

NEWGATE HOMEOWNERS ASSOCIATION

RESOLUTION NO. 7 A

Variance for Parking of First Response Vehicles

WHEREAS, Article X, Section 1(c) of the By-Laws of Cameron Parish [Newgate] Homeowners Association (“By-Laws”) provides that the Board of Directors (“Board”) of Newgate Homeowners Association, Inc. (“Association”) shall have the power to exercise for the Association all powers, duties and authority vested in or delegated to this Association and not reserved to the membership by other provisions of these By-Laws, the Articles of Incorporation, or the Newgate Declaration of Covenants, Conditions and Restriction (“Declaration”);

WHEREAS, Article X, Section 1(a) of the By-Laws provides that the Board shall have the power to adopt and publish rules and regulations governing the use of the Common Area and facilities, and the personal conduct of the members and their guests, and to establish penalties for the infraction thereof;

WHEREAS, Section 55-513 of the Act grants the Board the authority to establish, adopt, and enforce rules and regulations with respect to such other areas of responsibility assigned to the Association by the Declaration;

WHEREAS, the Board previously adopted Policy Resolution No. 7 related to parking on Association Common Area; and,

WHEREAS, the Board has determined that it is the best interest to supplement Policy Resolution No. 7 by clarifying parking regulation of first response vehicles (police, fire or public rescue) on Common Area.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby adopts the following rules related to parking of first response vehicles (police, fire or public rescue) on Common Area.

ARTICLE 1

BOARD AUTHORITY TO GRANT VARIANCE FOR FIRST RESPONSE VEHICLES

Section 1.1 The Board shall consider, and may grant, written requests for variances of any of the provisions of Policy Resolution No. 7 for first response vehicles, including police, fire or public rescue vehicles.

Section 1.2 For the purpose of this Resolution, *first response vehicle* shall refer only to those vehicles marked with the name of the jurisdiction for which the vehicle serves and with red or blue flashing lights. Private security vehicles and private ambulances, and any vehicle marked with amber lights shall not be considered *first response vehicles* for the purpose of this Resolution.

ARTICLE 2
WRITTEN REQUESTS

Section 2.1 Requests for variances of Policy Resolution No. 7 made pursuant to this Resolution must be in writing and contain sufficient identifying information, including a photograph, of the first response vehicle for which the request for a variance is being made and a statement identifying the need for such a variance.

Section 2.2 Variances will be considered on a case-by-case basis by the Board and may be granted for a period not to exceed one year from the date of approval. All variances shall be noted in the minutes of the meeting at which the variance was considered and a copy of those minutes shall be included in the Lot file for the requesting owner or resident.

Section 2.3 Variances to Policy Resolution No. 7 may be granted for specific first response vehicles and shall not apply to any other vehicle owned or used by the requesting Lot Owner or residents of a Lot. Variance requests must be submitted for each vehicle for which a variance is desired, including any new first response vehicle used by a Lot Owner to whom a variance was previously granted.

Section 2.4 Variances are granted subject to any conditions deemed appropriate by the Board and all variances are subject to revocation, with or without cause, by the Board.

NEWGATE HOMEOWNERS ASSOCIATION

RESOLUTIONS ACTION RECORDED

Resolution Type: Policy

Pertaining to: Variance from Parking Rules for First Response Vehicles

Duly adopted at a meeting of the Board of Directors held August 22 2016.

Motion by: Susan Hartsook Seconded by: Carrie Menages

	VOTE:			
	YES	NO	ABSTAIN	ABSENT
<u>S. Hartsook</u> President	X			
<u>[Signature]</u> Vice President				
<u>[Signature]</u> Secretary	X			
<u>[Signature]</u> Treasurer	X			
<u>[Signature]</u> Director	X			
<u>[Signature]</u> Director Member	X			
<u>[Signature]</u> Director Member	X			

ATTEST:
[Signature]
Secretary

8/22/16
Date

FILE:

Resolution effective: October 1, ~~2014~~ ²⁰¹⁶