

McClelland's Creek Homeowners Association, Inc.

Policy Regarding Recreational Vehicles

Adopted August 23, 2019

The following policy has been adopted by the McClelland's Creek Homeowners Association, Inc. (the "Association") via electronic meeting of the Board of Directors.

Purpose: To define and clarify enforcement of section 7.11 of the Declaration of Covenants, Conditions and Restrictions for McClelland's Creek (a Common Interest Community) (the "Declaration")

NOW THEREFORE, BE IT RESOLVED THAT the following policies and procedures are established regarding recreational vehicles:

- 1) The Policy Regarding Recreational Vehicles dated October 21, 2013 is hereby rescinded.
- 2) Prohibition. Except as expressly provided herein or permitted under the Colorado Common Interest Ownership Act, C.R.S. §38-33.3-101, et seq., as amended, regarding the parking of emergency vehicles, no house trailer, camping trailer, boat trailer, hauling trailer, jet ski, boat, or accessories thereto, truck (excluding, except as hereinafter provided, pickup trucks that are 1 ton or less), self-contained motorized recreational vehicle, or other type of recreational vehicle or equipment (collectively, "Recreational Vehicle"), may be parked or stored on a Lot (as defined in the "Declaration") unless such parking or storage is entirely within the garage area of any Lot.
- 3) Temporary Parking. No Recreational Vehicle shall be parked or stored on a Lot in excess of forty-eight (48) consecutive hours during any month, except if parked or stored entirely within an enclosed garage. Temporary Parking for periods of less than forty-eight hours shall not be restricted.
- 4) Parking of a Recreational Vehicle on public streets within the Common Interest Community falls under the purview of the City of Fort Collins, and any issues with street parking should be reported to the City for enforcement. A summary of the City parking regulations is attached hereto as exhibit A.
- 5) Enforcement. If the Association determines a recreational vehicle is parked in the Community in violation of this policy, then the Association may ticket, fine and/or tow the vehicle at the owner's expense.
- 6) 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 of the laws of the State of Colorado governing the Community.

McClelland's Creek Homeowners Association, Inc.

By:

Name:

Its:

Attest:



Secretary

Exhibit A

Summary of relevant Fort Collins parking regulations regarding street parking

Abandoned Vehicles

Any vehicle left unattended at one location in the public right-of-way for 48 hours or longer is considered abandoned. If not removed within 48 hours the vehicle will be subject to tow at the vehicle owner's expense, and storage costs will begin to accrue.

Section 1213:

(1) No person shall park a vehicle upon a public street or roadway for the purpose of:

(b) Washing, greasing, painting or repairing such vehicle, except when repairs are necessitated by an emergency.

Section 1214:

(1) No motor vehicle exceeding twenty (20) feet in length, or any trailer coach, recreational vehicle, mobile home, trailer, semi-trailer or truck tractor, or part of such vehicle, shall be parked or stored upon the street adjacent to any lot zoned ... Low Density Mixed-Use Neighborhood District (L-M-N); ... except:

(a) Commercial vehicles, when such vehicles are being expeditiously loaded or unloaded, or equipment on such vehicles is being used to perform the special operations for which it was designed, including, but not limited to, the construction, operation, removal or repair of utility or public utility property or facilities or public streets and rights-of-way; and

(b) Motor coaches, trailer coaches, mobile homes, recreational vehicles or trailers when parked for less than a forty-eight-hour period for the purposes of loading and unloading.

(2) No person shall park or store any vehicle exceeding twenty (20) feet in length, or any motor or trailer coach, mobile home, semi-trailer, truck tractor, recreational vehicle or trailer anywhere in the City in such a manner as to obstruct or interfere with pedestrian or vehicle traffic or the view of any intersection or official traffic control device.

(3) For purposes of this Section, the term motor coach when used in this Section is defined as any wheeled motor vehicle which is a single self-contained unit, with motive powers, which is designated and generally used for occupancy by persons for temporary or permanent living or sleeping purposes. The terms recreational vehicle and trailer are as defined in Section 20-104 of the City Code.

Sources: <https://www.fcgov.com/parking/regulations.php>,
https://library.municode.com/co/fort_collins/codes/traffic_code