



PARKING POLICY

PURPOSE

The Association of Apartment Owners of The Shores at Waikoloa Beach Resort ("The Shores") endeavors to provide a consistent and equitable Parking Policy for owners, their tenants and guests while on The Shores Property that is consistent with The Shores governing documents while providing a usable and attractive environment for all.

Notwithstanding anything herein to the contrary, this Policy shall be subject to the Declaration of Horizontal Property Regime dated December 20, 1985 of The Shores, as amended and restated ("Declaration") and the By-Laws of the Association of Apartment Owners of The Shores at Waikoloa Beach Resort, as restated and amended ("Bylaws"); in the event of any conflict between this Policy and the Declaration and Bylaws, the Declaration and Bylaws shall govern and the Board of Directors for The Shores shall make such changes to this Policy from time to time to comply with the Declaration and Bylaws.

Rules and Regulations

1. Definitions used in this policy.

- a. **"Owner"** means all persons or entities who own an apartment at The Shores; provided that the lessee of an apartment in which the lease has been recorded in the State of Hawaii, Bureau of Conveyances, shall be deemed to be the apartment owner.
- b. **"Owner in Good Standing"** means any owner/member of The Shores at Waikoloa Resort's AOA who has remained current on our organization's dues (fees) and payments. "Current" is defined as no arrears beyond 60 days for the previous (rolling) 12 months.
- c. **"Tenant"** means any person or entity who occupies an apartment for **Short-term Vacation Rentals** purposes.
- d. **"Long-term Tenants"** means all persons or entities who occupy an apartment for dwelling purposes under an agreement with the apartment owner.
- e. **"Guests"** means a person or entity who is invited by an owner, tenant, or long-term tenant to visit or perform work at such apartment.
- f. **"Designated Space"** means, with respect to each apartment, the parking stall on the Property reserved for the exclusive use of the apartment to which it is assigned by virtue of a recorded conveyance document, i.e., Apartment Deed.
- g. **"Common Stalls"** means the common element parking stalls on the Property that are designated for use by tenants or guests. These stalls are commonly referred to as "Visitor Spaces or Visitor Parking".
- h. **"Vehicle Information"** with respect to any motor vehicle includes the make, model, license plate number, apartment number, and dates the vehicle will be parked at The Shores through a registration process determined by the General Manager.

2. All vehicles on the Property will be parked in either a designated space or common stall.
 - a. Owners shall park in the designated space for the apartment they own.
 - b. Apartments 1-24, often referred to as the 'Villas' have use of the apartment's driveway (a limited common area intended for use of a single Villa, the asphalt drive leading to carport). Parking in this driveway is allowed for owners, tenants and guests of the associated Villa and is strongly encouraged rather than parking in a common stall.
 - c. Short-term vacation rental tenants shall park in a common stall, unless directed by the owner to park in the designated space for the apartment they are renting. **Use of the designated space assigned to the rental apartment is strongly encouraged rather than parking in a common stall.**
 - d. Long-term tenants shall park in the designated space for the apartment they are renting.
3. The 39 common stalls are available for use by all short-term tenants and guests of all apartment owners on a first come, first serve basis. Owners are required to use their designated space.
 - a. The two (2) common stalls beside the General Manager parking stall in front of the Administrative Office are reserved for "Shores Use Only" from 8:00am – 4:30pm, Monday through Friday.
 - b. The General Manager will control these two (2) common stalls during these times.
4. **Owners in Good Standing** and long-term tenants may apply annually to the Board to have a second vehicle on Property and park in a common stall with the assumption there are sufficient common stalls for tenants and guests (**annual re-application required**). *Owners and long-term tenants may not apply to have more than two vehicles on property.*
5. Common stalls may not be used for commercial purposes. An example of commercial purposes is private car rentals, such as Turo.
6. Vehicles parked in common stalls must be moved every 24 hours.
7. Owners may enter into a written agreement to allow another owner or tenant to use/rent their designated space; provided however, a copy of the written agreement must be provided to the General Manager prior to such use.
8. Car covers or tarps may not be used in the common stalls.
9. Car covers or tarps used while parked in a designated space must be maintained in a good and attractive condition. The owner or long-term tenant, the rental Property Manager, or on-island representative is responsible for maintaining and replacement of damaged car covers. The Shores reserves the right to remove and dispose of any car cover or tarp left on a vehicle in violation of this rule, following written notification to the owner.

10. Parking Passes and Stickers.

- a. **Tenants and Guests.** Rental tenant and guest vehicles parked in either designated or common stalls overnight shall obtain and display a parking pass on the driver's side dashboard. Parking passes for tenants shall be obtained from the rental Property Manager or owner. Overnight guests shall obtain a parking pass from the General Manager. All parking passes are for single use only and will be completed with the vehicle information in Section 1. g.
- b. **Owners and Long-term Tenants.** Owners and long-term tenants parked in designated stalls will display a parking sticker on the driver's side rear window. Stickers shall be obtained from the General Manager. **Stickers are also required for an approved second vehicle.** Owners and long-term tenants will obtain and display new stickers for new vehicles.

11. **Emergency Access while off island.** Owners and long-term tenants who are off island and have their vehicle(s) parked anywhere on the Property are required to assure a vehicle key is accessible to the General Manager for the ability to move the car in the event of an emergency.

12. **Permissible Vehicles.** Vehicles that may be parked on the Property include currently licensed vehicles in good repair and tradesman commercial vehicles invited onto the Property to perform work to the Property through the General Manager or on an apartment through the owner or long-term tenant.

13. **Restricted Vehicles and Equipment.** The following vehicles and equipment may not be parked in common stalls or designated spaces. This does not apply to tradesman per section 12.

- a. Commercial-sized vehicles which, too large for a standard parking space or carport and potentially impeding other vehicles in adjacent parking stalls may not be parked in common stalls or designated spaces. These include but are not limited to large delivery trucks or vans, flat-bed pickup trucks, dual axle (rear wheeled) pickup trucks, vehicles adapted for commercial use such as trucks with large external saddle or side-mount toolboxes or with bed frames or structures to carry oversize materials. Standard-sized vehicles which are identified as commercial vehicles (business logos, realtors, etc.) are not included in this restriction – as long as commercial activities are not conducted in common areas.
- b. Buses
- c. Recreational vehicles
- d. Utility trailers
- e. Non-street legal vehicles (for example unlicensed motorcycles [dirt bikes], or golf carts)
- f. Campers
- g. Boats
- h. Broken down or wrecked vehicles

14. Any vehicle parked at The Shores in violation of this Parking Policy will be subject to the Fines Policy and/or ultimately towed at the vehicle owner's expense.