

RIVERWOOD HOMEOWNERS ASSOCIATION
Resolution of the Board of Directors

Parking & Towing of Vehicles

- A. **“Association”** is the Riverwood Homeowners Association, an Oregon nonprofit corporation. The Association governs the administration, management, and operation of the Riverwood planned community.
- B. The Association is governed by the following documents recorded in Multnomah County, Oregon:
- (1) The *2010 Amended and Restated Covenants, Conditions and Restrictions for Riverwood Homeowners Association*, recorded October 20, 2010 as Instrument No. 2010-131839, and any amendments or supplements thereto (**“Declaration”**).
 - (2) The 2010 Amended and Restated Bylaws of Riverwood Homeowners Association recorded October 20, 2010 as Instrument No. 2010-131840 (**“Bylaws”**); and
- C. The Association is also governed by the Oregon Planned Community Act, ORS 94.550 et seq.
- D. ORS 94.640 and Article VIII, Section 1(b) of the Bylaws vest the Board of Directors (**“Board”**) with all of the powers and duties necessary for the administration of the affairs of the Association.
- E. ORS 94.630(1)(a), Article VIII, Section 1(a) of the Bylaws empower the Board of Directors to adopt Rules and Regulations.
- F. Article X Section 1(a)(5) of the Bylaws empower a standing Parking Committee to enforce any rules and regulations adopted by the Board of Directors regarding parking of vehicles within the community,
- G. The Board of Directors has adopted Parking Rules and Policies regarding the parking of vehicles within the community that include the authority to tow vehicles parked in violation of the Declaration, Bylaws, and Parking Rules and Policies.
- H. The Board deems it in the Association’s and the owners’ best interest to adopt a policy providing for the uniform enforcement of the Association’s parking restrictions.

RESOLUTION

NOW, THEREFORE, IT IS RESOLVED that the following shall apply to the Association's enforcement of the parking restrictions contained in the Declaration, Bylaws, and the Parking Rules and Policies adopted by the Board:

1. **Towing Vehicles.** Upon a request by a Lot Owner or resident of any lot directed to the Association's Board, the Parking Committee, the manager, or an authorized representative, the Association may arrange to immediately tow any vehicle parked in violation of the Declaration, Bylaws, or Parking Rules and Policies. The Board shall not allow any vehicle to be towed from a public street unless expressly authorized by local authorities. No vehicle shall be towed from a private lot without express written permission from the Board of Directors and prior written notice to the owner of the intent to enter the Lot and remove the vehicle in violation. All costs incurred by the Association will be assessed to the applicable Lot Owner.
2. **Fines for Violation.** In addition to the ability of the Association to tow vehicles as provided above, the Board of Directors may, in its discretion, levy fines against any owner who is in violation of these rules or the provisions of the Declaration and Bylaws. Owners are responsible for any violations caused by tenants or guests of the owner. Fines shall be as specified in the Association's Schedule of Fines.
3. **Notice and Opportunity to Be Heard.** Before levying any fines against an owner, the Board shall give the owner notice and an opportunity to be heard pursuant to the Association's Enforcement Resolution.
4. **Optional Notice prior to Towing.** The Board of Directors, the Parking Committee, the manager, or another authorized representative shall have discretion to place the following notice on a vehicle that the Association reasonably believes has committed a parking violation prior to towing a vehicle:

PARKING VIOLATION

THIS VEHICLE IS IN VIOLATION OF THE PARKING RULES AND REGULATIONS GOVERNING RIVERWOOD HOMEOWNERS ASSOCIATION. IF THIS VEHICLE IS NOT REMOVED BY TODAY AT _____ AM / PM, THE ASSOCIATION MAY TOW THIS VEHICLE AT YOUR SOLE EXPENSE. IF YOU ARE A LOT OWNER IN THE RIVERWOOD COMMUNITY, YOU MAY BE SUBJECT TO ADDITIONAL FINES LEVIED BY THE ASSOCIATION.

However, the notice is not required to be placed in order for the Board to levy fines or for the vehicle to be towed. The Board, the Parking Committee, the manager or an authorized representative may also approve periodic patrols by a towing company during any hours of the day or night to tow vehicles in violation of this Resolution.

5. **Attorney Fees and Costs.** Any owner in violation of this Resolution shall be responsible for any expenses incurred by the Association, including attorney fees and costs, to enforce the provisions of this Resolution, whether or not a suit is filed against the violating owner. The owner is responsible for violations by tenants and guests of the owner, regardless of the ownership of the vehicle in violation.

A copy of this Resolution, and amendments, will be sent to each owner at the address shown in the records of the Association.

DATE April 16, 2021

ATTEST:

Larry D. Dashed

Chairman, Board of Directors,

Riverwood Homeowners Association

Deloris M. Gradin

Secretary, Board of Directors,

Riverwood Homeowners Association