

**FOOTHILLS CLUSTERS HOMEOWNERS ASSOCIATION
VEHICLE AND PARKING POLICY**

Effective April 4, 2019

In addition to the Declaration, the following Vehicle and Parking Policy (the “Policy”) has been established by the Association to support the usability of its roads and safety of its users, and to clarify the Declaration’s enforcement authority. This Policy is deemed part of the Association’s rules and is subject to amendment or modification at any time by the Board.

RESPONSIBILITY FOR COMPLIANCE:

Owners are responsible for compliance of this policy by residents and guests of their Lot.

NO PARKING IN LIMITED COMMON AREAS:

Parking of any vehicle of any type at any time is prohibited in the Limited Common Areas except the specifically enumerated exception detailed below. This prohibition on parking includes parking of any kind on the “islands” in the turnarounds at the end of cul-de-sacs. This provision excludes those vehicles specifically allowed by A.R.S. § 33-1809, as may be amended from time to time. Parking any vehicle, camper, boat or trailer on landscape is not permitted. Except as provided below, all vehicles shall be parked in garages, carports, driveways, or enclosed parking areas.

RESIDENT AND GUEST PARKING ALLOWED:

Vehicles owned by residents or their guests can be parked on roads between the hours of 6:00 AM and 1:00 AM. “Resident or Guest Vehicle” means any personally owned car, pick-up, or standard-size passenger van with a residential license plate.

Free movement of public safety vehicles is of utmost importance. Vehicles parked on the roads shall not block the flow of any traffic including that of large firefighting, emergency medical, or utility services’ vehicles. **VEHICLES BLOCKING THE FLOW OF ANY TRAFFIC ARE SUBJECT TO IMMEDIATE TOWING ACCORDING TO THE VEHICLE AND PARKING POLICY VIOLATION ENFORCEMENT PROCESS.**

In a situation where a large number of guest vehicles are parked on the roads, vehicles should be parked on one side of the road only so as to provide adequate clearance for large public safety vehicles.

Vehicles parked on the roads shall not block driveways at any time or park so close to trash containers or mailboxes that such services are impeded.

Requests for temporary, short-term exceptions to park on the roads between the hours of 1:00 AM and 6:00 AM must be submitted to the Association for review and may be approved on a case-by-case basis.

OTHER VEHICLES PARKING:

Commercial Vehicles:

No Commercial Vehicles shall be parked on any roads. “Commercial Vehicle” means any vehicle designed, used, and maintained for the transportation of persons or property for hire, compensation, profit, or in the furtherance of a commercial enterprise, whether it be a for-profit or non-profit entity.

Derelict Vehicles:

No Derelict Vehicles shall be parked on any roads. “Derelict Vehicle” means a vehicle without a current license plate or any vehicle that cannot be operated in its current condition either because it cannot be legally operated, because of missing or broken equipment, or is in a state of disrepair. The Board, in its sole and absolute discretion can make a determination as to whether a vehicle is a Derelict Vehicle.

Vehicle Repair:

No vehicles under repair shall be parked on the roads except for emergency repair such as a battery or flat tire. Such a repair must be completed within 6 hours and the vehicle must not be left unattended.

Vehicles for Sale:

No Vehicles for Sale shall be parked on the roads at any time.

Customers’ Vehicles for a Permitted Residential Business:

No Customers’ Vehicles visiting for the purpose of permitted residential business shall be parked on the roads. Vehicles present for such activity shall be parked in the driveway of the home.

Customers’ Vehicles for a Professional Estate Sale:

An outside business planning to conduct an estate sale must contact the Association 30 days in advance of the sale. The firm shall present the Association with its plan for facilitating traffic and parking for the event. The Association has the right, at its sole and absolute discretion, to disapprove the plan if it is deemed inadequate.

Recreational Vehicles:

No Recreational Vehicles shall be parked on the roads at any time. “Recreational Vehicles” mean any vehicle, trailer, or boat as defined by the Declaration at Article VII, Section 8. Recreational Vehicles can be parked in the driveway of a home for the purpose of loading and unloading only, and not to exceed 48 hours in any 30-day period. Parking on the lot for this purpose requires that the owner/resident notify the Association prior to the use.

Service Vehicles:

No Service Vehicles shall be parked on the roads. Residents requiring home service, lot maintenance or moving or deliveries shall inform their contractors that contractors should not park on the roads. However, there will always be a time when on-street parking is necessary to carry out the needed service. The Association recommends that the on-road parking be as short as possible and that the driver be immediately available to move the vehicle in an emergency situation.

Disability Parking:

Vehicles used for transportation of persons with disabilities are required to generally follow this Vehicle and Parking Policy except that they can be temporarily parked as necessary for the safe boarding of passengers. Any other exceptions to this Policy for disability purposes will need to be submitted in writing to the Association for consideration of a modification to the rules.

ENFORCEMENT:

Violations of the Vehicle and Parking Policy will be enforced according to the Vehicle and Parking Policy Enforcement Process, which supersedes the Association's General Violation Fine Schedule.