

WYNGATE TOWN HOMES PARKING POLICY

BACKGROUND STATEMENT:

Wyngate Town Homes Community was designed as a Planned Unit Development (PUD). The design and criteria was established in accordance with the City of South Jordan's Building and Zoning Regulations. Approvals for the Wyngate project are contingent on the following stipulations that directly affect Vehicle Parking at Wyngate:

- 1) As designed, approved and built, Wyngate streets are approx. 26 ft wide and too narrow to allow parking on the Street and provide adequate clearance for Fire Dept. access. South Jordan City Ordinance¹ requires a minimum of 32 ft wide streets for street side parking. Homeowners Vehicles must be parked in the two (2) car garages provided. Parking lots are provided for Visitor and Guest Parking only. No Parking is allowed in Courtyards to allow unrestricted Fire Dept. access.
- 2) That the Wyngate Community must maintain a minimum of 35% of the Community's square footage as "Green Space". Even if Wyngate Residents were willing to fund new construction of Parking Lots, there is not sufficient "Green Space" to allow additional Parking Lots to be built and maintain the required 35%.

Wyngate has for the last three years had a "Parking Committee" in place. The Committee has been made up of as many as twelve individual homeowners from the community and was charged with determining "Policy and Enforcement Practices". That committee continues to function. The collective work of that committee and the Board of Trustees has resulted in a comprehensive parking policy.

It is important for residents to understand that this policy, and its enforcement, also helps maintain order and fairness within a community of diverse needs. It also helps maintain the quality of living, retain and improve home values and reduce the liability exposure of the HOA.

The Wyngate HOA Parking Committee strongly encourages all residents of the Wyngate Community to be familiar with the Parking Policy.

¹ South Jordan City Ordinance: 10.20.050: PARKING IN A NARROW ROADWAY

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PARKING POLICY

WHEREAS:

The Board of Trustees (BOT), Wyngate Town Homes HOA is empowered by the CC&R's to establish and enforce rules and procedures for the benefit of the community. This policy is in effect to insure Fire, Ambulance, and Emergency access, and to assure equal access to Guest Parking for all Homeowners, and;

All Wyngate homeowners, at closing, agreed by their signature on the "Community Covenants & Regulation" (CC&R's) to abide by the rules developed by the Board of Trustees. Homeowners leasing their units are obligated to ensure renters are fully aware of this policy.

THEREFORE:

This policy supersedes any and all previously approved Parking Policies where applicable and become fully enforceable January 1, 2009 until revoked by a majority vote in the affirmative by the Board of Trustees at a regularly scheduled HOA Meeting.

1) Definitions:

- a) Visitor: Any vehicle parked within designated visitor parking areas and removed before 1:00 AM the following day.
- b) Guest: Permitted vehicles that may use designated parking areas for a maximum of two weeks.
- c) Permitted: A registered vehicle owned by a resident (homeowner or qualifying renter) for a renewable period of 6 months. Fees are applied.
- d) Visitor Parking Areas: Any area designated by approved signs and painted stalls for parking.

2) Courtyard and Street Parking Rule:

- a) South Jordan City ordinances prohibit parking on the streets or in the courtyards of the Wyngate Townhome community.

Vehicle Registration

All homeowners and renters parking vehicles on the property are required to register their vehicles with the HOA. Any "Unregistered Vehicles" parked overnight on the property without a "Guest Parking Permit" clearly visible on the dashboard or rear view Mirror is subject to be booted/towed without warning. Application for registration may be accomplished by filling out a Registration Application form online at www.wyngatehoa.com, or by printing the form from the website and mailing it to Welch Property Management. When the Application is recorded the homeowner will be notified that their vehicle(s) is now registered with the HOA. The vehicle is not registered until the Application is accepted and recorded by the HOA.

Loading and Unloading in Courtyards

Vehicles parked in front of open garage doors in the process of being loaded or unloaded must have the Hazard Lights "On" and be moved within thirty (30) minutes. Violators may be Towed or Fined without warning.

Garage Cleaning, or Construction Access

Move the Vehicles to Guest Parking long enough to accomplish the task. DO NOT leave your registered vehicles in "Guest Parking" overnight and risk being ticketed and fined, or towed.

Contractors and Service Vehicles

Contractors or Service Providers engaged by a Wyngate Homeowner or the HOA using signed vehicles may park in any reasonable manner for the time required to facilitate the contracted work.

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Recreational Vehicles (RV's)

Any vehicle whether or not street legal or motorized commonly considered a RV is prohibited from parking within the Wyngate Community and will be subject to towing.

Snow Removal

Wyngate HOA contracts with a snow removal company to remove snow from streets, courtyards, parking areas and sidewalks within the Wyngate Community.

It is the responsibility of each resident, visitor and guest to insure any/all vehicles or other obstructions are relocated to allow effective removal of snow from all traffic and parking areas within the community. This includes sidewalks and landings.

Obstructed areas will not be cleared of snow and will become the homeowner's responsibility for snow removal.

Twin Home Areas

The Rambler style homes on the east side of Wynview Lane which include portions of the four courtyards between the following addresses are considered "Visitor/Guest Parking Areas":

10773 Wynview Lane and 10787 Wynview Lane

10793 Wynview Lane and 10803 Wynview Lane

10817 Wynview Lane and 10829 Wynview Lane

10841 Wynview Lane and 10851 Wynview Lane

Parking for Guests is provided at the extreme east end of each courtyard. One row per courtyard with a maximum of 3 vehicles may be parked side by side in this area. A second row of vehicles is prohibited.

All remaining space between the designated parking to the street is considered courtyard. The "Courtyard and Street Parking Rule" is in effect and vehicles are subject to immediate towing without notice.

Visitor/Guest Parking rules for the Twin Homes, as described, are the same as for all other Wyngate Visitor/Guest Parking areas. Registration and Permits are still required and subject to all fines and penalties.

Parking Permits

The Parking Committee has determined that under specific circumstances a "Special Permit" may be issued to allow a Household in good standing parking for one additional vehicle in "Guest/Visitor Parking" on a non guaranteed basis.

- 1) The criteria for issuing a "Special Permit" to allow residents to park in the Guest/Visitor Parking Areas are as follows:
 - a) One (1) Permit per unit.
- 2) Permits may be issued for the following circumstances:
 - a) For Dependent Children/Immediate Family Member, if the Garage is being fully utilized and there is a justifiable need for the permit.
 - b) Handicapped individuals, if a need is established.
 - c) An unusual hardship situation that the Parking Committee agrees warrants a permit.
- 3) Permits will not be issued for the following reasons:
 - a) Oversize Vehicles that will not fit in the garage.
 - b) Residents that are using their garage for storage and want to use Guest Parking Areas.
 - c) Permits will not be issued to non-immediate Family Members

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- 4) There will be a \$25.00 a Month Fee for the Permits.
 - a) Permits are valid for a 6 month period, January 1st to June 30th, and July 1st to December 31st.
 - b) The fee is paid one month in advance and billed to the homeowners account. Renters must make arrangements with the homeowner for permit fees.
- 5) Permits expire and colors change every 6 months. You must reapply by June 15th and December 15th to renew your permit.
- 6) Residents moving in or out may qualify for Temporary Permit allowing for a 2 week leeway to Park in Visitor/Guest Parking. This Temporary Permit must be displayed in the vehicle at all times while parked at Wyngate Community or the vehicle is subject to being booted/towed.
- 7) Permits will be considered on a first come first served basis. A maximum of 15 permits can be in effect at one time.
- 8) Falsification: Any false information submitted to the HOA verbally or in writing for the purposes of obtaining Parking Permits will be cause for immediate revocation of any and all issued permits.

Unregistered Vehicles:

Any Vehicle parked in Wyngate "Guest/Visitor Parking" overnight (after 1:00 A.m. on the day after being parked) that is not registered with the HOA or not displaying a "Guest Parking Permit" will be issued a "Warning Notice" on the Vehicle informing the driver that the vehicle is now on the "TOWING LIST". The vehicle:

1. Will be subject to being booted/towed if found on the property after Twenty Four (24) Hours.
2. Will be removed from the Towing List upon being duly registered with the HOA.
3. Once towed, cannot be registered until it has been cleared of any/all violations.

Registered Vehicles:

A "Registered Vehicle" that is violating the "Courtyard & Street Parking Rule" is subject to being Booted and Towed without warning. Or, the homeowner may be issued a Fifty Dollar (\$50.00) fine in lieu of towing if Towing is NOT involved. A "Registered Vehicle" that is violating the "Guest Parking Area" will be issued a fifty (\$50.00) Dollar fine. If a Vehicle is a repeat offender the vehicle will be placed on the "Towing List" and towed without notice.

1. "Guest Parking Area" Offense: Warning Notice will be placed on the Vehicle. If the Vehicle is not removed from the premises within Twenty Four (24) hours it will be Booted / Towed without further warning. If the vehicle is a repeat offender it will be placed on the "Towing List" and towed when found in violation.

Enforcement:

Any vehicle parked in the Wyngate community which does not conform to the stipulations of this policy will be subject to towing by the Associations authorized towing agent at the complete expense and risk of the owner of the offending vehicle. The towing agent is authorized to be on Wyngate Premises anytime, Twenty Four (24) hours a day, and 365 days a year.

Courtyard violations may be photographed and the homeowner sent a fine via US mail.

Anyone interfering in any manner, with the towing agent while completing their authorized patrol, or Towing/Booting of a Vehicle, is subject to a fine by the Wyngate HOA and legal action by the towing agent.

Immediate Towing of Vehicles parked on the Street, or in a Courtyard. **No notice will be given.**

Vehicle Recovery: Contact information is available on parking area signs and on the web at www.wyngatehoa.com

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THEREFORE:

Upon a motion duly made, seconded and carried, the Board of Trustees of Wyngate Townhomes Homeowners Association adopted the above policy at its regular meeting held December 6, 2008.

Authority:

WYNGATE TOWNHOME Covenants, Conditions & Restrictions

<u>Article Number</u>	<u>Article Title</u>
2.18	Reimbursement Assessment
4.03	Assessments and Rules Observance
5.04	Limitation on Easement
6.02	Residential Use
6.03(a)(d)	Prohibited Uses and Nuisances
13.11	Reimbursement Assessment on a Specific Lot
13.13	Effect of Nonpayment: Remedies
12.01(h), 12.02,12.03	Duties and Powers of the Association

South Jordan City Ordinance:

10.20.050: PARKING IN A NARROW ROADWAY

If you have any questions or comments or would like to help in the development, monitoring or administration of this policy, join the Parking Committee. You can reach the committee through the Wyngate HOA website (www.wyngatehoa.com), or by writing to:

Wyngate Parking Committee

P.O. Box 951147

South Jordan, Utah 84095