

**RESOLUTION OF THE BOARD OF DIRECTORS OF FALLING WATERS HOME OWNERS'
ASSOCIATION, INC.**

REGARDING THE DEFINITION AND RESTRICTION OF COMMERCIAL VEHICLES

WHEREAS, The Falling Waters Home Owners' Association, Inc. ("Association") is charged with the responsibility of maintaining the aesthetic standards, community harmony, and property values of The Falling Waters subdivision, pursuant to the Declaration of Covenants, Conditions, and Restrictions ("CC&Rs"); and

WHEREAS, the Board of Directors ("Board") is empowered by the Governing Documents to adopt rules and regulations regarding the parking, storage, and maintenance of vehicles within the subdivision; and

WHEREAS, the Board is charged pursuant to the CC&Rs in Article VII, Section 10, to manage the parking of commercial vehicles, oversized work trucks, and vehicles with visible commercial equipment/signage parked in driveways or on streets creates a nuisance, impairs visibility, and/or adversely impacts the aesthetic, residential character of the community; and

WHEREAS, the Board desires to adopt a clear, objective, and consistent definition of "Commercial Vehicle" to prevent ambiguous interpretation and ensure fair enforcement.

NOW, THEREFORE, BE IT RESOLVED that the following policies regarding Commercial Vehicles are adopted by the Board:

1. Definition of "Commercial Vehicle"

For the purposes of this Resolution, a "Commercial Vehicle" is defined as any vehicle, regardless of whether it is registered to an individual or a company, which meets **any** of the following criteria:

- **a) Signage:** Displays the name of a business, commercial enterprise, contractor, or employer, or has business advertising/noticing lettering/decals of any kind (excluding standard license plates).

- **b) Equipment:** Features external business equipment, such as racks (ladder racks, pipe racks), mounted toolboxes, tanks, plows (except for personal use), cranes, or has other materials related to a business visible from the exterior.
- **c) Size/Capacity:** Has a manufacturer's rating of 3/4 ton or higher, has dual rear wheels ("dually"), or is a commercial van (e.g., cargo van, box truck, flatbed).
- **d) Function:** Is designed, used, or maintained primarily for the transportation of property/tools incident to a business or for providing services to another person/entity for a fee.
- **e) Storage:** Is of a size that does not fit entirely within a standard residential garage with the garage door closed.

2. Restriction on Parking and Storage

No Commercial Vehicles, as defined above, shall be parked or stored on any Lot, driveway, street, or common area (unless housed entirely within a residential garage) within The Falling Waters community, except under the following limited conditions:

- **a) Service/Delivery:** Vehicles are permitted only during the hours of necessary, active service or delivery, such as for contractors, plumbers, or landscape services, and must depart immediately upon completion of work.
- **b) Overnight Exception:** No commercial vehicle shall be parked overnight on streets or in driveways unless belonging to a guest.

3. Exemptions

- **a) First Responders:** Official, marked vehicles of police, fire, or emergency medical services (not including private vehicles used by such personnel).
- **b) Temporary Visitor:** A commercial vehicle belonging to a guest or contractor parked for a period of less than [e.g., 4] hours.

4. Enforcement

Violations of this policy are subject to fines, penalties, and potential towing at the owner's expense, in accordance with the Association's fine policy and governing documents.

5. Severability

If any portion of this resolution is deemed invalid by a court of law, all remaining portions shall remain in full force and effect.

ADOPTED this 23 day of June, 2026.

By: Shawn Cullum (Signature)

Title: President of FWHOA (President)

By: Nancy Collins (Signature)

Title: FWHOA Secretary (Secretary)