



Mountain Lodge Unit Owners Association (MLUOA) Policy for Parking Area (G-112-0)

SUBJECT: Policy for Parking Area

PURPOSE: By defining the acceptable use of the MLUOA parking area, this policy protects Mountain Lodge's property, owners, guests, and employees, and helps to keep parking spaces available for the maximum number of owners and guests, preserves safe egress and movement throughout the parking lot, and ensures good order and discipline.

Any abuse or non-adherence to the Association's policies will be dealt with in accordance with the Uniform Common Interest Ownership Act of West Virginia (UCIOA), which sets forth the ability of the Association to impose reasonable fines for said non-compliance and allows a cease and desist request to be issued to all unit owners, their guests, invitees, or lessees for those actions which are inconsistent with the UCIOA, Condominium Declaration, Bylaws, and the Rules, Policies and Regulations of the Mountain Lodge Association.

AUTHORITY: The MLUOA Declaration (Section IV, B.), MLUOA Bylaws (Article 3, Section 3.1), and the Uniform Common Interest Ownership Act of West Virginia.

EFFECTIVE DATE: July 7, 2023

RESOLUTION: The MLUOA hereby adopts the following Policy:

- 1) In accordance with section IV paragraph B of the MLUOA Declaration, MLUOA Parking Area has been designated a Common Element. This policy applies to all individuals who use the parking lot, including but not limited to Unit Owners, MLUOA Managing Agents, guests, invitees, Third-Party Service Providers (TPSPs), and employees.
- 2) This policy remains in effect at all times, regardless of whether MLUOA is actively operating the entry and exit gate to control access.
- 3) Unit Owners are responsible to ensure their guests, invitees, and Third-Party Service Providers (TPSPs) adhere to this policy. TPSPs will adhere to the additional parking lot limitations contained in the separate TPSP policy.
- 4) MLUOA, its employees, and its agents will not be liable for any loss, damage, or theft caused to any motor vehicle, its contents, or other items in the parking lot (i.e. bicycles, trailers, roof racks). All individuals who make use of the parking lot and common elements do so at their own risk.
- 5) MLUOA's parking area has approximately 250 parking spots. **Parking spaces are not guaranteed.** Based on availability, MLUOA Managing Agent or his/her representative will impose the following restrictions on the number of vehicles authorized to enter the parking lot:
 - a) Allowance for 1-bedroom units: 1 vehicle

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- b) Allowance for 2-bedroom units: 2 vehicles
- c) Allowance for 3-bedroom units: 3 vehicles
- d) Allowance for combination units will be based off the original room allocations (i.e. if two one-bedroom units are combined and result in a three-bedroom unit, the allowance remains two vehicles)

Please note: One vehicle is defined as a standard passenger vehicle that uses no more than a single parking space. Any larger vehicle or device (such as a bicycle rack) that extends more than one (1) foot past the bumper of a vehicle will be considered an additional vehicle.

- 6) Parking lot access is only granted to Unit Owners and guests who are properly entered into the MLUOA Property Management System (PMS) in accordance with the MLUOA PMS Policy.
- 7) After parking a vehicle, Owners, guests and invitees must immediately obtain a MLUOA parking pass. The pass must be displayed in the front window of the vehicle at all times. For trailers or other equipment that do not have a window, the tag must be displayed in the accompanying vehicle.
- 8) If the parking lot is full and cannot accommodate additional vehicles, Unit Owners and their guests will be given temporary access to the parking area to load or unload their vehicles. Vehicles must be relocated to another parking area immediately after unloading.
- 9) There are two (2) parking spaces designated for unloading outside the main entrance. Each vehicle is allowed a maximum time of fifteen (15) minutes to unload.
- 10) MLUOA and Mountain Lodge Services Inc. (MLS) staff are permitted to park in areas designated by the MLUOA Managing Agent or his/her representative *only* during their designated work shifts.
- 11) Those parking in spaces designated for the handicapped or public safety must display the appropriate identification in the front windshield or have special license plates in accordance with the law.
- 12) From April 1st until Thanksgiving (non-peak season), MLUOA Managing Agent or his/her representative, at their discretion, may allow additional vehicles to enter the parking area. If capacity allows, additional vehicles will be subject to a daily parking fee to be determined by the MLUOA Board and must display a parking pass in their front window at all times indicating the date of payment. Managing Agent or his/her representative may authorize time-limited exceptions for rare or non-routine situations at his/her discretion (i.e. realtors showing properties).
- 13) Trailers, attachments that protrude more than one foot from the vehicle's bumper, or other pull-behinds do not constitute an additional vehicle and can be restricted from entry and/or parking privileges at any time that projected occupancy is high or at the discretion of MLUOA Managing Agent. These may be charged a daily parking fee if allowed in the lot. Owners should contact the MLUOA Managing Agent in advance to ascertain when/whether parking these items can be accommodated.
- 14) During major event weekends and from Thanksgiving – March 31st (peak season), only Owner, guest, and MLUOA/MLS employee passenger vehicles will be allowed to park in the parking area subject to the other terms provided here. Managing Agent or his/her representative may authorize time-limited exceptions for rare or non-routine situations at his/her discretion (i.e. realtors showing properties).

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- a) If capacity allows during peak season, MLUOA Managing Agent or his/her representative, at their discretion, may allow limited paid daily parking. The daily parking fee will be determined by the MLUOA Board, and individuals who obtain entry via this method must display a parking pass in their front window at all times indicating the date of payment and dates for which the pass allows access.

15) Enforcement Measures

- a) Any Unit Owner or employee may make MLUOA Managing Agent or his/her representative aware of an infraction of these rules.
- b) MLOUA Managing Agent or his/her representative, at their discretion, may boot the vehicle engaged in the violation, or cause it to be towed. Violators are responsible for paying all fees associated with the towing of a vehicle and/or a boot removal fee to be determined by the MLUOA Board.
- c) In addition, within seventy-two (72) hours, MLOUA will provide a written notice to the Unit Owner (if known) responsible for the vehicle in violation. The written notification will explain the violation.
 - i) If a Unit Owner consistently fails to ensure their guests or invitees are following the parking policy, as demonstrated by having received more than three violation letters in a 12-month period, MLUOA will assess and collect fines up to \$220 against Owner for all additional violations beginning with the fourth violation.
 - ii) If a property manager and/or agent who represents multiple Mountain Lodge Owners consistently fails to ensure guests and invitees are following the parking policy, as demonstrated by his or her represented Owners receiving a combined total of five violation letters in a 12-month period, MLUOA will assess and collect fines up to \$220 against all Owners represented by that property manager beginning with the sixth violation.

PRESIDENT'S CERTIFICATION: The undersigned, being the President of the MLUOA, certifies that the Executive Board adopted the foregoing Policy at a duly called and held Executive Board meeting on the 7th day of June, 2023 and, in witness thereof, the undersigned has subscribed his or her name.

