efficiency of winter snow removal operations.

NOW, THEREFORE, IT IS RESOLVED that the Association does hereby adopt rules and regulations to resolve recurring problems associated with general parking availability, Unit access, renter abuses, and operations and maintenance issue:

1. PARKING PERMITS/DECALS

A. All vehicles parking on the surface parking lot must display parking permits in the form of hang tags.

B. Each Unit will be provided two (2) parking passes, as outlined below.

- i. One parking pass will be valid for parking at any time and during any day of the year.
- ii. The other parking pass will contain blackout dates (which will typically correspond with holidays or historically busy times of year, such as spring break) when it cannot be used. The blackout dates will be announced by the Board at the beginning of each the fiscal year and are subject to change.

C. In the event of a lost permit, a new hanging tag may be issued for a fee of \$75. Owners/residents may not have more than two parking passes in their possession.

2. PARKING SPACES

A. Parking on the Property is limited by the rules of the Association, zoning regulations of the City of Breckenridge, and the snow removal operations and maintenance requirements.

3. PARKING OF OTHER VEHICLES

A. The parking of any recreational vehicle ["RV"], vehicles with tandem axles, trailers of all types, commercial vehicle or bus, or any other type of equipment, is prohibited. This prohibition does not apply to commercial vehicles which are on site and actively engaged in and performing work for the Association or an individual owner.

B. Commercial Vehicle are defined as a vehicle that meets any of the following characteristics or combination of characteristics:

- i. Vehicles deemed a "commercial vehicle" pursuant to state, federal, or local law, ordinance, rule or regulation;
- ii. Vehicles that have a gross vehicle weight rating in excess of 8,500 pounds;
- iii. Vehicles with business signage, advertisements, or logos, which by themselves, or the combination of the same, cover more than 20% of the vehicle;
- iv. Vehicles with no passenger seats (i.e. delivery vans);
- v. Trucks where the bed of the truck contains a non-standard bed, but rather a bed designed for commercial/industrial use;
- vi. Any vehicle with racks, ladders, or panels designed to carry equipment; and/or
- vii. Vehicles with commercial vehicle license plates.

C. Recreational Vehicle is defined as any motorized or non-motorized vehicle whose primary purpose is for recreation, specifically including, but not limited to, jet skis, boats, water bikes, all-terrain vehicles, dirt bikes, motor bikes, Campers, Motorhomes, motor coaches, trailers, vehicles containing cooling and/or bathroom facilities, and golf carts.

D. This provision does not apply to Emergency Vehicles which includes a motor vehicle that meets all of the following criteria:

- i. The vehicle is required by an Owner or occupant's employer to be parked at the Owner or occupant's residence as a condition of the Owner or occupant's employment; and
- ii. The vehicle has a gross weight of ten thousand pounds or less; and

- iii. The vehicle is used by an Owner or occupant who is a member of a volunteer fire department or employed as an Emergency Service Provider; and
- iv. The vehicle bears an official emblem or other visible designation of the Emergency Service Provider.

If requested by the Association, an Owner or occupant shall provide proof, in a means acceptable to the Board of Directors, of qualification of a vehicle under the above definition.

4. **PARKING RULES AND COVENANTS.** Vehicles parked within the community are subject to the following rules and covenants:

- A. Vehicles must display a parking pass at all times.
- B. Vehicles must fit completely within the parking space so as not to extend over into another parking space or out into the drive lanes.
- C. Abandoned or inoperable vehicles may not be kept, stored, or parked within the outdoor parking areas. An abandoned or inoperable vehicle includes any automobile, truck, motorcycle, or other vehicle which does not have an operable propulsion system, which has flat tires, is not otherwise road worthy, or has not moved for a period of 30 days without notification to the Association's management company; provided however, that otherwise permitted vehicles parked by an owner or residents while on vacation or during a period of illness shall not be deemed to be abandoned.
- D. The parking of any vehicle that is leaking any engine fluids or hazardous material is prohibited. Any vehicle leaking oil or other fluids must be repaired immediately. The owner or operator of any such vehicle shall be responsible for the expenses incurred by the Association in cleaning up any such spill or the damages caused by same. In addition, fines may be levied against such owner or operator after notice and an opportunity for hearing.
- E. Vehicles shall not be permitted upon lawns, landscaped areas, or sidewalks. The owner or operator of any such vehicle causing damage to the aforementioned common elements shall be responsible for the cost of such damage and may be subject to fines after notice and an opportunity for hearing.
- F. Mechanical work of any kind (including, but not limited to changing oil, oil filters, transmission fluids; lubricating vehicles; making mechanical repairs) is prohibited except in emergency situations approved by the Board.
- G. Parking in areas posted as NO PARKING or TOW AWAY ZONES.
- H. Parking in the immediate area of a fire hydrant or fire lane.
- I. Parking in any manner that obstructs the flow of traffic, or snow removal operations.

5. ENFORCEMENT

A. Towing.

- i. Except as set forth below, which allows for immediate towing, in the event a vehicle is parked in violation of the Parking Regulations, the Association will post written notice ("Notice") on the windshield of the vehicle at least 24 hours prior to towing, which notice will contain the following information:
 1. The vehicle will be towed without consent if it remains parked inappropriately;
 2. Description of the parking violation;
 3. The vehicle will be towed if it is not moved; and
 4. If the vehicle continues to violate the Parking Regulations in the same manner, this may lead to immediate towing without notice.
- ii. For each individual tow, the Association, its authorized agent, employee, or management company/manager shall, in conjunction with the above Notice, provide to the tow company, within 24 hours immediately preceding the tow, the legally required and signed approval form created in accordance with C.R.S. §40-10.1-405(3)(d)(I). The form was created by the Public Utilities Commission and is attached to this policy. Such form shall not be automated or preapproved.
- iii. If the violation continues past the time for correction stated on the Notice, the vehicle may be towed in accordance with the Notice, without further notice to the vehicle owner or user, and the owner thereof shall be solely responsible for all towing and storage charges.
- iv. Immediate Towing A vehicle will be subject to immediate towing, without notice, if:
 1. The vehicle is parked in a designated fire lane;
 2. The vehicle is parked in a handicap parking space without displaying an appropriate placard or license plate;
 3. The vehicle is blocking a driveway or roadway enough to effectively obstruct access;
 4. The vehicle has received two or more previous notices for violating the Parking Regulations in the same manner;
 5. The vehicle is parked in a space designated for use of a particular resident.
 6. The vehicle is being repossessed by a creditor with a lien or security interest in the vehicle;
 7. The removal is expressly ordered or authorized by a court order, an administrative order, or a peace officer or by operation of law; or
 8. The vehicle is parked without authorization in a parking lot marked for the exclusive use of residents or invited guests.

B. Immobilization.

- i. The Association will post written Notice on the windshield of the vehicle at least 24 hours prior to immobilizing, which Notice will contain the following information:
 1. The vehicle will be immobilized if it remains parked inappropriately;
 2. Description of the parking violation;
 3. Date and time the vehicle will be immobilized if it is not moved or if the parking violation has not been corrected;
 4. If the vehicle continues to violate the Parking Regulations in the same manner, this may lead to immobilization without notice.
- ii. For each individual immobilization, the Association, its authorized agent, employee, management company/manager, or resident to whom a parking space is assigned, shall in conjunction with the above Notice, sign the vehicle immobilization form to be provided by the immobilization company in accordance with C.R.S. §40-10.1-805(1)(a)(II) within 24 hours immediately preceding the immobilization. Such form shall not be automated or preapproved.
- iii. Immobilization Without Notice. A vehicle will be subject to immobilization without notice, if:
- iv. The vehicle immobilization company provides Notice by placing such Notice on the inappropriately parked vehicle, containing:
 1. the phone number of the company,
 2. normal operating hours, and
 3. phone number to contact the company outside of normal business hours; **and** one or more of the below circumstances apply:
 - (i) The vehicle is parked a second or subsequent time in the same inappropriate manner that caused it to receive previous notice(s);
 - (ii) The vehicle is parked in a handicap parking space without displaying an appropriate placard or license plate;
 - (iii) The vehicle is blocking a driveway or roadway enough to effectively obstruct access;
 - (iv) The vehicle is parked or effectively obstructing a fire hydrant or a designated and marked fire zone;
 - (v) The vehicle is parked in a space designated for use by a particular resident;
 - (vi) The removal is expressly ordered or authorized by a court order, an administrative order, or a peace officer or by operation of law; or

- (vii) The vehicle is parked without authorization in a parking lot marked for the exclusive use of residents, except that a vehicle owner shall receive Notice if parked in spaces designated as "visitor parking".

C. Other Remedies. Notwithstanding anything to the contrary in this Policy, the Board may elect to impose fines or use other available sanctions, rather than exercise its authority to tow. The Association's right to tow is in addition to and not in limitation of all other rights of the Association.

6. GENERAL

A. No Liability. If a vehicle is towed or booted in accordance with this Policy, neither the Association nor any officer or agent of the Association shall be liable to any person for towing and storage costs or for any claim of damage as a result of the towing activity.

B. Renters. Owners who rent their Units are required to provide their tenants with a copy of this Policy.

C. Definitions. Unless otherwise defined in this Policy, initially capitalized or terms defined in the Declaration shall have the same meaning herein.

D. Supplement to Law. The provisions of this Policy shall be in addition to and in supplement of the terms and provisions of the Declaration and the law of the State of Colorado governing the community.

E. Deviations. The Board may deviate from the procedures set forth in this Policy if in its sole discretion such deviation is reasonable under the circumstances.

F. Amendment. This Policy may be amended from time to time by the Board of Directors.

PRESIDENT'S

CERTIFICATION: The undersigned, being the President of the Association hereby certifies that the foregoing Resolution and Policy was approved and adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors of the Association on July 8, 2025 and in witness thereof, the undersigned has subscribed their name.

Highland Greens Condominium Association, Inc.,
a Colorado nonprofit corporation,

Signed by:

Walter J Lemanski

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President



COLORADO

**Department of
Regulatory Agencies**

Public Utilities Commission

PROPERTY OWNER TOW AUTHORIZATION FORM

TOW INFORMATION

DATE: _____ TIME: _____

PROPERTY ADDRESS OF TOW: _____

INAPPROPRIATE PARKING/REASON FOR TOW: _____

VEHICLE INFORMATION

MAKE: _____ MODEL: _____ COLOR: _____

LICENSE PLATE / STATE: _____ VIN: _____

PROPERTY OWNER INFORMATION

NAME (PRINTED): _____ EMAIL: _____

ADDRESS: _____ PHONE: _____

PROPERTY OWNER SIGNATURE: _____

(FOR RESIDENTIAL PPIs ONLY) I certify that 24-Hour notice was provided prior to the tow, if applicable. ☐

I certify that I meet the definition of a property owner, for purposes of tow authorization* ☐

*Pursuant to PUC Rule 6501(u), "property owner" means (I) the owner or lessee of the private property or public property; (II) a person who has been authorized to act as an authorized agent for the property owner or lessee of the private property or public property; or (III) a federal, state, county, municipal, or other government entity that is the owner or lessee of the private property or public property, or such entity's employees responsible for such property. In addition, a person, pursuant to §§ 40-10.1-405(3)(a)(IV)(B) and (C), C.R.S., (e.g., an HOA board member) may be considered a property owner, for purposes of authorizing a nonconsensual tow. Please note that state law requires a Residential PPI (i.e., a nonconsensual tow from residential private property, including from a common parking area) to be authorized by the owner or lessee of the private property, their direct employees, or direct employees of a retained property management company.

Towing Carrier Use Only:

Company Name: _____ Storage Facility Address: _____

Telephone Number: _____ PUC Permit Number: _____

*Report problems to the Public Utilities Commission at (303) 894-2070. Form Updated: 08/09/24