

# CONTEMPO HOMEOWNERS ASSOCIATION

4190 Gemini Drive, Union City, CA 94587 Phone: 510-489-4440

## RESOLUTION PROHIBITING USING VEHICLES FOR LIVING SPACES OR FOR STORAGE SPACES

By the Authority of the Association's Governing Documents, **the Contempo Homeowners Association By Laws (1971) Article VII, Sections 1 (a)(seq)** the Contempo Board of Directors has the authority to promulgate such rules and policies as it deems appropriate for the best interests of the Association Members. The Board of Directors has determined there often is an inordinate financial or safety burden placed upon the Association by actions of some property owners and/or their tenants who, by their actions negatively impact the community, place themselves and others at risk, as well as cause a general diminution of value in the community, by storing personal property on the common area, or by storing personal property in vehicles parked in the common area, or who may use a vehicle parked on the common area as a place of residence, **THEREFORE, and,**

**WHEREAS, per Article XII, sections 3, 5, & 11 of the CC&Rs (1970):**

Section 3 prohibits anything that is or that may become an annoyance or nuisance to other Members, and,

**WHEREAS** Section 5 has vehicle/parking provisions that limit a member to parking only in his/her designated parking space, and only in a passenger vehicle. Campers are one type of vehicles that are specifically prohibited, and,

**WHEREAS** Section 11 prohibits anyone from using a tent, shed, or trailer (among other things, as a residence, and,

**WHEREAS**, read together, and in accordance with the mandate of the Civil Code sec. 4215 to liberally construe the CC&Rs to facilitate the operation of a common interest development, these sections show the intention of the CC&Rs is not to permit someone to live in his/her car or truck, **THEREFORE,**

**LET BE IT RESOLVED THAT**, the Contempo Homeowners Association specifically prohibits any Owners or Residents or their respective Guests, Visitors, or Invitees from storing personal property on the common area, or storing personal property in a vehicle parked on the common area or for using a parked vehicle as a residence in a common area.

**BE IT FURTHER RESOLVED THAT** upon notice of any violation by an Owner, his/her Tenant, Guest, Visitor, or Invitee Resident who stores personal property on the common area, or in a vehicle parked on the common area, or who uses a vehicle or other temporary structure or item for a residence, shall be subject to an immediate Member Discipline Hearing in Executive Session at which time, the Association may levy a monetary fine per the Association's duly adopted Schedule of Fines.

**BE IT FINALLY RESOLVED THAT**, continued violation on the party of any party associated with a Residential Lot within the Contempo community, will result in daily Member Discipline Hearings in Executive Session and subsequent daily fines for non-compliance.

**Adopted October 19, 2017**