

**RIVER'S EDGE CONDOMINIUM ASSOCIATION NO. 1  
RESOLUTION**

WHEREAS, the River's Edge Condominium Association No. 1 ("Association") is an Illinois not-for-profit corporation, organized and operating for the purpose of administering and maintaining the Common Elements at the property commonly known as River's Edge Condominium Association No. 1; and

WHEREAS, Association is administered by a duly appointed Board of Directors ("Board") in accordance with a certain Amended and Restated Declaration of Condominium Ownership River's Edge Condominium Association No. 1; and

WHEREAS, the Board of Directors is charged with the responsibility of maintaining the Common Elements of River's Edge Condominium Association No. 1 and acting in the best interests of the members of the Association;

WHEREAS, the parking spaces at the property are categorized as Limited Common Elements assigned for the exclusive use and benefit of the Unit Owners;

WHEREAS, the Board, in accordance with Section 18.4(h) of the Illinois Condominium Property Act has the authority to adopt and amend rules and regulations covering the details of the operation and use of the property;

WHEREAS, the Board believes that it is in the best interests of the members of the Association to permit Unit Owners to lease their assigned parking space to other residents at the property and to adopt other Rules and Regulations pertaining to the towing of vehicles at the property; and

WHEREAS, the following rules shall supplement the existing rules and regulations, however, the rules and regulations contained herein shall supersede any contradictory rules and regulations contained in the existing policies of the Association.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the River's Edge Condominium Association No. 1 has deemed it to be in the best interests of the Association to adopt the following rules concerning the leasing of parking spaces:

**LEASING OF PARKING SPACES**

1. Each Unit Owner assigned the exclusive use of a Limited Common Element parking space may rent and/or lease or allow the use of said parking space in strict accordance with the covenants, conditions and restrictions set forth herein.
2. The rental, leasing or subleasing of parking spaces to non-residents is prohibited. Any and all parking space tenant(s) must also be the Owner of a Dwelling Unit or the lawful tenant residing in a Dwelling Unit located in the same building as the parking space.
3. Each lease entered into by any Unit Owner assigned use of the parking space at issue

must be in writing and provide that the parking space tenant(s) is bound by and subject to all of the obligations under the Association's Declaration, By-Laws and all applicable Rules and Regulations. A copy of the signed lease must be delivered to the Board or management no later than the date of the parking space tenants' occupancy or 10 days after the lease or rental agreement is signed, whichever occurs first.

4. If a Unit Owner leases their assigned Limited Common Element parking space, such Unit Owner may not park their vehicle in the Association's Common Element parking lot.
5. Any parking space being leased out in violation of these Rules shall be subject to a flat or daily fine of one hundred dollars (\$100.00), or in such amount as may be determined by the Board of Directors, upon notice and an opportunity to be heard.
6. In addition to the authority to levy fines against the Unit Owner for violation of these Rules, the Board shall have all rights and remedies, including but not limited to the right to maintain an action for possession against the Unit Owner and/or their parking space tenant, under 735 ILCS 5/9-111, an action for injunctive and other equitable relief, or an action at law for damages. Any action brought on behalf of the Association and/or the Board of Directors to enforce this Amendment shall subject the Owner to the payment of all costs and attorneys' fees at the time they are incurred by the Association.

AND, NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the River's Edge Condominium Association No. 1 has deemed it to be in the best interests of the Association to adopt the following parking rules concerning the towing of vehicles at the property:

## **PARKING RULES/TOWING OF VEHICLES**

### **I. GENERAL RULES**

- A. No vehicle may be stored and/or abandoned in any outdoor parking lot. A vehicle owned by a resident or a guest of a resident which remains parked in the outdoor parking area for seven (7) consecutive days without being moved may be considered "stored" or "abandoned". Such vehicles may be towed at the owner's expense as provided herein unless the resident has requested and received written permission from management for the vehicle to remain parked in the parking lot for seven (7) or more days.
- B. Vehicles parked in the garage or parking lot must be operable and legally licensed and registered. An Owner may be fined \$100, after notice and opportunity to be heard, for a first offense and given fourteen (14) days to take corrective action. If no corrective action is taken, the Owner may be fined \$250, after notice and an opportunity to be heard are provided. Thereafter, if the vehicle remains in the garage or parking lot and is inoperable and/or unlicensed or unregistered fourteen (14) additional days, the vehicle will be subject to towing at the owner's expense.
- C. Any curb painted yellow shall denote an area adjacent to which parking is prohibited.

## II. ENFORCEMENT

- A. The provisions set forth herein are intended to supplement, but not replace the policies and procedures regarding enforcement, which are fully applicable to all violations under the Parking Rules and Regulations.
- B. In the event of a violation of the Parking Rules, the Board or its duly authorized agents shall send a Notice of Violation to the Unit Owner or shall affix a Parking Violation Notice to the vehicle, preferably on the front window, or both. Any Parking Violation Notice which is affixed to the vehicle shall contain such information as the Board deems appropriate. Any Parking Violation Notice under the Parking Rules shall also be deemed a Notice of Violation under the policies and procedures regarding enforcement, and vice-versa, regardless of whether or both types of notice are sent to the Unit Owner.

Any failure to protest a Notice of Violation under these rules or failure to request a hearing shall be deemed an admission of the violation and may result in costs and expenses being assessed to the Unit Owner as set forth in the policies and procedures regarding enforcement.

- C. In addition to providing notice of any violation in accordance with the above provisions, the Board may also take any or all of the following actions:
1. Record, to the extent possible, the vehicle identification, including license number, vehicle sticker, date of violation, type of violation and vehicle owner, if known, on a permanent record of violations. All such records of violations shall be kept by the Association in the manner designated by the Board.
  2. Identify or attempt to identify the Unit Owner whose vehicle is causing the violation or whose guest or invitee is causing the violation.
  3. Identify or attempt to identify the vehicle owner, if not a Unit Owner, and notify that owner of the violations.
- D. In addition to the other provisions for enforcement contained herein and in the policies and procedures regarding enforcement, the Board shall have authority to tow vehicles which are parked in violation of these rules under the following circumstances:
1. When a vehicle has been abandoned, and a notice of such violation was affixed to the vehicle at least five (5) days earlier, the vehicle may be towed without further notice to the vehicle owner.
  2. When a vehicle is parked in a fire lane, or is parked in a manner which presents an immediate danger to the property or to the health, safety and welfare of any person therein, the vehicle may be towed immediately with notice to the vehicle owner.
  3. When a vehicle is parked in violation of any of the Parking Rules and the owner of the vehicle has been found guilty of at least two (2) prior violations of any provisions of

the Parking Rules, the vehicle may be towed immediately upon the occurrence of the third or subsequent violation without notice to the vehicle owner.

Any time a vehicle is towed pursuant to the Parking Rules, all costs and expenses incurred shall be assessed to the vehicle owner. In the event the vehicle owner is a Unit Owner, the costs and expenses may be assessed to the Unit Owner as a common expense.

- E. After receiving notice of a violation or when a Parking Violation Notice has been affixed to an owner's vehicle, the Unit Owner must follow the procedures set forth in the policies and procedures regarding enforcement, or the violation will be deemed admitted.
- F. The Board may designate one or more persons or a committee to send Notices of Violations and to affix Parking Violation Notices on vehicles.

### III. NOTICES AND AUTHORIZATION TO TOW

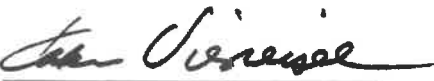
- A. In order to insure that potential violators have notice of the fact that their vehicles may be towed, and in accordance with the spirit of the law, the Association will have signs posted on the property giving notice that violators of the Parking Rules may be towed.
- B. In accordance with the above, signs will be posted in conspicuous places near the entrances to and exits from the property. Such signs shall be in letters at least three inches (3") high in a light reflective color which contrasts with the background of the sign.
- C. The signs shall contain language similar to the following: "Private Parking/Residents and Guests Only/Private Regulations Enforced/Violators Will Be Towed." If required, the signs shall contain the name, address and phone number of the towing company, the fee which will be charged to the owner for having the vehicle towed, and the manner in which payment will be accepted.
- D. The Board or its duly authorized agents shall notify the appropriate companies or individuals to remove vehicles. In addition, when any tow is authorized under these rules, the duly authorized agents for the Association shall notify the local police to provide them with the appropriate information concerning the tow and to request their assistance in order to ensure that no breach of the peace will occur.
- E. All towing shall be authorized on an individual basis only; there shall be no general authorization given to a towing company to tow unauthorized vehicles or vehicles which are parked in violation of these rules.
- F. The Board may enter into an agreement with an appropriate company or individual to effect removal of vehicles pursuant to authorization under the Parking Rules.


{Signature page follows}

Motion made by Judy Mann and seconded by Erica Smolinski

Vote Taken:            For            5  
                              Against        2  
                              Abstain       —

Adopted by the Board of Directors of the River's Edge Condominium Association No. 1  
at a meeting held on September 16, 2021, at Chicago, Illinois.

By:   
Its President

Attest:   
Its Secretary