

## RESOLUTION 2022-05

### TWIN RIVERS HOMEOWNERS ASSOCIATION AS TRUSTEE FOR THE TWIN RIVERS COMMUNITY TRUST

#### ACCESSIBLE PARKING SPACES

**WHEREAS**, the Twin Rivers Homeowners Association ("Association") has been designated and is currently serving as the Trustee under that certain Indenture dated November 13, 1969, establishing the TWIN RIVERS COMMUNITY TRUST: and

**WHEREAS**, The Board of Trustees of the Twin Rivers Homeowners Association is entrusted with the responsibility to enforce the Trust documents as authored, namely the Declaration of Restrictions and Reservation of Easements and the Indenture; and

**WHEREAS**, the Board of Trustees of the Twin Rivers Homeowners Association have, pursuant to Resolutions 89-1 and 91-1, set forth their interpretation of Section 8 of the Declaration of Restrictions and Reservation of Easements, pertaining to the parking of vehicles on any common road or parking area within the said Community, and

**WHEREAS**, it is appropriate for the Board of Directors to have the power to adopt and publish rules and regulations to complement and supplement such restrictions.

**NOW THEREFORE, BE IT RESOLVED** that the Board of Directors adopts the following policy pertaining to the parking of vehicles on any common road or parking area with the said Community;

Being that there are members of the community who petition the Trust office to install a accessible parking space and being that the Board shall not act in a way arbitrary or capricious, the Board of Directors adopts the following policy on the number of accessible parking spaces.

1. Request from resident and provision of necessary documentation of disabled-person status will be required prior to installation.
2. A centrally located spot will be chosen, preferencing end of row spot to accommodate vehicles that require additional space for entrance and egress, such as a van with wheelchair lift.
3. Be it noted that an accessible parking space is never assigned to an individual and may be used by any vehicle with the appropriate government placard or plate.
4. Households with an assigned parking space shall not also petition the Trust for the installation of an accessible parking space without agreed to forfeiture of that assigned parking space as condition of installation of accessible parking space.
5. Though the public accommodation rules for business do not apply to private residential communities like Twin Rivers, the Act's standard supplies a reasonable guide, which is here adopted: the number of accessible parking spaces in lots without assigned parking is 1 accessible parking space for every 25 parking spots or part thereof:

Total Number of Parking Spaces in Parking Lot	Number of Accessible Parking Spaces	Number of Van Accessible Parking Spaces
1 to 25	1	1
26-50	2	1
51-75	3	1
76-100	4	1

6. Number of assigned spaces is calculated per parking lot, and not based on the total number of parking spaces in the community.

**BE IT FURTHER RESOLVED** that is the responsibility of the Twin Rivers resident to notify visitors of the parking regulations.

**BE IT FURTHER RESOLVED** that any beneficiary or occupant of a living unit within the Twin Rivers Community who shall violate this Resolution or Resolutions 89-1 or 91-1, shall be subject to fines upon notification of the violation and a reasonable opportunity to cure the violation, and the vehicle may be towed and removed from the common parking lots and common roadways at the owner's cost and expense; and

**BE IT FURTHER RESOLVED** that any beneficiary or occupant who violates the Resolutions referred to above shall also be subject to a civil complaint being filed, which may seek damages, attorney's fees, costs of suit, and any other relief which a Court may deem equitable and just, and

**BE IT FURTHER RESOLVED** that the printing of this Resolution in its entirety in the community newsletter publication, "Twin Rivers Spotlight," and on the Twin Rivers Community website constitutes proper notice.

Duly approved by the Board of Directors  
at their meeting of March 10, 2022

Attest:

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Julian Best, Secretary