

SILVER CREEK

Silver Creek Home Owners Association Parking Policy Adopted October 2014

This Parking Policy is approved by the Board of Directors of The Silver Creek Home Owners Association (SCHOA) to clearly define the parking rules and regulations as specified in the Governing Documents (CC&R's). This policy replaces all other policies ever enacted and supersedes them. The authority for this policy are the CC&Rs, Main and each subdivision except for Sterling Ridge. Authority to impose a fine is defined in the RCW 64.38.020 (11). Parking on County streets is prohibited by RCW 46.61.560, Highlands's subdivision. This parking policy does not apply to Sterling Ridge subdivision. As a condo association they have their own policy. This parking policy supersedes others published parking policies.

The Sheriff's department has the responsibility to enforce the RCW. The Association does have the authority and the responsibility to enforce the CC&R's as it relates to parking on the county streets as well but cannot tow vehicles from these streets. Therefore enforcement on County streets will be a combined effort between the SCHOA and the Sheriff's Department.

Parking Policy in Silver Creek for all private streets

The CC&Rs state that Vehicles may be parked only on cement or concrete surfaces on an owner's lot. Homeowners and their guests must park their vehicles on the driveway or in the garage and not on the street. Parking on sidewalks, blocking the sidewalks or parking on the yard is also prohibited. When a vehicle is found in violation of the CC&Rs they have 48 hours to correct the problem. If you park and move the car to go to work you do not get a free pass to park in violation of the CC&Rs. The next night may be seen as a second offense. If a fine is imposed the fine will be placed on the homeowner's account. It is the homeowners' responsibility to ensure their guest comply with the parking policy.

The following is the current policy:

1. A contract has been entered into by the Association for patrol of all neighborhoods randomly. Vehicles found in violation of the CC&R's will be logged as violator, tagged and may be towed.
2. The information collected will be added to the data base at the management company for tracking.
3. First offense - A violation warning letter mailed and reminder sticker may be left on vehicle window.
4. Second offense - A violation citation letter with \$125.00 fine will be mailed and a reminder sticker may be left on the vehicle window.
5. Third offense - A violation citation letter with \$250.00 fine will be mailed and a reminder sticker may be left on the vehicle window.
6. Fourth and continued offenses - The vehicle may be towed and impounded and all charges will be the responsibility of the vehicle owner. An additional fine of \$500.00 per violation will be assessed to the responsible homeowner whether the vehicle is impounded or not. Vehicles impounded are subject to the rules and fees of the towing company. The homeowner will have to pay the tow company any impound charges and fees.
7. Vehicles illegally parked that are blocking traffic, mail boxes, fire hydrants and etc. will be towed and impounded immediately without warning and all costs will be the responsibility of the vehicle owner. A fine will also be assessed to the responsible homeowner.
8. Daytime parking has been a minimal problem, however when patrols for other violations are taking place; it becomes obvious there are persistent violators and they will be handled in a like manner as night time violators.
9. The definition of Commercial vehicles as applied to the Silver Creek parking restrictions. "All vehicles with a GVW rating in excess of 15,000 pounds, registered to a company and used primarily for Company business.
10. Common pick-ups and SUV type units with a rating of or less than 15,000 pounds and automobiles are exempt from commercial vehicle restrictions. Signage affixed to vehicles is a non-factor.

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11. Government owned vehicles, i.e. Police, Fire Department and etc., that are parked overnight are subject to restrictions of parking on the street. Only exception to street parking are government owned vehicles parking in an official capacity.
12. Parked vehicles that block the sidewalks or extend into the street are in violation of the CC&R's and subject to a citation and/or towing.
13. Vehicles parked on both sides of the street (restricting emergency vehicle passage), within 15 ft of fire hydrants, within 30 feet of intersections or within 15 feet of mail box clusters are subject to immediate towing at the vehicle owner's expense plus fines.
14. Vehicles may be parked in the designated parking "cut-outs" on designated streets (96th Avenue East and 97th Avenue Court East) in the Brookfield Community only. This is limited to Brookfield homeowners and their guests only.
15. Commercial vehicles may be parked on the street while engaged in construction, moving tenants in or out, and performing maintenance or repair operations. However, no overnight street parking is permitted.
16. Vehicles with expired license plates are classified as inoperable and are not permitted to be stored on the driveway for extended time. If they are parked on the street they will be subject to towing as an abandoned vehicle.
17. Guests are expected to comply with all parking restrictions and homeowners will be responsible for guest's compliance with this policy.
18. Motor Homes, trailers and Recreational Vehicles units are permitted to be parked on owner's driveway for the purpose of loading, unloading and cleaning, not to exceed 48 hours each occasion. (96 hour limit per week with break between each 48 hour limit.)
19. Vehicles dripping oil, gas, or other liquids must be removed or repaired to prevent permanent damage to the asphalt or concrete. Owner must immediately clean up such leakage on street surface and owner is responsible for any resulting damage or costs.
20. No vehicle repairs are permitted outside of owners' garage except minor operations which can be completed in 48 hours or less.
21. Homeowners that park their vehicles on their lawns will be fined for violation of the CC&Rs.
22. Vehicles parked blocking the sidewalks are also in violation of the CC&Rs and subject to fines and towing.
23. The Board of Directors does not have the authority to grant a temporary variance to parking restrictions in the streets because the blocking of the streets would be in violation of the Fire Code. The Board of Directors may grant a variance for commercial vehicle to parking in the driveway when a hardship exists. Such variance may not exceed 30 days. Temporary variance requests must be submitted in writing to the association management company and the Board of Directors is the sole authority to determine hardship.

Parking Appeals Policy in Silver Creek for all private streets

Homeowners have the right to appeal any fines that are imposed. The homeowner must declare that they intend to appeal the fine by email to hoaboard@silvercreekwa.com or letter to the association management company listed at the bottom of the page. The HOA Board will set up a time to hear the appeal or the homeowner may also submit their appeal in writing for consideration if they wish.