

TARALON RESIDENTIAL COMMUNITY ASSOCIATION
BOARD OF DIRECTORS
TOWING RESOLUTION

RECITALS

A. The Board of Directors (**Board**) of Taralon Residential Community Association (**Association**) is charged with the operation and management of Taralon Commons, located in Clackamas County, Oregon.

B. The Association is governed, in part, by documents recorded in the Clackamas County, Oregon, Official Records including the:

- Declaration of Covenants, Conditions, and Restrictions for Taralon Residential, recorded on February 7, 2006, as Document No. 2006-011412; Amendment to Declaration of Covenants, Conditions, and Restrictions for Taralon Residential, recorded on February 8, 2008, as Document 2008-008891 (**Declaration**);
- Bylaws of Taralon Residential Community Association recorded on February 7, 2006, as Document No. 2006-011413 (**Bylaws**); and
- The Plat of Taralon Commons, recorded on February 7, 2006, as Document No. 2006-11410, in Book 131, Page 24.

C. In addition, the Association is governed by its Articles of Incorporation, the Association's Rules and Regulations, the Community Center Rules and Regulations, and Board resolutions. Collectively, the documents in Recital B and C will be referred to as the **Governing Documents**.

D. The Association is also governed by the Oregon Planned Community Act, ORS 94.550 *et seq.*, and the Oregon Nonprofit Corporation Act, ORS Chapter 65.

E. ORS 94.640 and Article III, Section 3.17 of the Bylaws grant the Board the power, duty, and authority necessary to administer the affairs of the Association and to enforce the Governing Documents.

F. Article XII, Section 12.4 of the Declaration and Article III, Section 3.17 of the Bylaws authorize the Board to adopt use restrictions and to designate certain areas on the private streets and the Association's property for parking. These sections also grant the Board the right and authority to enforce parking rules and regulations and to levy fines and other sanctions for violations.

G. The Board finds that it is in the best interests of the Association to adopt a uniform policy regarding the towing of vehicles.

RESOLUTION

NOW, THEREFORE, IT IS RESOLVED:

1. **Towing.** Subject to the following, the Board, the community manager, or other authorized Association representative may arrange to tow any vehicle parked in violation of the Governing Documents. The Board, community manager, or an authorized representative may approve periodic patrols by a towing company during any hours of the day or night to tow vehicles in violation of this Resolution.

1.1. **General Common Areas.** Without notice, a vehicle parked on any General Common Area, including those areas designated as parking areas and private streets, may be towed immediately if that vehicle is parked in violation of any signs, markings, or the Governing Documents. The vehicle owner will be responsible for all towing costs and expenses incurred

1.2. **Prohibited Vehicles.** As further provided in Article XII, Section 12.4.3 of the Declaration, commercial vehicles, mobile homes, recreational vehicles, campers, camper trailers, boats and other watercraft, boat trailers, and vehicles in an extreme state of disrepair or inoperable (collectively, **prohibited vehicles**), may be towed, at the applicable Owner's expense, five days after notice is mailed to the Owner, or if ownership cannot be determined, to the Owner of the property where the vehicle is parked or the Owner of the property abutting the prohibited vehicle.

2. **Fines.** In addition to towing, the Board may, in its sole discretion, levy fines against any Owner in violation of the Governing Documents, including this resolution. Fines will be levied as permitted by the Association's Fine and Enforcement Resolution.

3. **Optional Notice Before Towing.** Before towing a vehicle, the Board, the community manager, or another authorized Association representative may place a notice on any vehicle the Association finds has been parked in violation. This notice is not required to be placed for the Board to levy fines or for the vehicle to be towed. This notice, or a similar notice, may provide:

PARKING VIOLATION

THIS VEHICLE IS IN VIOLATION OF THE PARKING RULES AND REGULATIONS GOVERNING TARALON RESIDENTIAL COMMUNITY ASSOCIATION. IF THIS VEHICLE IS NOT REMOVED TODAY BY _____ AM / PM, THE ASSOCIATION MAY TOW THIS VEHICLE AT YOUR SOLE EXPENSE. YOU MAY ALSO BE SUBJECT TO ADDITIONAL FINES LEVIED BY THE ASSOCIATION.

4. **Legal Assistance.** If an attorney is hired to enforce the Governing Documents, including parking rules or this Resolution, the offender and/or Owner will be responsible for all attorney's fees and costs incurred, whether or not a suit or action is filed. An Association Owner or, in the case of rights held under a Shared Use Agreement, the responsible party

under that Agreement will be responsible for violations by tenants, guests, or invitees, regardless of ownership of the vehicle in violation.

5. **No Limitation.** Nothing in this Resolution waives or abrogates the Board's right to take other action to enforce the Governing Documents.

This Resolution was adopted by the Board of Directors on November 15, 2022, and is effective the day it is distributed electronically or mailed to the owners and any affected party under a Shared Use Agreement. This Resolution replaces and supersedes any previously established collection resolutions or policies of the Board of Directors.

Taralon Residential Community Association

DocuSigned by:
By: William Hunter
President

DocuSigned by:
By: Angela Ackerson 
Secretary