Hidden Valley Foundation, Inc.

POLICY NAME: Emergency Condominium Community Parking Rules and Towing Policy

POLICY NUMBER: 15-A

ORIGINAL DATE ISSUED: November 20, 2020

REVISIONS:

PURPOSE: The Board of Directors of The Hidden Valley Foundation (the "Foundation") has enacted the following Emergency Parking Rules for the mutual benefit of residents, the owners and occupants of The Highlands Condominiums and Summit Village Condominiums. All rights-of-way and parking lots within the communities of Hidden Valley are private roads maintained by the Foundation and are subject to the rules, policies, By-Laws and Covenants of the Foundation and its communities. Due to COVID-19 restrictions, resort shuttle service will not be provided during the 2020-2021 ski season. As a result, the potential for illegal parking in certain communities is increased. These Emergency Parking Rules are intended to prevent illegal parking in those communities and to allow that residents of those communities may park in the parking lots designated for those communities. These Emergency Parking Rules may be modified from time to time by the Board of Directors of the Hidden Valley Foundation as it deems necessary, to promote the safety and welfare of the Members of Hidden Valley Foundation and shall remain in full force and effect until repealed by the Board.

PREAMBLE:

WHEREAS, the Declaration of Covenants, Conditions and Restrictions of the Foundation, as amended, the Articles of Incorporation and Bylaws of the Foundation empower the Board of Directors of the Foundation to enact rules and regulations for the communities comprising Hidden Valley; and

WHEREAS, the Plat and Plan of The Highlands Condominium and Summit Village provide for a limited number of parking spaces per residential unit; and

WHEREAS, The Highlands Condominium Plat and Plan, recorded at the Office of the Recorder of Deeds of Somerset County, and attached to the Declaration of Covenants, Conditions and Restrictions on January 23, 1984 at Book Volume 913, Page 806, as amended and supplemented from time to time, provides that there shall be 1.5 parking spaces per Residential Unit within The Highlands Condominium; and

WHEREAS, The Hidden Valley Foundation Plat and Plan with respect to the Highlands Townhouses, recorded at the Office of the Recorder of Deeds of Somerset County, and attached to the Declaration of Covenants, Conditions and Restrictions on April 10, 1985 at Book Volume 935, Page 115, as amended and supplemented from time to time provides that there shall be 2 parking spaces per Residential Unit within The Highlands Condominium; and

WHEREAS, Summit Village, Plat X, recorded at the Office of the Recorder of Deeds of Somerset County, and attached to the Declaration of Covenants, Conditions and Restrictions on September 24,

1992 at Book Volume 1175, Page 374, as amended and supplemented from time to time, provides that there shall be 2 parking spaces per Residential Unit; and

WHEREAS, pursuant to the Rules and Regulations of the Foundation, The Highlands Condominiums, The Highlands Townhouses and Summit Village, each Residential Dwelling Unit in The Highlands Condominiums, the Highlands Townhouses and Summit Village shall have no more than two (2) unassigned parking spaces available to the Residents of each Residential Dwelling Unit; and

WHEREAS, due to COVID-19 restrictions, the Resort will not be offering shuttle service to the ski slopes, which may result in resort guests attempting to park in Hidden Valley community parking lots;

WHEREAS, in order to prevent to the extent possible illegal parking which could prevent Hidden Valley residents from parking in their community's parking lot, the Foundation is enacting emergency parking rules with respect to those affected communities, which will include vehicle registration and the issuance of parking permits to residents in the affected communities.

Section 1. **Communities Subject to Regulation.** The following streets and communities, and all surface parking lots thereon and therein are subject to these Emergency Parking Rules:

- Oliver Way
- Ridgeview Road
- Tailor Way
- The Highlands Condominiums
    - Gristmill Lane
    - Kepple Lane
    - Tanyard Lane
    - Veech Lane
- Summit Village Condominiums
    - Summit Drive
    - Summit View Court

For purposes of these Emergency Parking Rules, the following definitions shall apply:

- "Resident" means Unit Owners who reside in the Units or Long-Term Tenants who reside in the Units.
- "Long-Term Tenants" are tenants who lease a Unit for a period of greater than three (3) months.
- "Short-Stay Tenants" are persons who rent Units from Owners for a period of less than three (3) months.
- "Parking Permits" are Resident Parking Permits, Short-Term Tenant Parking Permits and Guest Parking Permits.
- "Resident Parking Permits" are issued to Unit Owners and Long-Term Tenants.
- "Short-Term Tenant Parking Permits" are issued to Short-Stay Tenants.
- "Guest Parking Permits" are limited-term permits issued to Residents upon request and at the discretion of the Foundation, provided that parking spaces in overflow lots are available.

Section 2. **Parking Restrictions.** (a) Each Private Dwelling Unit in The Highlands Condominiums and Summit Village Condominiums is allowed to have a maximum of two vehicles parked in parking spaces within the parking lots of each community; provided, however, that guest parking permits may be issued upon request on a first come/first serve basis at the discretion of the Foundation. Parking spaces within the parking lots in the communities and along the streets identified in Section 1 herein above are unassigned and are available to Residents and Short-Stay Tenants on a first come/first served basis. Except with respect to designated handicapped parking spaces, there are no reserved parking spaces within the above referenced parking lots. Guest Permit parking is restricted to the overflow parking lots at South Ridge Center and the short-term overflow parking areas set forth in Subsection 2(b) below. Vehicles parked in any of the open parking areas identified in Section 1 herein above that are not properly displaying a valid Parking Permit are subject to immediate towing at the vehicle owner's expense without prior notice. Each parking lot will be posted with appropriate signage in accordance with 67 Pa. Code § 212.115. Posting of private parking lots.

(b) Short-term overflow parking is available (first come first served) within Hidden Valley Foundation in various areas: Eagles Ridge Way – 10 spaces; Eagles Ridge Court – 5 spaces; Powder Ridge Road – 5 spaces; South Ridge Court – 25 spaces; Summit Drive – 5 spaces; Summit Place – 8 spaces; Summit Court – 5 spaces; Gristmill Court – 5 spaces; Highlands Center – 5 spaces; and South Ridge Center – 10 spaces.

Section 3. **Vehicle Registration.** Residents and Short-Stay Tenants of the Highlands Condominiums and Summit Village Condominiums are required to register their vehicles with the Foundation and to apply for a Parking Permit. Parking Permits must be clearly displayed while vehicles are parked in the open parking areas identified in Section 1 herein above.

(a) Vehicles to be registered must have a current, valid, state registration and license plate, and, if applicable, state inspection stickers. All registered vehicles must be in operating condition.

(b) Registration can be completed in person at the Foundation's office or through the Foundation website. Applicants for Parking Permits shall provide the following identifying information for each vehicle to be registered: (i) Vehicle make (brand, i.e., Lincoln), (ii) Vehicle model (i.e., Navigator, (iii) Model Year, (iv) Color, (v) License Plate Number and State, (vi) VIN Number.

(c) Residents may register up to four (4) vehicles for each Resident Parking Permit. Only one vehicle registered under a Resident Parking Permit may be parked in a community parking lot. It is recommended that if a Resident is registering multiple vehicles that all vehicles be registered under both Parking Permits to prevent the occurrence of placing the Parking Permit in the incorrect vehicle.

(d) Unit Owners who rent their Units to Short-Stay Tenants are responsible for obtaining from Short-Stay Tenants all required information for the registration of their vehicle(s) and registering the vehicles with the Foundation. Unit Owners shall complete the vehicle registrations and shall be issued the Short-Term Tenant Parking Permits. Unit Owners shall be solely responsible for delivering the Short-Term Tenant Parking Permits to the Short-Stay Tenants. No more than two (2) vehicles may be registered for Short-Term Tenant Parking Permits. Registration must be completed prior to arrival at the Unit.

(e) Initial registration shall be completed no later than the date set by the Board in notice of the adoption of this Policy to Members of the Foundation. Thereafter, Residents shall apply for a

parking permit (or transfer of a Parking Permit from a prior vehicle) for a new vehicle within seventy-two (72) hours of purchase or lease.

Section 4. **Parking Permits.** Upon completion of registration, and acceptance by the Foundation, the Foundation shall issue an appropriate Parking Permit to the owner of the registered vehicle.

(a) *Resident Parking Permits*. Each Private Dwelling Unit in The Highlands Condominiums and Summit Village Condominiums shall be entitled to a maximum of two (2) Parking Permits. A maximum of two (2) Resident Parking Permits will be issued upon registration of vehicles with the Foundation pursuant to Section 3 herein above. Each Resident Parking Permit will be evidenced by a plastic rear view mirror hanger.

Owners of Units that reside in the Unit will be issued Resident Parking Permits.

Owners of Units that do not reside in the Unit, and who have entered into a lease of three (3) months or longer with a Long-Term Tenant will not be issued a Resident Parking Permit.

With respect to Condominium Units that are leased to Long-Term Tenants, all amenity rights of the Owner, including parking rights, are assigned to the Long-Term Tenant(s). Such Owners must apply to the Foundation for a Guest Parking Permit if they wish to park in any Foundation parking lot.

(b) *Short-Term Tenant Parking Permits*. With respect to Units which are rented on a short-term basis (less than three (3) months) by Owners, to third parties ("Short-Stay Tenants"), such Units will be issued a maximum of two (2) Short-Term Tenant Parking Permits. Each Short-Term Parking Permit will be evidenced by a paper permit.

(c) *Guest Parking Permits*. Unit Owners and Long-Term Tenants may request a reasonable number of temporary Guest Parking Permits. Guest Parking Permits are valid only in the overflow parking lots at South Ridge Center and the Auxiliary Parking Lot. Guest Parking Permits shall be valid for no more than three (3) calendar days but can be renewed one (1) time for three (3) additional calendar days upon request, provided that parking is available in the overflow parking lots. No more than forty (40) total Guest Parking Permits may be issued at any time. Guest Parking Permits are available on a first come/first serve basis.

(d) *Unit Owner Parking When Short Stay Permits are Issued*. Unit Owners who rent to Short-Stay Tenants retain their parking privileges; provided, however, that in the event Short-Term Tenant Parking Permits are issued for the Unit, if the Owner wishes to park at Hidden Valley, he or she must use overflow parking lots at South Ridge Center and Auxiliary Parking Lot.

Section 5. **Parking Permits are Non-Transferrable**. Parking Permits are issued to a particular Private Dwelling Unit and may not be assigned, transferred, loaned, or otherwise provided to any person other than the Unit Owner, Long-Term Tenant or Short-Term Tenant. In the event that a Parking Permit is given to another person to use in violation of these regulations, such Parking Permit shall become void immediately upon discovery and the vehicle using that Parking Permit shall be subject to towing. Any Unit Owner, Long-Term Tenant or Short-Term Tenant who allows a third party to use his Parking Permit shall lose all guest parking rights for a period of six (6) months. Parking Permit Holders may transfer the Parking Permit to a new vehicle only upon registration of that vehicle with the Foundation.

Section 6. **Parking Permits Must Be Displayed At All Times**. Vehicles parked in all parking areas in identified in Section 1 herein above must have a valid Parking Permit displayed at all times. The Parking Permit should be displayed clearly, with the permit number visible.
Resident Parking Permit hangers should be hung on the rear view mirror with the tag number visible at all times. Short-Term Tenant Parking Permits and Guest Parking Permits should be placed on the vehicle dashboard, on the passenger side of the vehicle. The permit number should be clearly visible through the vehicle windshield at all times with no obstructions. Vehicles that are not properly displaying the permit or that have expired Short-Term Permits or Guest Parking Permits are subject to immediate towing at the owner's expense without prior notice to the owner. In the event that a Resident Parking Permit Number does not match the vehicle in which it is hanging, that vehicle is subject to immediate towing at the owner's expense. If a Resident has registered multiple vehicles under two Parking Permits, the Resident is responsible for
placing the matching appropriate Resident Parking Permit hanger with the correct vehicle. An error in placing an incorrect Resident Parking Permit hanger in a properly registered vehicle may result in that vehicle being towed at the owner's expense, but will not subject the Resident to forfeiture of guest parking rights

Section 7. **Replacement of Lost or Damaged Parking Permit Hangers.** Holders of Resident Parking Permit mirror hangers shall immediately notify the Foundation of any lost or damaged hangers. Lost hangers will be cancelled, and a replacement hanger will be issued.
Replacement of a lost or damaged hanger is subject to an administrative fee of Fifty Dollars ($50.00) for each replacement (which includes the cost of the plastic mirror hanger). If a lost hanger which has been cancelled is found, it cannot be reactivated. A replacement hanger will be issued and the administrative fee assessed. Paper Short-Term Tenant Parking Permits and Guest Parking Permits may be reprinted by the holder thereof in the event of damage. If a Short-Term Tenant Parking Permit or Guest Parking Permit is lost or stolen, the holder thereof must immediately notify the Foundation. The lost Short-Term Tenant Parking Permit or Guest Parking Permit will be cancelled, and a replacement Short-Term Tenant Parking Permit and Guest Parking Permit will be issued subject to an administrative fee of Twenty-Five Dollars ($25.00).

Section 8. **Enforcement.** Violation of any of these rules shall be reason for towing the vehicle at the expense of the owner, with no further notification necessarily given to the vehicle owner/driver. The owner(s) of any vehicle removed by the towing company contracted by the Foundation under the provisions of this Policy shall be responsible for all towing fees and storage/impound charges assessed by the towing company and shall also be responsible for any fines assessed by the Foundation in accordance with the Uniform Enforcement Policy Fee Schedule. Property owners and/or residents are solely responsible for advising their family members, guests, tenants or invitees of this policy and restrictions. Property owners and/or residents shall be responsible for the payment of any fines assessed against their tenants, invitees or guests. The Foundation shall have the authority to contract with a private towing company for the purpose of enforcement of this policy. Only the towing company under contract with the Association shall be authorized to perform any towing and impounding of vehicles for the enforcement of this policy.