

**Resolution of the
Jeremy Ranch Owner's Association
Board of Trustees
August 12, 2020**

WHEREAS, the Board of Trustees (the "Board") of Jeremy Ranch Owner's Association ("Association") desires to amend the current vehicle parking policies in Sections 2.6, 2.7, and 2.8 of the Jeremy Ranch Owners Association Community Architectural Design Guide (the "ADG") (recorded with the Summit County Recorder as Entry Number 692302 Book 1606 and beginning at page 118).

WHEREAS, for the welfare, harmony, and convenience of all residents, the Board wishes to establish rule enforcement policies and procedures so that the Association may fairly and consistently enforce community standards and the reasonable expectations of the members of the Association;

WHEREAS, Section B-9 of the CC&Rs for Plat 1, and section B-8 of the CC&Rs for Plat 2, 3, 4, 5 and A, contain conflicting language regarding parking and storage of vehicles;

WHEREAS, Section 218 of *Utah Community Association Act* (the "Act") entitles the Board to adopt reasonable rules and regulations, even as to activity confined to a dwelling or lot;

WHEREAS, Section 213(1)(b) of the *Utah Community Association Act* allows the Board to choose not to enforce a violation of the governing documents against the owners if, after fair review and acting in good faith and without conflict of interest, in the *particular circumstances the Board determines that it is not in the Association's best interests to pursue enforcement action, based on reasonable criteria;*

NOW THEREFORE, after fair review and acting in good faith and without conflict of interest, the Board has determined that in the particular circumstances it is not in the Association's best interests to pursue enforcement of certain parking provisions in sections B-8 and B-9 of the various CC&Rs, based on, but not limited to the following reasonable criteria:

- Enforcement is not justified because application of differing standards throughout the community has led to confusion and/or inconsistent application;
- Enforcement of differing standards is difficult to manage, administer, oversee, monitor, and track;
- Enforcement of the standard in Plats A, 4, and 5 is not consistent with Association residents' reasonable expectations of use of their lots and driveways;
- Enforcement of the strict garage-only parking policy is not "material to a reasonable person;"
- Enforcement of a garage-only parking policy will create a substantial financial and management burden on the Association;
- Strict enforcement and application of the garage-only policy may be counterproductive to neighborly relations and unreasonably restrict the use of the lots within the community.

BE IT FURTHER RESOLVED that the following vehicle parking policies attached hereto shall rescind and replace the current policies in Sections 2.6, 2.7, and 2.8 of the ADG and are hereby adopted by the Board effective August 12, 2020, and that notice of this adoption shall be given to the membership within 15 days of today's date;


IT IS FURTHER RESOLVED that the Association will not enforce the vehicle and/or parking provisions in Section B-8 (or B-9 in the Plat 1) of the CC&Rs against any Owner that is in compliance with the newly adopted vehicle parking policies below.

By: 
Laura Arnold, President of the Board

Date: 8-12-20

By: 
Jay Zynczak, Member of the Board

Date: 8/12/20

By: 
Kathleen Johnston, Member of the Board

Date: 8-12-20

By: 
Chris Eggleton, Member of the Board

Date: 8/12/20

By: 
Thomas Spencer, Member of the Board

Date: 8-12-20

Jeremy Ranch Owner's Association

Amendment to the Community Architectural Design Guide

August 12, 2020

The following Rule amends Sections 2.6., 2.7. and 2.8., of the Jeremy Ranch Owner's Association Community Architectural Design Guide dated March 18, 2004, and is hereby approved and adopted by the Board Of Trustees for the purpose to more fairly, equitably and reasonably regulate parking of all types of vehicles within our community.

This amendment adopted by the Board of Trustees supersedes all prior vehicle parking regulations in their entirety and is permitted in accordance to the Declarations Of Covenants for Plats A, 1, 2, 3, 4 and 5 of the Jeremy Ranch Subdivision, and is allowed pursuant to Utah Code, Section 213 of the Utah Community Association Act, wherein the Board may exercise reasonable judgment concerning application and enforcement of a covenant or restriction where such covenant is found to impose an unreasonable restriction on the owners rights to the use of their property as more specifically described in the Resolution adopted concurrently on August 12, 2020, with this amendment.

This rule applies to all lots within Jeremy Ranch Plats A, 1, 2, 3, 4 and 5.


2.6. Vehicle Parking.

- a. Categories of Vehicle Types. For regulatory purposes, the Association recognizes three (3) categories of vehicles;
 - i). Personal Vehicles, which includes only cars, mini vans, standard vans (not exceeding 240 inches in length), SUV's and pickup trucks (no camper trucks) used primarily for private transport and commuting needs of the Owners, their family members, and guests.
 - ii). Recreational Vehicles (RV's) which includes but is not limited to any full size vans converted for recreational uses (ie. Chevrolet Express, Dodge Ram, Ford E series, Mercedes Sprinter, Ford Transit, etc.), camper trucks, motor homes, travel trailers, utility trailers, boats, watercraft, snowmobiles, dune buggies, four-wheelers/ATVs, motorcycles, etc.
 - iii) Commercial Vehicles which includes any motor vehicle and/or trailer of any type that is used for commercial, business or industrial purposes, or that displays the name of a business or other commercial enterprise or employer anywhere on the vehicle or trailer excluding the vehicles manufacturer decals, license plates and license plate holders. For the purposes of this rule (2.6.a.iii.), all vehicles that have a chassis capacity of one ton or greater, or can carry more than 10 passengers, or is longer than 18 feet (bumper to bumper), are commercial vehicles.
- b. The Association encourages all Owner's, as much a possible, to park all vehicles of all types (all categories) within their garage. In no case may any vehicle of any type be parked on any landscape area.
- c. Outside Parking of Personal Vehicles. All Personal Vehicles parked outside must be parked on some type of hard surface approved by the ACC. For regulatory purposes, it is presumed that the "main driveway" was approved by the ACC with the initial ACC approval for construction of the home. The "main driveway" is the driveway used for access from the street to the garages. However, in no case shall more than three (3) Passenger Vehicles be allowed to be parked at any one time on the main driveway.
- d. Outside Parking of Recreational Vehicles.
 - i) Except as provided hereafter, RV's shall not be parked on the "main driveway". Recreational vehicles (RV's) may be parked outside on the side or rear of a house on a designated parking pad separate from the main driveway and approved by the ACC (RV parking pad). In no case may RV's, or any portion of any RV, be parked on or protrude into any portion of the front yard which is the area between the street and the front building line of the house.
 - ii) All RV parking pads must be approved by the ACC either:
 - 1) with the initial construction of the home or,
 - 2) by submitting a separate application in compliance with these standards.

Application for such approval must be submitted to the ACC pursuant to the application provisions under Section 3. of the Architectural Design Guide. Approval of the design of the parking pad, it's location, shape, materials used and any other elements that may be required is at the sole discretion of the ACC based on the circumstances of the site, *giving consideration to terrain, drainage, potential erosion, snow storage, overall compatibility* with the lot, proposed landscaping and excessive or unreasonable visual impact to adjacent properties. For RV parking pads only, the ACC may consider in it's sole discretion, materials other than hard surfacing if the ACC determines that such alternate surfacing material may be more beneficial to mitigate potential adverse drainage and/or erosion issues.

- iii) On corner lots, the ACC may consider a RV Parking pad on the side of a house which side is facing a street, provided in the ACC's sole discretion, such RV parking pad can be adequately screened so as to be reasonably obscured from view from the side street. Adequate screening is not intended to mean fully screened, but that the view is partially broken by placement of screening devices such as evergreen trees, or a section of decorative screen wall, or some other device approved by the ACC.
- iv) RV's may be parked on the main driveway to load or unload for a period of no more than 24 hours during any 48-hour period.
- v) In no case may any RV or combination of RV's exceed thirty two (32) feet in total length. Except as provided in section 2.6.d.iv) above, larger RV's exceeding 32 feet in total length must be parked off-site.
- e. Outside Parking of Commercial Vehicles. Commercial vehicles and trailers may not be parked outside on any lot except during the performance of construction or repair activities to the dwelling on the lot.
- f. Non-Operable Vehicles. No vehicle may be parked outside for any reason or for any period of time that is not properly and currently registered, licensed and in good running condition.
- g. Street Rights of Way. In addition to the paved portion of the streets, the public right of ways also includes a portion of land behind the curb, between the curb and the front property boundary. Excluding paved driveways, at no time is parking allowed on the right of way between the curb and front property boundary.


Approved This August 12, 2020, by The Board Of Trustees
Jeremy Ranch Owner's Association

By: 


Laura Arnold, Its President

By: 

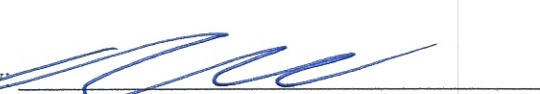
Jay Zynczak, Vice President

By: 

Kathleen Johnston, Secretary

By: 

Chris Eggleton, Trustee

By: 

Thomas Spencer, Treasurer