

**RESOLUTION NO. 2022-11-08**

**RESOLUTION OF THE BOARD OF DIRECTORS OF  
BELLEVIEW PLACE METROPOLITAN DISTRICT**

**AMENDING AND RESTATING THE PARKING RULES AND REGULATIONS**

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

B. The District operates pursuant to its Service Plan approved by the City on March 5, 2018, 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.*, C.R.S., the District has the power and authority to provide for the planning, design, acquisition, construction, installation, relocation, redevelopment and financing of streets within the District’s Service Area (as defined in the Service Plan), 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. On February 17, 2021, the District adopted Resolution No. 2021-02-01 Regarding Parking Rules and Regulations whereby the District adopted Parking Rules and Regulations (the “**Original Parking Rules and Regulations**”) applicable to all roadways and portions of roadways, including designated parking spaces, owned and maintained by the District.

F. For the purpose of providing for the orderly and efficient enforcement of parking on all roadways and portions of roadways, including designated parking spaces, owned and maintained by the District, the District desires to update, replace, and supersede the Original Parking Rules and Regulations.

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

1. Effective as of November 14, 2022, the Original Parking Rules and Regulations shall be superseded and replaced in the entirety by the Parking Rules and Regulations attached hereto as **Exhibit A** and incorporated herein by this reference.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 further modify, amend or replace these Parking Rules and Regulations in conformance with the City 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 November 14, 2022.

**BELLEVUE PLACE METROPOLITAN  
DISTRICT**

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

Attest:

  
\_\_\_\_\_  
Secretary

## EXHIBIT A

### PARKING RULES AND REGULATIONS

#### I. APPLICABILITY.

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

#### II. DEFINITIONS

1. Vehicles. For purposes of these Parking 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 (Electric Personal Assisted Mobility Device), 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.
2. Valid Parking Spaces. Valid Parking Spaces are those portions of the District Roadways designated as parking spaces by painted markings or posted signs as described in Exhibit 1.
3. Fire Lanes. Fire Lanes are those portions of the District Roadways upon which a Fire Lane Easement exists pursuant to the Shalom Park Subdivision Filing No. 4 and which may also be designated by posted signs or painted markings as described in Exhibit 1.
4. No Parking Zones. No Parking Zones are all areas of the District Roadways that are not otherwise designated as Fire Lanes or a Valid Parking Spaces and are designated by posted signs or painted markings. No Parking Zones are described in Exhibit 1.
5. Recreational Vehicle. A Recreational Vehicle means a vehicle designed to be used primarily as temporary living quarters for recreational, camping, travel, or seasonal use that either has its own motor power or is mounted on or towed by another vehicle. Recreational vehicle includes camping trailers, fifth wheel trailers, motor homes, travel trailers, multipurpose trailers, and truck campers.
6. Inoperable/Damaged/Unsightly Vehicle. An Inoperable/Damaged/Unsightly Vehicle means a Vehicle that has not been driving under its own propulsion for a period of twenty-four (24) consecutive hours or longer, does not have an operable propulsion system installed, has broken windows or windshields, or has missing wheels, tires, motor, or transmission, is leaking excessive fluids, or has flat tires.
7. Abandoned Vehicle. An Abandoned Vehicle means a Vehicle that has not been moved for a period of twenty-four (24) consecutive hours or longer.

### III. PARKING VIOLATIONS

1. Generally. It shall be unlawful for any owner or operator of a Vehicle to park a Vehicle in any manner upon any District Roadways except for those expressly designated Valid Parking Spaces as more particularly described in Exhibit 1 unless:

- a. necessary to avoid conflict with other traffic,
- b. when done in compliance with the directions of a police officer or traffic-control signal, sign or device; or
- c. momentarily for the purpose of actively and continuously loading or unloading passengers when such parking does not obstruct, impede or endanger any traffic.

2. Fire Lanes. must remain unobstructed to provide access to the Fire Department and other emergency vehicles. It shall be unlawful for any owner or operator of a Vehicle to park any Vehicle in any manner upon Fire Lanes.

3. No Parking Zone. It shall be unlawful for any owner or operator of a Vehicle to park any Vehicle in a designated No Parking Zone.

4. Handicap Space. It shall be unlawful for any owner or operator of a Vehicle to park any Vehicle in a Valid Parking Space that is designated as a handicap space upon the District Roadways without a valid disability placard or license plate.

5. Obstruction of Traffic. Obstructions to District Roadways pose impediments to the fire department and other emergency vehicles in addition to other drivers. It shall be unlawful for any owner or operator of a Vehicle to park for any amount of time any Vehicle upon the District Roadways in such manner or under such conditions as to:

- a) leave available less twenty (20) feet of width of the District Roadways for free movement of vehicular traffic;
- b) prevent another Vehicle from accessing a designated parking or the District Roadways; or
- c) otherwise interfere with the flow of vehicular traffic.

6. Parking in Excess of Twenty-Four (24) Hours/Abandoned Vehicle. It shall be unlawful for any owner or operator of a Vehicle to leave that Vehicle parked in a Valid Parking Space for a period in excess of twenty-four (24) continuous 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 continuous twenty-four (24) hour period of time.

7. Inoperable/Damaged/Unsightly Vehicle/Abandoned. It shall be unlawful for any owner or operator to leave an Inoperable, Damaged, or Unsightly Vehicle parked in a Valid Parking

Space in excess of twenty-four (24) hours. The twenty-four (24) hour time limit includes the cumulative time spent on any District Roadways.

8. Landscaping. It shall be unlawful for any person to park any Vehicle either partially or entirely upon any landscaped area owned and maintained by the District, including but not limited to rock beds and xeriscape areas.

9. Flat Tire. It shall be unlawful for any person to leave any Vehicle with a flat tire in a Valid Parking Space in excess of twenty-four (24) hours.

10. Vehicle Repair. It shall be unlawful for any person to park or operate a Vehicle in a Valid Parking Space for the principal purpose of greasing, oiling, lubricating, painting or repairing such vehicle, except for repair that is necessary for the limited purpose of removing the vehicle from the roadway or due to an emergency.

11. Recreational Vehicles. It shall be unlawful for any person to park any Recreational Vehicle or any accessories related to any Recreational Vehicle in a Valid Parking Space for longer than a cumulative total of twenty-four (24) hours.

#### **IV. TOWING, FINES AND IMMOBILIZATION**

1. Generally. The District reserves the right to have any Vehicles that are in violation of these Parking 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 and administrative fees for parking violations against the Vehicle owner.

2. Warning Citations. The District shall cause a warning citation to be issued for Vehicles parked in violation of these Parking Rules and Regulations, except for those violations in subsection IV.3 below which may be towed without a warning citation after reasonable notice. The District reserves the right to remove, tow or immobilize the Vehicle at the owner's cost and expense if any of these violations continue for more than twenty-four (24) hours following issuance of the citation.

3. Towing after Reasonable Notice. In addition to violations of these Rules and Regulations continuing for more than twenty-four (24) hours and in addition to Fines or Administrative Fees, the District may also authorize the towing and/or immobilization of Vehicles in violation Rules III.2 (Parking in a Fire Lane) and III.3 (Parking in a No Parking Zone) upon reasonable notice. Reasonable notice for violations of Rule III.2 and III.3 shall be deemed given through posted signs indicating parking may result in the immediate towing of the Vehicle.

4. Fines and Administrative Fees. The District may assess an administrative fee or fine for towing, which fee may either be collected as part of the general towing fee paid to the tow lot operator and remitted to the District or, alternatively, assessed directly to the Vehicle owner by the District.

**EXHIBIT 1**  
**DISTRICT ROADWAYS**



