

**BIG SKY OWNERS ASSOCIATION, INC.  
BOARD OF DIRECTORS RESOLUTION**

RESOLUTION: Big Sky Owners Association Parking Rules, Regulations and Enforcement

Date of Board Adoption: March 21, 2017 Resolution No.: 2017-01

Effective Date: April 1, 2017 Date Revised: New

**RESOLUTION**

**WHEREAS**, the Big Sky Owners Association, Inc. (“BSOA”) adopted Amended and Restated Bylaws for the Big Sky Owners Association, Inc. on January 18, 2008 at its Board meeting and recorded with the Office of the Gallatin County Clerk and Recorder (Document #2290050, January 25, 2008) and the Office of the Madison County Clerk and Recorder (Document #124479, February 11, 2008), and as subsequently amended (“Bylaws”); and

**WHEREAS**, the Bylaws (Article 3, Section 3.2.1) assigns the Board of Directors (“Board”) all of the powers and duties necessary for the administration of the Association’s affairs and for performing all responsibilities and exercising all rights of the Association as set forth in the Governing Documents and as provided by law; and

**WHEREAS**, the Bylaws (Article 3, Section. 3.2.3) further authorizes the Board to make and establish rules and regulations for the governance of facilities and the performing of such functions, the taking of such action and operating in such areas as are within the Association’s Jurisdiction; and

**WHEREAS**, the Bylaws (Article 3, Section 3.2.12) further authorizes the Board to require compliance with and enforce the Declarations which by Article 3, Section 3.2.14 are made a part of the Bylaws; and

**WHEREAS**, the Bylaws (Article 3, Section 3.3) further authorizes the Board, at its discretion, to appoint Persons (including corporations, partnership, a trustee or other legal entity as that term is defined at Article 1, Section 1.3.20) to generally supervise and control the business of the Association and to delegate certain powers, duties and responsibilities to such Persons. The manner of selection, the qualifications and the scope of duties shall be determined by the Board; and

**WHEREAS**, vehicles, trailers and other items are regularly parked and stored, both on a long-term and short term basis, on publicly dedicated roads within the Association’s Jurisdiction creating issues for snowplowing, emergency services, and visibility which compromises public health, welfare and safety; and

**WHEREAS**, some, but not all, of the sub-association’s Declarations prohibit blockage or obstruction of any kind within the publicly dedicated right-of-ways; however, there is not presently a uniform policy that regulates on-street parking and use of road right-of-ways within the BSOA’s Jurisdiction; and

**WHEREAS**, the Board has determined a need to adopt a uniform policy establishing rules and regulations for on-street parking and use of road right-of-ways within the BSOA's Jurisdiction.

**NOW THEREFORE**, be it resolved that

1. No person shall park a vehicle or other item (collectively referred to herein as a "vehicle") upon any road and/or road right of way for a period of time longer than 48 hours.
2. The Board may designate certain "Controlled Access Areas" which prohibit parking in certain areas during certain posted-hours. Street signs noting Controlled Access Areas shall be located in the affected areas.
3. The Board may establish seasonal parking restrictions, restricting parking on the roads and/or road right of way between 1 a.m. and 7 a.m. and as posted. These restrictions allow for the removal of snow and critical road maintenance. Street signs noting the restrictions shall be located in the affected areas.
4. Parking in the following areas are specifically prohibited:
  - a. In any intersection;
  - b. In a crosswalk;
  - c. Upon any bridge;
  - d. Within 30 feet of a traffic signal, stop or yield sign on the approaching side;
  - e. At any place where the parking or standing of a vehicle will reduce the usable width of the roadway for moving traffic to less than 20 feet;
  - f. Within 10 feet of a fire hydrant;
  - g. On any sidewalk or parkway;
  - h. In any fire lane, whether on public or private property;
  - i. At any place where official signs prohibit parking;
  - j. Within 5 feet of the edge of the sides of a driveway or where the vehicle would block use of the driveway.
5. Vehicles may be towed at the owner's expense under the following circumstances:
  - a. The vehicle is in a prohibited area;
  - b. The vehicle is otherwise parked in violation of the Rules and Regulations set forth herein;
  - c. The vehicle is abandoned and/or inoperable. Vehicles that have been parked in an area in excess of 48 hours shall be deemed abandoned and/or inoperable.
6. The Board may contract or delegate authority to a third party for purposes of enforcing the provisions set forth herein.
7. This Resolution shall be interpreted by the Board; its decision is final.
8. This Resolution supersedes all other Policies/Resolutions with regard to parking policies and enforcement provisions pertaining to such policies.

DATED this 17th day of March, 2017.

BOARD OF DIRECTORS  
BIG SKY OWNERS ASSOCIATION, INC.

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John Loomis, Chair

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Gary Walton, Vice Chair

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Kevin Frederick, Treasurer

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Eric Ossorio, Secretary

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Sharon Douglas, Director

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Gail Young, Director

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Kent Volosin, Director