

## Exhibit A

### **Kissing Camels Property Owners Association Parking Enforcement Policy**

#### **I. Purpose and Scope:**

The Executive Board desires to clarify the Kissing Camels Property Owners Association parking restriction set forth in Section 8.6.1 of the Amended and Restated Declaration of Covenants, Conditions, Restrictions and Reservations for Kissing Camels, recorded on February 26, 2004 at Reception No. 204032677, records of El Paso County (the “Master Declaration”). Adoption of this policy, which is applicable to all residents of Kissing Camels Estates subject to the Master Declaration, will ensure a safer and visually appealing community, and will ensure parking is managed in a compliant, fair and uniform method. The intention of this policy is for all Kissing Camels residents subject to this policy to park their vehicles in enclosed garages rather than in the driveways or private streets, to ensure that no long-term parking occurs in these restricted areas, and to make sure that no commercial or large vehicles are parked in Kissing Camels Estates, unless exceptions apply.

#### **II. Regulated Activities:**

The following activities are prohibited within or upon Units unless expressly authorized by, and then subject to such conditions as may be imposed by, the Executive Board:

1. Parking of commercial vehicles, motor homes, recreational vehicles, mobile home or other oversized vehicles, boats, trailers, motorcycles, stored vehicles, inoperable vehicles, or other similarly obtrusive motorized or non-motorized vehicles is prohibited in places other than in enclosed garages.
2. Overnight parking of any vehicle on any street within the Community is prohibited. Security will note, as a violation, any vehicle that remains parked on any street between 2:00 a.m. and 5:00 a.m. and report said violations to the Community Manager. Any fines associated with these violations will be the responsibility of the host resident of the violating vehicle.
3. Those Units that have fewer garage spaces than the number of registered vehicles to licensed drivers residing in the Units must park such vehicles as unobtrusively as possible and as close to the garage as possible. Such vehicles must be moved and driven on a regular basis (i.e. there is no exception for the storage of vehicles outside of a garage).

### **III. Exceptions:**

1. Emergency vehicles as defined in Section 38-33.3-106.5 (1) (d), C.R.S. of the Colorado Common Interest Ownership Act are exempt from this policy. <sup>1</sup>
2. Units that have no garage must park vehicles as unobtrusively as possible in the driveway. Units with carports must park their vehicles in the carport.

### **IV. Other Conditions:**

1. No garage space can be used for storage if it results in a vehicle being parked outside on the driveway overnight.
2. A vehicle used by a 24-hour caregiver can be parked overnight on the driveway with proper registration with Security at the main gate.
3. Parking on the private streets within Kissing Camels Estates is allowed subject to the foregoing restrictions so long as the vehicle is parked only temporarily in connection with a social function or while engaged in actual transportation or delivery to or from a Lot or Unit.
4. Parking in designated fire lanes is expressly prohibited. Vehicles encountered in these areas will be reported to the Colorado Springs Police Department and are subject to immediate removal without any prior notice to the vehicle owner or responsible Unit Owner.

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<sup>1</sup> C.R.S. § 38-33.3-106.5 states the association may not prohibit parking of the following type of vehicle: (1) (d) The parking of a motor vehicle by the occupant of a unit on a street, driveway, or guest parking area in the common interest community if the vehicle is required to be available at designated periods at such occupant's residence as a condition of the occupant's employment and all of the following criteria are met: (I) The vehicle has a gross vehicle weight rating of ten thousand pounds or less; (II) The occupant is a bona fide member of a volunteer fire department or is employed by a primary provider of emergency firefighting, law enforcement, ambulance, or emergency medical services; (III) The vehicle bears an official emblem or other visible designation of the emergency service provider; and (IV) Parking of the vehicle can be accomplished without obstructing emergency access or interfering with the reasonable needs of other unit owners or occupants to use streets, driveways, and guest parking spaces within the community.

**V. Guest Parking Passes and Procedure:**

The Executive Board acknowledges that residents periodically have overnight visitors and guests.

1. Guest passes shall be obtained by residents for any guest intending to stay in the Community for more than 24 hours and may be obtained in advance of the stay from Security at the Main Gate. Visitor/guest vehicles may be parked in the driveway. Visitor/guest vehicles MUST NOT be parked overnight on the street.
2. Guest parking passes must be prominently displayed in the windshield for the entirety of their stay. This guest pass will state the dates for which the pass is valid, the descriptive information of the vehicle (make, model, etc.), and the expiration date of the pass (of no more than seven (7) days) and must be approved and signed by Security.
3. Students of residents who have not registered their cars for an annual KCPOA permit may obtain a guest parking permit for a year at a time.
4. Security will prepare and maintain a log consisting of resident name, address and contact number, guest name, vehicle (make, model, etc.) license plate (state and number) and the effective dates (commencement to expiration) of each pass.

**VI. Authority of the Executive Board:**

The Executive Board and/or any properly authorized committee of the Executive Board shall have the authority to interpret and enforce the provisions of this policy, and shall also have the authority to, though it need not, grant variances when circumstances reasonably require. Variances should generally only be granted, however, when unique circumstances so dictate, and in no event shall a variance (a) be effective unless in writing, (b) be contrary to the provisions of the Master Declaration or other Association Documents, or (c) prevent the Board from denying another or similar variances in other circumstances.

This ordinance will be enforced on a “complaint” or “continuing violation” basis. Complaints should be directed to Security which will then verify the complaint and forward same to the property manager.