

Tallyn's Reach Master Association – Vehicle: Parking and Storage Policy

A. Commercial Vehicles, Motor Homes, Campers, Recreational Vehicles, Trailers

The Master Declaration provides that: Parking, storing, servicing or repairing commercial vehicles, recreational vehicles, mobile homes, boats, campers, trailers, watercraft, or other oversized vehicles, or any inoperative vehicles, shall be permitted only if the vehicle is completely enclosed within a garage;

1. A "Commercial Vehicle" is defined as:
 - (i) Trucks weighing greater than 5 tons GVWR (combined load-carrying and truck weight);
 - (ii) A vehicle that is provided by one's employer for use in the employee's employment;
 - (iii) A vehicle on which any advertisement, logo, contact information or other signage is affixed, other than the factory-installed name plates identifying the make and model of the vehicle;
 - (iv) A vehicle used by an Owner for his own business or commercial purposes, except vehicles that do not otherwise exceed the size and other limitations described below and do not contain any material set forth in (ii) above are permitted;
 - (v) Non-standard vehicles/pick-up trucks (modified) will be construed as a Commercial Vehicle unless the owner has received a written exemption in advance of parking or storing such vehicle by the Master ARC.

If there exists an emergency, the owner of the property must obtain approval, in writing, from the Master ARC before parking a Restricted Vehicle in the Master Association Area outside a garage or storage area. The application to the DRC must specify the type of vehicle and the general nature of the emergency requiring the exemption. In no event shall such emergency parking or storage continue for more than a single twenty-four (24) hour period one time every four months. The written request for approval submitted to the Master DRC shall set forth the time and date such temporary or emergency parking or storage will commence and when it will terminate.

2. Under §38-33.3-106.S(d), C.R.S., certain emergency vehicles are exempt from this article. If a homeowner claims entitlement to this exemption, they shall submit in writing proof of such entitlement acceptable to the Association, proof shall consist of but may not be limited to written verifiable communication from the company providing such emergency services. The homeowner must, at least annually or sooner if circumstances change, update and resubmit the submission of proof of entitlement to this exemption to the Association.

3. If there exists a need to park or store any Restricted Vehicle as a temporary expedience, the owner of the property must obtain prior approval, in writing, from the Master DRC. Such temporary parking or storage may extend for a *maximum* of a single seventy-two (72) hour period one time every four months. The written application for approval submitted to the Master DRC shall set forth the time and date such temporary parking or storage will commence and when it will terminate. Supporting documentation that details the purpose for the exemption is required to be submitted with the application for approval. In general, the only acceptable reasons for temporary parking or storage relate to seasonal start-up or shutdown of the vehicle.

4. Any Restricted Vehicle parked or stored without such prior written approval may be towed at the sole expense of the owner.

5. This section shall be construed to apply to property owners, guests and tenants.

6. Any and all designated "public" parking or storage areas within the Master Association Area will be defined by the Master Association and Sub-association Board of Directors. An owner who parks or stores a Restricted Vehicle pursuant to written approval as set forth above assumes the sole responsibility for the use of such areas, any damages to these areas, and any loss or damage to the vehicles parked or stored on these areas.

7. Restrictions applicable to all Owners' vehicles as follows:

(a) The equipment that can be permanently (more than 24 hrs) mounted on the exterior of any vehicle, including any and all peripheral equipment (such as sport/utility racks), shall be limited in height and may not exceed twelve (12") inches in height above the vehicle roofline.

(b) The length of said racks shall be restricted to the rear bumper and to the front of the vehicle roof at the windshield.

(c) Racks shall not extend in width past the vehicle mirrors.

(d) Standard "off the lot pick-up trucks shall be restricted in the physical size of the equipment that can be mounted above the truck sides (gunnels) and shall not exceed twelve (12") inches in height. Vehicles exceeding these standards shall be conclusively deemed to be Commercial Vehicles.

(e) Manufactured tops (commonly referred to as truck caps or toppers) are permissible but shall not exceed the cab height of the truck by more than twelve (12") inches and shall not contain permanently- installed "RV type" equipment. Vehicles exceeding these standards shall be conclusively deemed to be Commercial Vehicles.

8. Open-air utility racks (must be less than 12" non-enclosed type) shall have all equipment and materials removed and stored (nightly) so as not to be evident to public view while vehicles are parked or stored within the Master Association Area. Vehicles exceeding these standards shall be conclusively deemed to be commercial vehicles. Refer to Master Declaration Article 9 for further definition.

9. The Master DRC reserves the right to but is not required to grant exemptions to the above Rules and Regulations when enforcement would be unreasonable or unduly harsh under the specific circumstances presented. It is the responsibility of the property owners, guests and tenants to submit applications for approval or exemption prior to parking or storing any vehicle described above within the Master Association Area.

B. Abandoned/Inoperable Vehicles

1. According to the Declaration Section 9.3.5, no inoperable vehicles of any kind shall be stored or parked within the Association boundaries except in garages, designated parking or storage areas (if any exist), or on privately owned sites, except in the case of clear emergencies.

2. An inoperable vehicle shall be defined as any automobile, truck, motorcycle, van, trailer, horse trailer, camper, recreational vehicle or vehicle for carrying passengers, goods or equipment, which:

- a. is not capable of being driven under its own propulsion;
- b. does not have an operable propulsion system; or
- c. has not been driven for a period of fourteen (14) days or longer.
- d. is not registered with current plates

3. If the Association determines that a vehicle is inoperable, a written notice shall be delivered to the owner of the vehicle, if the owner can reasonably be determined. If the owner cannot be determined, the written notice will be placed on a conspicuous place on the vehicle.

4. If the abandoned or inoperable vehicle is not removed within 72 hours after the notice is delivered to the owner or placed on the vehicle, the vehicle may be towed at the sole expense of the owner.

5. If an owner is ill or plans to be out of town on a short-term basis, the owner may request an exemption in advance, in writing, from the Master Architectural Committee. Such request must identify the dates such vehicle will remain parked without being moved, the reasons therefore, and the date upon which such vehicle will be moved.

C. Vehicle Maintenance/Repair

The Declaration Section 9.3.5 provides that no extended vehicular maintenance and/or repair is permitted anywhere within the Master Association Area where it may be viewed from the street. However, activities such as cleaning, washing, waxing, or similar maintenance may be performed as long as it is completed in less than a single 24-hour period. Any other types of owner-performed maintenance or repair must be conducted within the confines of the homeowner's garage and shielded from public view. It is the owner's responsibility to ensure proper disposal of any debris or fluids.

For “some” not all commercial vehicle examples – see Exhibit A.

*Unanimously approved and adopted at a duly called Tallyn's Reach Board of Director Meeting
on October 17, 2019*

Commercial Vehicle Information

To help clarify what can and cannot be parked in your driveway or street, the HOA management team has assembled the following pictures to help: These pictures do not depict all commercial vehicles and are to be used for a guideline. Please call the management office with any questions (303) 841-8658.

THESE ARE JUST EXAMPLES OF SOME COMMERCIAL VEHICLES



Any vehicle with commercial advertising needs to be parked in a garage or have the writing covered up. Phone numbers or website addresses are considered advertising. If the business information were on a magnetic sign, it could be removed while parked in the community. Any modifications to an automobile to be used in business will be considered a commercial vehicle.



Trailers must be parked in a garage or outside of the community. This includes boats, camping trailers or hauling trailers. Trailers are permitted for temporary expedience for loading and loading provided that you notify staff@the-cpms.com prior to being brought into the community, maximum 3 times per year.



Temporary or permanent racks are permitted, but limited in height to 12" above the roofline. Open-air utility racks (non enclosed type) shall have all equipment and materials removed and stored (nightly) out of public view while vehicles are parked in the community.



Trucks weighing greater than 5 tons GVWR (combined load carrying and truck weight) shall be construed as a commercial vehicle and are not prohibited under any circumstances unless stored from view.



All trucks larger than $\frac{3}{4}$ ton (load carrying weight capacity) shall require an application for an exemption from the HOA.
Example: Ford F250 or F350.



Cargo Vans are considered commercial vehicles. However if they fit in your garage they are allowed as are others that do not exceed the weight limit. Check with the HOA Management office for clarification.

Please contact the HOA office if you have further questions or need help with clarification.