

RESOLUTION NO. 2019-10-\_\_\_\_\_

RESOLUTION OF THE BOARD OF DIRECTORS OF  
WESTOWN METROPOLITAN DISTRICT

REGARDING PARKING RULES AND REGULATIONS

A. The Westown Metropolitan District (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado located in the City of Arvada, Colorado.

B. The District operates pursuant to its Second Amended and Restated Service Plan approved by the City of Arvada on May 15, 2017, as the same may be amended and/or modified from time to time (the “**Service Plan**”).

C. Pursuant to the Service Plan and Section 32-1-101, et seq (the “**Special District Act**”), the District has the power and authority to provide for the planning, design, acquisition, construction, installation, relocation, redeveloping and financing of streets within the District’s service area, among related street improvements powers.

D. Pursuant to Section 32-1-1001(1)(m), C.R.S., the District has the power “to adopt, amend and enforce bylaws and rules and regulations not in conflict with the constitution and laws of this state for carrying on the business, objects, and affairs of the board and of the special district.”

E. It is anticipated that the City will own and maintain some roadways within the District’s service area (the “**City Roadways**”) over which the District will have no authority.

F. It is anticipated that the District will own and maintain those roadways within the District’s service area not accepted by the City (the “**District Roadways**”).

G. Portions of the District Roadways are designated and posted as “No Parking Zones” in the interest of the public health, safety and welfare.

H. Attendant to its duties and obligations for the District Roadways, the District wishes to adopt parking rules and regulations to put District residents and guests on notice of the parking restrictions on District Roadways.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE WESTOWN METROPOLITAN DISTRICT (THE “**BOARD**”) OF THE CITY OF ARVADA, COLORADO THAT:

1. The Board hereby determines that it is in the best interests of the District and members of the public using the District Roadways to exercise the authority granted under the Service Plan to adopt the Rules and Regulations attached hereto as **Exhibit A** and incorporated herein by this reference.

2. The District reserves the right, from time to time, to modify, amend or replace these Parking Rules and Regulations in conformance with the City of Arvada or other relevant regulations then in effect.

3. Judicial invalidation of any of the provisions of this Resolution or of any paragraph, sentence, clause, phrase or word herein, or the application thereof in any given circumstances, shall not affect the validity of the remainder of this Resolution, unless such invalidation would act to destroy the intent or essence of this Resolution.

RESOLUTION APPROVED AND ADOPTED on October 23, 2019.

**WESTOWN METROPOLITAN  
DISTRICT**

By:  \_\_\_\_\_  
President

Attest:  
 \_\_\_\_\_  
Secretary

## EXHIBIT A

### PARKING RULES AND REGULATIONS

1. Applicability. These Rules and Regulations shall apply to all roadways and portions of roadways, including alleyways, owned and maintained by the District as designated on Exhibit 1 attached hereto and incorporated herein by this reference (the “**District Roadways**”).

2. Vehicles. For purposes of these Rules and Regulations, “vehicle” shall mean every device that is capable of moving itself, or of being moved, from place to place upon wheels or endless tracks. Vehicle includes, without limitation, a motor vehicle, a motorcycle, a bicycle, electrical assisted bicycle, or EPAMD, but does not include a wheelchair, off-highway vehicle, farm tractor, or implement of husbandry designed primarily or exclusively for use and used in agricultural operations or any device moved exclusively over stationary rails or tracks or designed to move primarily through the air.

3. Parking Violations.

(a) Generally. For any District Roadways where authorized signs are posted giving notice of parking limitations, regulations, restrictions or prohibitions, it shall be unlawful for any person to park a vehicle in any manner in violation of, or contrary to, the provisions contained on such signs except when necessary to avoid conflict with other traffic, or in compliance with the directions of a police officer, or traffic-control signal, sign or device, or except momentarily for the purpose of loading or unloading passengers when such parking does not obstruct, impede or endanger any traffic.

(b) No Parking Zones. Portions of the District Roadways are designated, and shall be posted, as No Parking Zones. The District reserves the right to further restrict or prohibit parking upon the District Roadways by adopting an amendment to these Rules and Regulations and posting said roadway(s) as a No Parking Zone or otherwise designating parking restrictions.

(c) Handicap Space. It shall be unlawful for any person to park any vehicle in a designated handicap space upon the District Roadways without a valid disability placard or license plate.

(d) Alleyways. It shall be unlawful for any person to park any vehicle upon the District Roadways comprised of alleyways, as designated in Exhibit 1.

(e) Fire Lane. It shall be unlawful for any person to park any vehicle upon the District Roadways in designated fire lanes.

(f) Obstruction of Traffic. It shall be unlawful for any person to park any vehicle upon the District Roadways in such manner or under such conditions as to:

(i) leave available less twenty (20) feet of width of the roadway for free movement of vehicular traffic; or

(ii) prevent another vehicle from accessing a valid parking zone or the District Roadways.

(g) Parking in Excess of Forty-Eight (48) Hours.

(i) It shall be unlawful for any owner or operator of a vehicle to leave that vehicle parked in the same place upon the District Roadways continuously for a period in excess of forty-eight (48) hours. A vehicle shall be considered in violation of this subsection if it has not been moved at least one hundred (100) feet during the forty-eight-hour period of time.

(ii) It shall be unlawful for the owner of an automobile junker to leave it parked upon the District Roadways for a period in excess of forty-eight (48) hours, regardless of location. The forty-eight-hour time limit includes the cumulative time spent on any District Roadways. For purposes of this subsection, an automobile junker is defined as a vehicle which is:

(1) Apparently inoperable; and

(2) Extensively damaged, such damage including but not limited to any of the following: broken windows, windshields, or both; missing wheels, tires, motor, or transmission.

(h) Parking in Opposite Direction of Traffic. It shall be unlawful for any person to park any vehicle upon the District Roadways in a direction that is opposite to the regular flow of traffic.

(i) Landscaping. It shall be unlawful for any person to park any vehicle upon any landscaped area owned and maintained by the District, including but not limited to rock beds and xeriscape areas.

(j) Flat Tire. It shall be unlawful for any person to park any vehicle upon the District Roadways with a flat tire in excess of forty-eight (48) hours.

(k) Vehicle Repair. It shall be unlawful for any person to park or operate a vehicle upon the District Roadways for the principal purpose of greasing, oiling, lubricating, painting or repairing such vehicle, except repairs necessary to remove the vehicle from the roadway, and which are required to be made because of an emergency.

(l) Recreational Vehicles. It shall be unlawful for any person to park any house trailers, camping trailers, boat trailers, hauling trailers, boats or accessories thereto, self-contained motorized recreational vehicles or other types of recreational vehicles or equipment anywhere upon the District Roadway in excess of forty-eight (48) hours, regardless of location. The forty-eight-hour time limit includes the cumulative time spent on any District Roadways.

4. Towing, Fines and Immobilization.

(a) Generally. The District reserves the right to have any vehicles parked on District Roadways in violation of these Rules and Regulations removed, towed or immobilized

(including booting) at the owner's cost and expense. Further, the District reserves the right to assess fines for parking violations against the vehicle owner. Except as otherwise provided in subsection 4.b below, any violation of these Rules and Regulations may result in immediate removal, towing or impoundment of the vehicle without prior notice to the owner or operator.

(b) Warning Citations. The District shall cause a warning citation to be issued for vehicles parked in violation of subsections 3.g (Parking in Excess of Forty-Eight (48) Hours), 3.j (Flat Tire), 3.k (Vehicle Repair) and 3.l (Recreational Vehicles). In the event that the condition of violation continues for more than forty-eight (48) hours following issuance of the citation, the District reserves the right to remove, tow or immobilize the vehicle at the owner's cost and expense in accordance with subsection 4.a above.

5. Administrative Fee for Towing. The District may assess an administrative fee for towing, which fee shall be collected as part of the general towing fee paid to the tow lot operator and remitted to the District or, alternatively, assessed to the vehicle owner directly by the District.