

Shangri-La Estates Homeowners Association

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Parking Policy & Enforcement Resolution Effective 3/15/19

Date: 2/13/2019

Dear Community Member,

As previously communicated, Shangri La Estates Association received notice from the City of Peoria Fire Department that street parking is not allowed in the community due to the narrow width of the streets. After receiving notice, the Board of Directors held several Board Meetings to discuss changes to vehicle parking in Shangri La due to non-compliance with the City of Peoria Fire Code. Homeowners and residents were given the opportunity to provide suggestions during each of the meetings.

The Board of Directors hired a Civil Engineer to work with the Community Manager and the City of Peoria to determine what, if any, additional parking may be added in the community. Based on the Application meeting with the City of Peoria, the ideas that were presented by the community will not be allowed. The City of Peoria advised we could apply to add one or two more spaces near the mailboxes, however, there were stipulations required by the City that make it cost prohibitive (approximately \$25,000) just to add only one or two spaces. Therefore, the Board of Directors has decided not to pursue adding parking spaces in the community.

With all this said, the City of Peoria is still requiring the Homeowners Association to enforce no street parking within the community. The streets are considered fire lanes. Therefore, the Board of Directors adopted the enclosed Parking Rules and Enforcement Resolution during the January 28, 2019 duly noticed open Board Meeting.

The Board Members did not arbitrarily adopt the parking rules to make life difficult for residents. They have a fiduciary responsibility to the Association and to the homeowners to uphold the Federal, State and City laws and represent the best interest of the community as a whole. While the parking rules may seem unfair to some, the Board has no choice but to implement and enforce the rules uniformly in the community.

Please review the enclosed Parking Rules and Enforcement Policy. These rules go into effect on March 15, 2019. This provides you with 30 days to find alternative parking solutions if needed.

A list of Questions & Answers has been included with this letter, but you will need to read the enclosed Resolution to ensure compliance with the parking rules.

The parking rules go into effective on March 15, 2019. Please make sure you find alternative parking solutions if needed, prior to this date.

If you have any questions or concerns, please contact your owner. All communication with the Association must be between the Homeowner and the Association. If the Homeowner provides written authorization to the Association, allowing us to speak with the tenants, we are more than happy to do so.

Sincerely,

Preferred Communities
at the direction of:
Shangri-La Estates Homeowners Association

The "Overflow Parking Permit" has been mailed to the Lot Owner. Please contact the owner of your lot for your permit. Each Lot receives one permit.

The permits are being sent to the Owners of the Property. It is the Owner's responsibility to provide the parking permit to their tenants.

Please note, that replacement permits cost \$25.00 each.

Shangri-La Estates Parking Rules Q&A

Q: Why are we no longer allowed to park on the street?

A: A few residents complained to the City of Peoria about the number of vehicles parked on the streets in Shangri La Estates, which started an investigation. Because the streets are so narrow in the community, they are considered fire lanes, and street parking should have never been allowed. The City of Peoria is requiring enforcement of no street parking.

Random patrols will be conducted by a towing company, and any vehicles parked in the street will be towed without notice.

Q: My vehicle is too long to fit in the driveway. What do I do?

A: You may park your vehicle in the driveway and allow it to hang over into the street by 2 feet. If it hangs over in excess of 2 feet, you will have to find alternative parking. We must enforce the 20 feet clearance at all times.

Q: I have more vehicles than will fit in my garage and/or driveway. Can I park my vehicles in my front yard?

A: Unfortunately, you are not allowed to park on the landscaping in your yard. Per City of Peoria Code, all parking surfaces must be paved. And due to the small size of the front yards, there is not room for additional pavement to be added.

Note: Due to this City Code, the Association has to pave the overflow parking, which is currently crushed granite, located at the south end of the community.

Q: I have 4 vehicles and only 2 will fit in my driveway. I'm using my garage for storage (or as a workshop) where can I park the additional vehicles?

A: You need to use your garage for parking the number of vehicles it was built to house. If you are using your garage for storage or other uses, you will need to find alternative storage (or other) solutions.

Q: My car needs repairs. Can I park it in the overflow parking area or in my driveway while I wait to repair it?

A: No. Inoperable vehicles may not be stored in the driveway or in overflow parking. You will need to store the inoperable vehicle inside your garage or outside of the community.

Q: Can I park my excess vehicles in the Overflow parking?

A: There are approximately 10 parking spaces in the overflow parking area, and there are 54 lots. It wouldn't be fair if one or two residents monopolized the overflow parking. Therefore, the Board has created rules for the overflow parking area. Please refer to the Parking Policy & Enforcement Resolution for details.

Every lot receives one parking permit, allowing one vehicle to be parked in over flow parking, on a first come first park basis. Any vehicle in the overflow parking area without a permit, may be towed without warning.

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ELECTRONIC RECORDING

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Shangri-La Estates Homeowners Association

PO Box 5720

Mesa, AZ 85211-5720

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CAPTION HEADING:

Parking Rules & Enforcement Resolution

DO NOT REMOVE

This is part of the official document.

Shangri La Estates

Parking Rules & Enforcement Resolution

Effective March 15, 2019

Pursuant to the authority contained in the Arizona Revised Statutes and Article IV, Section 4.3 of the Declaration, the Board of Directors of the Shangri La Estates Homeowners Association hereby approves and adopts the following Parking Rules & Enforcement Policy; adopted during the duly noticed Open Board Meeting on January 28, 2019.

Resolved: The following Parking Rules & Enforcement is effective March 15, 2019 and rescinds all previous rules and/or resolutions specific to Parking within the community.

Parking Rules

Vehicles allowed to be parked in the Community:

Family Vehicles including: car, station wagon, sport wagon, mini-van, jeep, sport utility vehicle, motorcycle, pick-up truck/van of less than $\frac{3}{4}$ ton capacity not exceeding 7' in height, or similar non-commercial and non-recreation vehicles that are used by a Resident for family and domestic purposes and which are used on a regular and recurring basis for basic transportation. The Board may, acting in good faith, designate a Commercial vehicle as a Family Vehicle if the parking of such in the community will not adversely affect the Project or the Residents.

Inoperable vehicles shall not be stored or parked so as to be visible from the street or neighboring property. Only emergency repairs of a vehicle will be allowed in the community (i.e. flat tires). All other maintenance & repairs are prohibited.

Recreational Vehicles shall never be parked in the community so as to be visible from the street or neighboring property. Recreational vehicles include: mobile/motor homes, boats, jet ski or wave runners, all terrain vehicle, off-road vehicle, trailers (of any kind), toy hauler, camper, camper shell, snowmobile, bus, etc.

Street Parking

1. All streets within the community are designated Fire Lanes, and therefore, street parking is prohibited.
 - a. Vehicles parked on the street will be towed at the vehicle owner's expense, without any notice.

Individual Lot Parking

1. Vehicles shall be parked in the garage & driveway only.
 - a. Vehicles parked in the driveway may hang over into the street by 2 feet.
 - i. Any vehicles hanging over into the street in excess of 2 feet will be considered "parked on the street" and is subject to towing at the vehicle owners' expense.
 - b. When parking in your driveway, park straight/length wise only. No diagonal or horizontal parking allowed, as this requires driving over landscape to park this way.
 - c. **Garages:** No resident shall convert a garage to a living or recreational area or otherwise use a garage as a storage area if the conversion or use will prevent the garage from being

used as a vehicle parking area for the number of vehicles for which the garage was originally designed.

- i. Vehicles parked inside the garage may not be parked in such a way to prevent the garage door from closing. (i.e. the vehicle may not extend out into the driveway when parked in the garage).
2. **Vehicles may NOT be parked on the landscaping in a yard.**
 - a. Per Peoria City Code 21-825-10, "All areas intended to be utilized for parking space, access aisles and driveways shall be paved with concrete or asphalt to control dust and drainage."
 - b. Fines will be assessed if vehicles are parked on the landscaping as outlined in the "Notice of Violation AND Fine/Enforcement Schedule".
 3. **Inoperable Vehicles may not be stored on Lots or in driveways.** Vehicles will be considered inoperable if it is: under repair, covered by a car cover, tarp or other material, has a flat tire that is not replaced within 48 hours, does not have current license tags, has debris accumulated under or around, and/or is not driven or moved under its own power on a weekly basis by a resident of the lot.
 - a. Fines will be assessed if inoperable vehicles are stored on Lots or in driveways as outlined in the "Notice of Violation AND Fine/Enforcement Schedule".

Overflow Parking

The Association has approximately 10 overflow parking spaces at the south end of the community. These are considered "first come - first park". As there are 54 lots in the community and only 10 overflow parking spaces, these spaces should not be considered as a permanent parking space for any resident.

1. Each Lot is allowed to have one vehicle parked in overflow parking at any given time. Vehicles may not be parked in the overflow parking area if there is available space in your garage or driveway.
2. Each Lot will receive 1 parking permit to be used for parking in the Overflow parking. The permit must be hung from the rear-view mirror while parked in Overflow parking.
3. Vehicles parked in the Overflow parking areas without a visible permit will be towed without notice.
4. Vehicles of residents & guests of Shangri La Estates are welcome to park in the overflow parking areas, on a temporary basis only, not to exceed twenty-four (24) consecutive hours.
5. Vehicles parked in excess of twenty-four (24) consecutive hours' time allotment may be towed without warning.
6. Vehicles that appear abandoned or inoperable will be towed without notice.

Notice of Violation AND Fine/Enforcement Schedule

This schedule does not apply to street parking or overflow parking. Vehicles parked in violation of the street parking and/or overflow parking will be immediately towed as stated in the above stated rules.

If the Association shall view any vehicle parked on a Lot in violation of the above stated rules, the following Notice of Violation AND Fine/Enforcement Schedule shall be followed.

1. **First Notice:** A courtesy letter will be mailed to the Property Owner (and Renter if applicable) identifying the date and description of the violation and notice that monetary fines may be imposed on future occurrences of the same type of violation.

- a. The Owner may provide the association with a written appeal by certified mail or by entering a violation on the Community Management Website, within ten business days after the day of the notice.

Note: If the Association does not receive a written appeal from the Owner within ten business days after the date of the initial notice of violation, and/or the violation is not cured within 10 days from the date of the first notice, the Association may proceed with the following Fines and Enforcement:

2. **Second Notice:** a letter shall be mailed to the Property Owner (and Renter if applicable) identifying the date and description of the violation and notice that a **\$25.00** fine has been imposed for continued noncompliance and further noncompliance may result in additional monetary fines and possible legal action.

Note: If the violation is not cured within 10 days from the date of the second notice, the Association may proceed with the following Fines and Enforcement:

3. **Third Notice:** a letter shall be mailed to the Property Owner (and Renter if applicable) identifying the date and description of the violation and notice that a **\$50.00** fine has been imposed for continued noncompliance and further noncompliance may result in additional monetary fines and possible legal action.

Note: If the violation is not cured within 10 days from the date of the second notice, the Association may proceed with the following Fines and Enforcement:

4. **Fourth Notice:** a letter shall be mailed to the Property Owner (and Renter if applicable) identifying the date and description of the violation and notice that a **\$100.00** fine has been imposed for continued noncompliance and further noncompliance may result in additional monetary fines and possible legal action.

Note: If the violation is not cured within 10 days from the date of the second notice, the Association may proceed with the following Fines and Enforcement:

5. **Fifth Notice:** a letter shall be mailed to the Property Owner (and Renter if applicable) identifying the date and description of the violation and notice that the Association will seek relief of violations through the Association's attorney and the court system. All legal costs will be a part of the judgment that is sought against the owner.

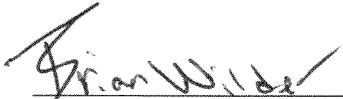
The Board of Directors reserves the right to take any action permitted by law or the CC&R's, in addition to the above-mentioned fine policy.

Procedures

1. Homeowners will be notified by first class mail and email, if available, of all violations.
2. The homeowner has the right to a hearing before the board where decisions of the Board are final. Requests for a hearing must be received within ten (10) days of the violation notice.
3. The Board will direct the Management Company as to waiving or assessing of fines at each hearing or Board Meeting, and all pending fines and/or legal action with the Association's attorney.

RESOLVED, that the board shall retain the right to amend or repeal this resolution.

IN WITNESS WHEREOF, the undersigned have executed this consent as of this 28 day of JANUARY, 2019



President



Vice-President



Secretary



Treasurer



Director at Large