

## **New Resolution Regarding Commercial Type Trucks**

For quite some time, the parking of Commercial Type Trucks has been an issue within Pagosa Lakes. As Association neighborhoods have become more crowded, the visibility of vehicles has become more pronounced.

Many Board meetings and work sessions, posted for property owner attendance, have taken place since January 2006. The issue of parking Commercial Type Trucks was discussed between property owners, Board members, the Environmental Control Committee and staff members. The main topic of discussion was to arrive at a definition of the term Commercial Type Truck.

Following are the pertinent portions of Resolution 2006-18 defining a Commercial Type Truck, Exceptions to the Resolution, Notice Provisions and the Implementation Date, which will be February 1, 2007:

**“Whereas**, the Master Declarations, Article 7, General Prohibitions and Requirements, Section O states: “No commercial type truck shall be parked for storage overnight or longer, on any lot in the Subdivision in such a manner as to be visible to the occupants of other lots in the Subdivision or the users of any street, waterway, or golf course within the Subdivision, unless the written approval of the Committee (Environmental Control Committee) has been obtained.”, and;

**Whereas**, similar restrictions for the overnight parking of commercial type trucks are noted in Declarations for other subdivisions within the Pagosa Lakes Property Owners Association;

**Whereas**, the Association has not previously published a definition for commercial type truck

**Now therefore**, The Pagosa Lakes Property Owners Association (PLPOA) herein defines a commercial type truck for the purpose of Rules and Regulations enforcement of the language contained in Declaration as noted above and adopts the following procedures for notice and implementation of such Rule and Regulation.

### ***1. Definition***

“A Commercial Type Truck is a truck, one-ton in size or larger, equipped with, but not limited to; a dump, flat or stake bed; tow/wrecker equipment; panel delivery or freight box; garbage/trash compactor; cement mixer or pumper; a lift crane or boom; oil field service equipment; or liquid, sewage, or gas storage tanks. It shall not include sport utility vehicles, vans, recreational vehicles, or pickups, of any size, with or without racks.”

## ***2. Exceptions***

- A. Emergency Service Vehicles as described in C.R.S. 38-33.3-106.5(d) are specifically excluded from the provisions of this Resolution.
- B. Service vehicles, with a maximum gross weight of 10,000 pounds, for utility companies including Kinder Morgan (natural gas); La Plata Electric Association (LPEA - electricity); Pagosa Area Water and Sanitation District (PAWSD - water and sewer) and Centurytel (telephone) are specifically excluded from the provisions of this Resolution.

## ***3. Notice Provision***

- A. Notice of this definition and process for its implementation and inclusion within the Rules and Regulations for the Association shall be published in the Fall 2006 and Winter 2006 editions of the Newsletter for the Pagosa Lakes Property Owners Association, which shall be mailed to each property owner within the Association.
- B. A reminder of the implementation of this policy and procedure will be included in the mailing of the Annual Assessment Notice, to be mailed in the first week of January 2007.
- C. Upon adoption of this Resolution, notice of this policy will be conspicuously posted at the Association administrative offices and at the Recreation Center and on the Association web site.
- D. Notice of this policy shall be published in the Pagosa Springs Sun, in a block ad format, on four occasions. Once in November 2006, twice in December 2006 and once in January 2007.
- E. Starting forty five days prior to implementation, and continuing up to the implementation date, letters will be sent to the unit occupant where a commercial type truck is noticed reminding them of the policy and its implementation date.

## ***4. Implementation Date***

The implementation date for this policy will be February 1, 2007. The policy will be added to the Association Rules and Regulations as of the implementation date.

**THEREFORE; BE IT RESOLVED** Resolution 2006-18 was ADOPTED this 13<sup>th</sup> day of July 2006 by the Pagosa Lakes Property Owners Association Board of Directors.”