

# Goldenview Park Subdivision Seasonal Use Vehicle and Equipment Policy

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## DECLARATIONS, SECTION 11, PAGE 3 OF 8 IN EXHIBIT C:

The provision cited above states in part that "No recreational vehicle of any type shall be stored upon any Lot at any time, except between May 15<sup>th</sup> and September 15<sup>th</sup> of each year. No such recreational vehicles shall be covered in any manner with tarpaulins or other unsightly coverings as determined by the Architectural Control Committee, (at) its sole discretion.

## ARTICLE XXIII, EXECUTIVE BOARD, SECTION 2 POWERS and DUTIES:

The Declaration grants certain powers to the Association Executive Board in part as follows:

The executive board shall have, subject to the limitations contained in this Declaration and the Act, the powers and duties necessary for the administration of the affairs of the Association and of the Common Interest Community which shall include, but not be limited to the following:

- (a) Adopt and amend Bylaws, Rules and Regulations
- (b thru l) not applicable to this policy
- (m) Impose charges or interest or both for late payment of assessments and, after Notice of Hearing, levy reasonable fines for violations of this Declaration, and the bylaws, Rules and Regulations of the Association.
- (n thru u) not applicable to this policy

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The executive board at its April 2003 meeting determined that the Declaration cited above is inadequate in its description of "recreational" vehicles. The board further determined that the strict specific dates for parking a recreational vehicle on any lot within the Association are not sufficient for all the different types and uses of recreational vehicles used in Alaska on a year round basis.

Therefore, in accordance with the rights and responsibilities contained in the Declaration of the Goldenview Park Subdivision Owners Association, the Executive Board of the Association acting at its July 19, 2003 meeting adopts the following policy regarding seasonal use vehicles to be effective upon receipt of this notice:

## Policy

### DEFINITION OF SEASONAL USE VEHICLE:

- a) Motorhome, all sizes, all styles
- b) Pickup mounted Camper, all sizes, all styles
- c) Towed Camping Trailer, all sizes, all styles including pop-up tent trailer
- d) Jet Ski's including trailer or other personal watercraft
- e) Non Registered Motor Cycles, Dirt Bikes, Three and Four Wheelers or other motorized vehicles designed for off road recreational use including trailers
- f) Tracked Vehicles such as ARGO or other off road vehicles and trailers
- g) Snowmobiles and trailers
- e) Boats, all sizes, all styles
- f) Others not specifically listed

### RULES FOR TEMPORARY PARKING OF SEASONAL USE VEHICLE(S):

1. The executive board intends to strictly enforce the prohibition in the declaration regarding storage of recreational use vehicles on any lot. Year round storage and covering recreational vehicles, on any lot is prohibited by the declarations of the subdivision.

The Executive Board has adopted the following definition of Parking and Seasonal Use:

Storage: Parking a recreational use vehicle of any type, on any lot, during the time of year or season when the vehicle(s) would not traditionally be in use. The total number of recreational vehicles parked on any lot shall be limited by the number of vehicles that can reasonably be accommodated on the paved surface of the individual driveway without displacing regular vehicle parking. Additional paving beyond what was originally approved by the Architectural Control Committee is not permitted as a means to expand RV capability unless specifically approved in writing by the Architectural Control Committee. Parking on lawns, in side or back yards, is permitted by the declarations. This is permitted so long as the Seasonal Use Vehicle(s) is(are) not parked forward of the front of the dwelling unit, do not damage completed and improved landscaping, become rutted, overgrown and unsightly. Owners are obligated to maintain their lots in accordance with the Declarations, Bylaws and Homeowners Association Board adopted policies. Parking on greenbelt space, bike trails, sidewalks or other common interest space within the subdivision is prohibited. Continued or repeated use of on-street parking in lieu of space in individual driveways is prohibited.

Seasonal Use: Parking a recreational use vehicle of any type, on any lot, during the time of the year when the vehicle by its design would traditionally be in use on a regular basis. Approval for seasonal parking approval not consistent with this provision may be obtained from the Architectural Control Committee on a case by case basis to accommodate special circumstances.

2. Traditional SUMMER use vehicles may be parked at the residence within the Association between May 15 and September 15 as stated in the declaration cited above. However, the executive board may adjust the date limitations for unusual circumstances where there is an early or late start or early or late end to the "normal summer season" due to weather on a case by case, year by year basis.

3. Traditional WINTER use vehicles may be parked at the residence within the Association between October 15 and April 15 unless extended by approval of the Executive Board.

4. The "shoulder" season of September 15 to October 15 and April 15 to May 15 shall be the transition period between seasonal parking of different types of vehicles at any residence. This is intended to give the homeowner sufficient time to remove one type of vehicle and bring in vehicles traditionally used for the next coming season. (i.e. take the motor home out and bring the snowmobiles in)

5. Vehicles that do not meet the traditional definition of winter or summer use recreational vehicles may not be stored at the residence within the Association for indefinite periods of time. (i.e. Three and Four Wheelers, ARGO and other tracked vehicles such as those traditionally used for hunting or other off road recreation may be parked at the residence for a reasonable time period in preparation for hunting or recreational trips.

### **FINES AND PENALTIES FOR VIOLATION OF THIS POLICY:**

1. A notice of violation will be sent to any lot owner by the Association Managing Agent for violation of this policy.

2. For the first offense and with immediate compliance, no fine or penalty shall be imposed. Immediate compliance means within 5 calendar days of receipt of notice of violation.

3. For the first offense without immediate compliance or second offense or outright refusal to comply with this policy a fine shall be imposed consistent with the fee and fine schedule for the Goldenview Homeowners Association and shall continue for each day of continued violation until such time as compliance is completed.

4. Interest shall accrue on the unpaid portion of any fine consistent with the fee and fine schedule for Goldenview Homeowners Association.

5. The Associations Executive Board shall take all appropriate steps including legal action if necessary to assure compliance with this policy. All costs incurred by the association in pursuit of legal remedies for non-compliance with this policy shall accrue to the Association Member in violation including but not necessarily limited to legal expenses, court costs, collection costs, interest and other expenses that may arise.

**EXCEPTION:**

Nothing contained within this policy prohibits the storage of any type of recreational use vehicle(s) parked inside of the approved garage of a completed residence within the Association.

Formally adopted by Executive Board at its regular meeting on September 23, 2003