

OMEGA BAY IMPROVEMENT COMMITTEE, INC.

PARKING POLICY FOR OMEGA BAY

This policy has been adopted by the Association in the interest of community safety and to preserve and maintain the integrity and aesthetics of the private streets of Omega Bay. The below set forth regulations are adopted in furtherance of the Association's authority to regulate the use, maintenance, repair, replacement, modification, and appearance of the subdivision pursuant to Chapter 204 of the Texas Property Code, and the Association's authority to interpret the terms of the recorded Declarations encumbering the properties within Omega Bay, so as to avoid any condition thereon which would constitute an annoyance or nuisance to the community. It is important that all owners and occupants comply with this policy for the general welfare and safety of everyone in the community.

1. **General** All vehicles must be parked safely and in accordance with the below set forth requirements, and may not be parked or stored or otherwise encroach on any Omega Bay right of way, street, or common area. All owners, occupants and their families and invitees shall to the greatest extent practicable, use garages for the parking or storing of vehicles they own or operate within Omega Bay. Except as to the below-permitted motor homes, RV's, and travel trailers, all vehicles in excess of one ton are prohibited from being parked or stored anywhere within Omega Bay, in order to protect the private streets.
2. **Driveways of Occupied Lots.** Only the following vehicles, boats, personal water craft (PWC), and trailers may be parked on driveways within Omega Bay
 - a. Private passenger cars, vans, and light trucks in mechanically-operable condition and possessing current unexpired license plates and inspection stickers, which are in regular use as motor vehicles on the streets and highways of the State of Texas
 - b. Company cars, vans, and light trucks in mechanically-operable condition and possessing current, unexpired license plates and inspection stickers, which are in regular use for business commuting as motor vehicles on the streets and highways of the State of Texas.
 - c. Boats, PWC, and trailers in mechanically-operable condition and possessing current unexpired license plates and inspection stickers, which are in regular use
3. **Additional Regulations for Occupied Lots** The below-described parking shall also be allowed on occupied lots if undertaken in strict accordance with the below regulations. No owner (or the owner's occupant, family or invitee) shall park any vehicle, PWC, or trailer on any lot other than their own lot without the express

permission of the owner thereof. The additional regulations for occupied lots are as follows

- a Motor homes, RV's, and travel trailers (but not mobile homes, which are expressly prohibited) will be allowed provided they are parked in a safe manner on an adequate concrete pad site and do not encroach onto any Omega Bay street, right of way, or common area.
- b Boats, PWC, and trailers in mechanically-operable condition and possessing current unexpired license plates and inspection stickers, which are in regular use may be parked on an occupied lot provided they are parked in a safe manner and do not encroach onto any Omega Bay street, right-of-way, or common area.

4. Unoccupied Lots, Streets, Rights of Way, and Common Areas. As a general rule, parking is not allowed on unoccupied lots, streets, rights-of-way, and common areas subject to the following exceptions:
 - a Only short-term parking of vehicles for social events and visits is permitted on unoccupied lots, streets, rights-of-way, and common areas. In such regards, if no parking is available at the approved locations described in paragraphs 2 and 3 above, short-term parking of vehicles is allowed for no more than one consecutive 48-hour period within any 30-day period and only on unoccupied lots owned by the hosting owner and on streets, rights-of-way, or common areas adjacent to the hosting owner's property.
 - b Boats, PWC, and trailers may also be parked on the same short-term basis for no more than one consecutive 48-hour period within any 30-day period and only on unoccupied lots owned by the hosting owner. Boats, wetbikes, and trailers may not be parked nor encroach on any street, right-of-way, or common area at any time under any circumstances.
 - c Any exceptions to the above rules for short-term parking shall only be allowed for special circumstances evidencing good cause as determined by the Board of Directors in its sole discretion and expressly approved in advance in writing by the Board of Directors
5. Repair Work. No repair work or disassembly of any vehicles, boats, PWC, or trailers shall take place on any lot, except temporary repair work completed within 72 consecutive hours for which no compensation is received may be undertaken on the owner's own lot. Repairs of a longer duration may only be undertaken within the owner's garage.
6. Motorized Devices and Golf Carts Any operation of the below-described motorized devices and golf carts shall be undertaken in accordance with the

below-described regulations and in accordance with state and local laws, which state and local laws shall supersede any regulation set forth below in the event of any inconsistency. Owners and operators are responsible for their own safety and the safety of others when operating such motorized devices and golf carts, and the Association expressly disclaims any responsibility or liability related to such operation. The regulations are as follows.

- a No golf cart, motorized scooter, or any similar motorized device shall be operated in any manner which constitutes a nuisance or safety concern to the community or to the operator of such motorized device.
- b Golf carts may only be operated by licensed drivers or under the supervision of a licensed driver. Any golf cart operated after dark must use headlights and taillights.

7. Violations. Violations of this Parking Policy may be noted by a member of the Board, the management company, or through a report made by an owner or resident. Upon receipt of such information, the Association shall give notice and an opportunity to cure to the violation, unless it is deemed that immediate enforcement action is needed due to the severity or emergency nature of the violation.

8. Remedies In the event a violation is not cured within the required timeframe after notice thereof (or if immediate enforcement action is needed due to the severity or emergency nature of the violation), the Association shall be entitled to pursue any and all of its remedies at equity or at law, including obtaining a court order known as an injunction to prohibit the conduct or action constituting the violation. In such regards, the Association shall be entitled to recover all attorneys' fees and costs incurred in connection with any legal action.

In accordance with the state towing statute, the Association is also entitled to tow offending vehicles, trailers, boats, and PWC, when in violation and parked or stored upon the private streets and/or the common areas owned by the Association. If the Association is forced to take this step, all costs related to the tow shall be the responsibility of the violator.

9. Interpretation In accordance with the terms and provisions of the governing documents, the Board of Directors shall have the authority to interpret the above regulations and the enforcement of same.

FILED AND RECORDED



OFFICIAL PUBLIC RECORDS

Mary Ann Daigle

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October 13, 2008 09 52 34 AM

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Mary Ann Daigle, County Clerk
Galveston County, TEXAS

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