

Resolution #9

Authorizing Parking Rules and Vehicle Towing Procedures

WHEREAS, Article IV, Section 12 of the Tomahawk Destiny Association (“TDA”) Bylaws authorizes the Board of Directors to manage, regulate, and protect the common property, including parking areas, and to adopt rules for their use; and

WHEREAS, ORS 98.812 through 98.830 authorize the lawful possessor of private property to cause removal of vehicles that are illegally parked, abandoned, unlicensed, inoperable, or that obstruct ingress, egress, or emergency access; and

WHEREAS, the Association’s parking areas are private and gated, owned and maintained as common property for the benefit of members and their guests; and

WHEREAS, the Board finds that clear parking and towing rules are necessary to preserve access for emergency vehicles, ensure fairness among residents, and protect Association property;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Tomahawk Destiny Association hereby adopts the Parking and Towing Rules attached hereto as Exhibit A and incorporated by reference;

FURTHER RESOLVED, that the Board authorizes the President, Vice President, or any duly appointed officer or agent of the Association to order towing when a vehicle meets the criteria set forth herein;

FURTHER RESOLVED, that all towing shall be performed by a licensed towing company meeting the signage, registration, and notice requirements of ORS 98.812 et seq.;

FURTHER RESOLVED, that these rules shall take effect immediately upon adoption, and shall be distributed to all members and posted within the community parking area;

FURTHER RESOLVED, that the Board may from time to time amend these rules as needed to maintain compliance with state law and ensure safe, orderly use of the Association’s parking facilities.

Exhibit A – Parking and Towing Rules

General

1. Parking within the gated common lot is limited to vehicles that are operable, currently licensed, and used for personal transportation by residents or guests.
2. All vehicles must display valid license plates and registration tags.
3. Each resident shall keep the Association informed of the make, model, and license number of vehicles regularly parked on the premises.

Immediate Towing (No Prior Notice Required)

A vehicle may be towed immediately without prior written notice when it:

- Blocks any entrance, exit, fire lane, or emergency access route;
- Obstructs dumpsters, mail delivery, or utility access;
- Presents a hazard to persons or property; or
- Parks in an area marked “No Parking,” “Fire Lane,” or “Tow Away Zone.”

Authority: ORS 98.812(1)(c). Such towing is a safety action, not subject to the Association’s 15-day enforcement hearing procedure. Immediate towing applies regardless of whether the vehicle is registered to a resident.

Tow After Notice

A vehicle may be towed after written notice when it:

- Is unlicensed or displays expired tags;
- Is inoperable or appears abandoned (flat tires, excessive debris, obvious disuse); or
- Remains parked in violation of posted rules or designated time limits.

Procedure:

4. A notice tag shall be affixed to the vehicle stating the reason and the earliest date and time for towing (not less than 72 hours after posting).
5. Photographs and a written record shall be retained by the Association.
6. If the violation is corrected before the deadline, the vehicle shall not be towed.

Authority: ORS 98.812(2)-(3).

Resident Vehicles and Enforcement Process

- Vehicles registered to residents are subject to these towing rules in the same manner as visitor vehicles.
- Blocking access or creating a safety hazard allows immediate towing, even if the vehicle belongs to a member in good standing.

Non-emergency conditions (e.g., long-term inoperable vehicles) may alternatively be handled through the Association's formal enforcement process with 15-day notice and opportunity for hearing under ORS 94.709.

Signage and Contractor Requirements

Signage Requirements:

"Towing Enforced" signs shall be posted at each vehicle entrance, at least 18 x 24 inches, with reflective lettering stating:

- "Unauthorized vehicles will be towed at owner's expense."
- The name and 24-hour telephone number of the towing company.

The Association shall contract only with a **towing company properly licensed under ORS 822** and registered with the Oregon Department of Transportation.

Administrative Provisions

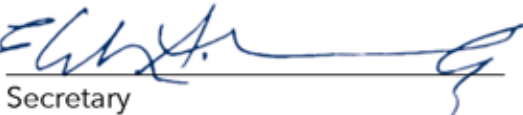
- The President or Vice President may authorize a tow; in their absence, any officer or designated property manager may do so.
- Records of all tow notices, photos, and invoices shall be maintained for at least two years.
- Towing charges are solely the responsibility of the vehicle owner.

Effective Date and Review

These Parking and Towing Rules take effect upon Board adoption. They shall be reviewed at least annually and may be amended by Board resolution.

CERTIFICATION

The undersigned, being the duly elected Secretary of the Tomahawk Destiny Association, hereby certifies that the foregoing Resolution was duly adopted by the Board of Directors on the 28th day of DECEMBER 2025, and remains in full force and effect.


Secretary


President



Tomahawk Destiny Association, Inc. • 288 North Tomahawk Island Drive • Portland, Oregon 97217

TOMAHAWK DESTINY ASSOCIATION (TDA) is an Oregon Nonprofit Corporation under Oregon Revised Statutes, Chapter 65. TDA is also a Homeowners Association (HOA) under Oregon Revised Statutes, Chapter 94, and follows meeting rules as specified in ORS94.644.