



### **Parking Policy and Procedures**

WHEREAS, the Eldorado Neighborhood Second Homeowners Association (the "Association") is a Nevada non-profit corporation governed by the laws of the State of Nevada, including Nevada Revised Statutes ("NRS") Chapter 116, which governs common-interest communities in Nevada; and

WHEREAS, NRS 116.3102(1)(a) states that "subject to the provisions of the declaration, the association ... may adopt and amend ... rules and regulations"; and

WHEREAS, NRS 116.3102(1)(q) states that "subject to the provisions of the declaration, the association ... [may exercise any other powers conferred by the declaration or bylaws"; and

WHEREAS, NRS 116.3102(1)(r) states that "subject to the provisions of the declaration, the association ... [m]ay exercise all other powers that may be exercised in this State by legal entities of the same type as the association"; and

WHEREAS, NRS 116.3102(1)(t) states that "subject to the provisions of the declaration, the association ... [m]ay exercise any other powers necessary and proper for the governance and operation of the association"; and

WHEREAS, Article 4, Section 4.18 of the Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Eldorado Neighborhood Second Homeowners Association (the "Declaration") empowers the Board to adopt, amend, repeal and enforce reasonable rules and regulations (the "Rules") , governing , among other things, the Common Area, Areas of Common Responsibility and the Subdivision Interests;

WHEREAS, Section 11.19 of the Declaration reads as follows:

"Commercial Vehicles" and "Recreation Vehicles" (as those terms are defined below) shall be subject to the following prohibitions and restrictions:

(a) As used herein the term "Commercial Vehicle" shall be defined as: (i) any vehicle with a sign displayed on any part thereof advertising any kind of business or other venture; or (ii) any vehicle on which racks, materials, ladders and/or tools are visible; or (iii) any vehicle with a body type normally employed as a business vehicle whether or not a sign is displayed on any part thereof; or (iv) a truck of greater than one (1) ton capacity; (v) a van other than one used solely as a family passenger van; or (vi) a bus. A Commercial Vehicle may be defined as such even if the vehicle does not have a commercial license plate.

(b) As used herein, the term "Recreational shall include, without limitation, motorhomes, buses, coaches, trailers, boats or other watercraft, aircraft or campers.

(c) No Commercial Vehicle or Recreational Vehicle may be parked on any Subdivision Interest or within the Project (unless the entire vehicle is located within a garage) except as permitted below:

(i) A Commercial Vehicle not owned or operated by an Owner or an occupant of a Subdivision Interest may be parked temporarily in the driveway of any Subdivision Interest during such time as the operator of such Commercial Vehicle is delivering goods or providing services to the Owner or occupant of the Subdivision Interest.

(ii) Recreational Vehicles owned by an Owner or occupant of a Subdivision Interest may be parked on the driveway of the Subdivision Interest while the Recreational Vehicle is being loaded or unloaded, for a period not to exceed forty-eight (48) hours.

In addition, no Commercial Vehicle, Recreational Vehicle or any automobile, van, motorhome or truck or equipment, may be dismantled; repaired or serviced on: (i) any Subdivision Interest visible from adjoining property or public street; or (ii) any part of the Project. Furthermore, no portion of any vehicle parked on any driveway shall be parked on any portion of the sidewalk, curb or private roadway or in any area between the private roadway any sidewalk.

WHEREAS, NRS 116.350 allows the Association to adopt Rules regarding the parking of commercial and recreational vehicles on public streets, and states as follows:

Except as otherwise provided in subsection 3, the provisions of subsection I do not preclude an association from adopting, and do not preclude the governing documents of an association from setting forth, rules that reasonably restrict the parking or storage of recreational vehicles, watercraft, trailers or commercial vehicles in the common-interest community to the extent authorized by law. The governing documents of an association may authorize the executive board of the association to impose a fine pursuant to NRS 116.31031 for any violation of the rules authorized pursuant to this subsection.

WHEREAS, the Board of Directors desires to adopt a policy regarding the parking of commercial and recreational vehicles within the Community and on the public streets;

NOW, THEREFORE, be it resolved that the Board of Directors for the Association hereby adopts the following policies and procedures:

1. Commercial and Recreational Vehicles may not be parked within the Community, except within a garage, subject to the following exceptions:
  - a. The Commercial Vehicle is not owned by an Owner/resident, in which case it may be parked on an Owner's driveway while actively providing a service for the Owner/resident;
  - b. Recreational Vehicles owned by an Owner/resident may be parked on the driveway while the Recreational Vehicle is being loaded or unloaded, for a period not to exceed forty-eight (48) hours;
  - c. The Commercial Vehicle falls within the definition of a utility service vehicle, law enforcement vehicle or emergency services vehicle pursuant to NRS 116.350(5)
    - i. A person parking a utility service vehicle, law enforcement vehicle or emergency services vehicle pursuant to NRS 116.350(3)-(5) must provide written confirmation from his or her employer that the person is qualified to park his or her vehicle in the manner set forth above
2. No Commercial Vehicle, Recreational Vehicle or any automobile, van, motorhome or truck or equipment, may be dismantled; repaired or serviced on: (i) any Subdivision Interest visible from adjoining property or public street; or (ii) any part of the Project.
3. Commercial or Recreational Vehicles may not be parked on the public streets within the Community.
4. The Owner of a Subdivision Interest is responsible for providing notice of this Resolution, as well as any other provisions of the Association's governing documents to the tenants, guests, invitees and contractors. For the purpose of this Resolution, notice to an Owner shall be deemed to be notice to that Owner's tenants, guests, invitees, contractors, or family members of the foregoing.
5. The Owner of a Subdivision Interest is responsible for the actions and conduct of any occupant, tenant, guest, invitee, contractor or family member of the foregoing.
6. Pursuant to NRS 116.350, any Owner, resident, guests, invitees, contractors, or family members found to be in violation of this Resolution may be sanctioned after Notice and a Hearing. The sanctions may include the imposition of fines and the suspension of the Owners right to vote and the Owners or occupants right to use the Association's Common Areas.

If any provision of the Policy is determined to be null and void, all other provisions of the Policy shall remain in full force and effect. This resolution of the Board of Directors has been duly adopted at the JANUARY 11, 2024 Executive Board of Directors meeting.

By:

  
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President (Signature)  
President

\_\_\_\_\_  
President (Print)

Attested to:

\_\_\_\_\_  
Secretary (Signature)

  
Jimmie McKinney  
Secretary  
\_\_\_\_\_  
Secretary (Print)