

BOARD OF DIRECTORS OF CENTERRA METROPOLITAN DISTRICT NO. 1

A RESOLUTION ADOPTING PARKING RULES AND REGULATIONS FOR 15TH STREET

WHEREAS, Centerra Metropolitan District No. 1 (the “District”) is a special District organized and existing pursuant to Section 32-1-101 et seq., C.R.S.; and

WHEREAS, the Board of Directors of the District (the “Board”) has a duty to perform certain obligations in order to assure the efficient operation of the District; and

WHEREAS, pursuant to Section 32-1-1001(1)(m), C.R.S., the District’s Board is authorized to adopt, amend, and enforce bylaws and rules and regulations not in conflict with the constitution and the laws of the State for carrying on the business, objects, and affairs of the Board and the District; and

WHEREAS, the District is authorized by § 32-1-1004(2)(d), C.R.S. to provide safety protection through traffic and safety controls and devices on streets and highways; and

WHEREAS, pursuant to Section II.B.1.d. of the District’s Service Plan, the District is authorized to provide for the design, acquisition, construction, financing, completion and installation of streets and traffic and safety control devices; and

WHEREAS, the District currently owns, operates, and maintains a certain portion of 15th Street in Loveland, Colorado, as depicted on Exhibit A, attached hereto and incorporated herein by this reference (“15th Street Area”); and

WHEREAS, the Board of Directors of the District finds that adopting rules regarding the parking of vehicles in the 15th Street Area is necessary to promote the general public welfare and safety.

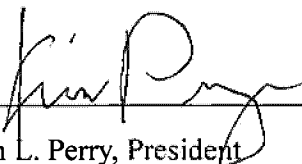
NOW, THEREFORE, THE BOARD OF DIRECTORS OF CENTERRA METROPOLITAN DISTRICT NO. 1 HEREBY ADOPTS THE FOLLOWING RULES REGARDING PARKING ALONG 15TH STREET:

1. Adoption by the Board. The Board hereby adopts the Rules Regarding Parking Along 15th Street (the “15th Street Parking Rules”) attached hereto as Exhibit B, which are incorporated herein by this reference.
2. Superseding Effect. The 15th Street Parking Rules supersede any other policies and/or rules in the event the same conflicts with the 15th Street Parking Rules.
3. Effective Date. This Resolution shall take effect on the date and at the time of its adoption.

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APPROVED AND ADOPTED THIS 16TH DAY OF JANUARY, 2025.

CENTERRA METROPOLITAN DISTRICT NO. 1



Kim L. Perry, President

STATE OF COLORADO)
)ss.
COUNTY OF LARIMER)

The foregoing was acknowledged before me this 24 day of January, 2025, by
Kim L. Perry, as President of Centerra Metropolitan District No. 1.

[S E A L]



Notary Public

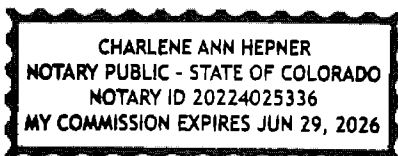


EXHIBIT A

Depiction of 15th Street Area



EXHIBIT B

Rules Regarding Parking Along 15th Street

CENTERRA METROPOLITAN DISTRICT NO. 1

RULES REGARDING PARKING ALONG 15TH STREET

1. Applicability. These Centerra Metropolitan District No. 1 (the "District") Rules Regarding Parking Along 15th Street (the "15th Street Parking Rules") shall apply to that certain section of 15th Street including, without limitation, all curbs, roll-over curbs, and gutters, as depicted on Exhibit A attached hereto and incorporated herein by this reference (the "15th Street Area").
2. Vehicle. For purposes of these 15th Street Parking Rules, vehicle shall mean a device that is capable of moving itself, or of being moved, from place to place upon wheels or endless tracks ("Vehicle"). Vehicle includes a bicycle, electrical assisted bicycle, electric scooter, or EPAMD, but does not include a wheelchair, off-highway vehicle, snowmobile, 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.
3. Parking Violation.
 - (a) Generally. Where authorized signs are posted within the 15th Street Area giving notice of parking limitations, regulations, restrictions, or prohibitions, no person shall park a Vehicle in any manner in violation of, or contrary to, the provisions contained on such signs except when necessary to avoid conflict with other traffic, or in compliance with the directions of a police officer, or traffic-control signal, sign, or device, except for a period of fifteen minutes or less with hazard lights activated for the purpose of loading or unloading passengers and/or cargo when such parking does not obstruct, impede or endanger any traffic.
 - (b) No Parking Zones. Portions of the 15th Street Area are designated, and shall be posted, as No Parking Zones. The District reserves the right to further restrict or prohibit parking upon the 15th Street Area by adopting an amendment to these 15th Street Parking Rules and posting said roadway(s) as a No Parking Zone or otherwise designating parking restrictions.
 - (c) Obstruction of 15th Street Area or Traffic. No person shall park any vehicle in such manner or under such conditions as to:
 - (i) Block, encroach upon, or otherwise encumber any part of the 15th Street Area that are designated as No Parking Zones or otherwise impede the free movement of Vehicular traffic, street maintenance, or access of emergency Vehicles or equipment; or
 - (ii) Hinder another Vehicle from accessing a valid parking zone or the 15th Street Area
4. Towing, Fines and Immobilization.

("Violation").

(a) Generally. The District reserves the right to have any Vehicles parked on the 15th Street Area or otherwise encumbering the 15th Street Area, in violation of these 15th Street Parking Rules removed, towed, or immobilized (including booting) at the Violator's cost and expense in accordance with §40-10.1-405, C.R.S. Ultimately, the towing company shall determine if a Vehicle can be towed.

(i) Except as set forth in Paragraph (iii) below, which allows for immediate towing, or as otherwise prohibited by law, in the event a Vehicle is parked in violation of the 15th Street Parking Rules, District will post a written Citation on the windshield of the Vehicle at least 24 hours prior to towing, unless such 24 hour period is otherwise inapplicable as contained within these 15th Street Parking Rules or other applicable law, ("Citation") which Citation shall contain the following information:

- (1) The Vehicle will be towed without consent if it remains in violation of these 15th Street Parking Rules;
- (2) A description of the Violation;
- (3) The Vehicle will be towed if it is not moved and the timeframe until such tow; and
- (4) If the Violation continues in the same manner, this may lead to immediate towing of the Vehicle without prior notice.

(ii) If the Violation continues past the time for correction stated on the Citation, the Vehicle may be towed in accordance with the 15th Street Parking Rules, the Citation and/or applicable law, without further notice to the Violator, and the Violator shall be solely responsible for all towing and storage charges.

(iii) Subject to applicable law, a Vehicle will be subject to immediate towing, without notice, if:

- (1) The Vehicle is obstructing the roadway such that emergency vehicles or equipment cannot freely pass through the 15th Street Area;
- (2) The removal is expressly ordered or authorized by a court order, an administrative order, or a peace officer or by operation of law;
- (3) The Vehicle blocks a driveway or roadway enough to effectively obstruct a person's access to the driveway or roadway; or
- (3) The Violator has received two previous notices for parking inappropriately in the same manner.

(b) Warning Citations. The District reserves the right to assess fines against the individual(s) committing the Violation ("Violator"). The Violator shall have 24 hours from the date of the Citation to correct the Violation before an initial fine. No sooner than 24

hours after the date of the initial Citation, a second Citation can be issued including a \$50.00 fine. No sooner than 24 hours after the date of the second Citation, a third Citation can be issued with a \$100.00 fine.

(c) Other Remedies Provided at Law. In addition to the rights and remedies set forth in these 15th Street Parking Rules, the District may exercise any other rights or remedies it may be entitled to under law or in equity to enforce these 15th Street Parking Rules. Including imposing fines, towing, or use of other available sanctions. The District's right to tow is in addition to and not in limitation of any other rights of the District.

(d) No Liability. If a Vehicle is towed in accordance with these 15th Street Parking Rules, neither the District nor any officer or agent of the District shall be liable to any person for towing and storage costs or for any claim of damage as a result of the towing activity.

5. Administrative Fee for Towing. The Board of Directors of the District may adopt and assess an administrative fee for towing, which fee shall be collected as part of the general towing fee paid to the tow lot operator and remitted to the District or, alternatively, assessed to the Violator directly by the District.

6. Hearing and Appeal Procedure. If the Violator wishes to dispute any fines or penalties imposed or determination made by the District regarding removal, towing, or immobilization of a Vehicle, such Violator may appeal such fines, penalties, or determination by following the procedure set forth below (such Violator filing an appeal is referred to in the remainder of this Section 6 as the "Appellant"). Notwithstanding the filing of an appeal, the Appellant is required to pay any fines or penalties assessed by the District, and such fines or penalties shall be held by the District until such time as the appeal is final. The hearing and appeal procedures established below shall apply to all disputes concerning the interpretation, application, or enforcement of the 15th Street Parking Rules, as they now exist or may hereafter be amended. In the event a proper and timely request for an appeal is not made as provided herein, the right to an appeal shall be deemed forever waived.

(a) Appeal to District's Manager. The Appellant must first file a written request with the applicable District's Manager within twenty (20) calendar days of being notified of a determination of the District or of the due date specified for fine or penalty of the District. Within thirty (30) calendar days of receiving the request from the Appellant and after a full and complete review of the record, the District's Manager shall issue a written determination regarding the application or enforcement of the fines, penalties, and/or application and enforcement of these 15th Street Parking Rules, as may be applicable.

(b) Hearing Before Board of Directors. If the Appellant wishes to appeal the written determination of the District's Manager, the Appellant must file a written request with the Board for a hearing within twenty (20) calendar days of the date the written determination of the District's Manager was mailed. The request for a hearing shall be filed at the District's principal business office as listed on its transparency notice and set forth with specificity the facts upon which the Appellant is relying and shall contain a brief statement

of the Appellant's reasons for the appeal. The Board shall hold a formal hearing on the appeal at the next regularly scheduled meeting that is held no earlier than ten (10) calendar days after the filing of the Appellant's request for a hearing.

(i) Notice. A notice of hearing shall be served on the Appellant, specifying the time and place of the hearing to be held by the Board regarding the appeal and directing the Appellant to present evidence of why the determination regarding the application or enforcement of the fines, penalties, and/or application and enforcement of these Parking Rules and Regulations, as may be applicable, is not correct ("Hearing Notice"). The Hearing Notice shall be served personally or by certified mail return receipt requested or by any mail delivery service that is the equivalent to or superior to certified mail return receipt requested, at least ten (10) calendar days before the hearing. Service may be made on any agent or officer of a corporation. When an Appellant is represented by an attorney and District is aware thereof, notice of any action, finding, determination, decision, or order affecting the Appellant shall also be served upon the attorney.

(ii) Conduct of Hearing. At the hearing, the District's Manager and the Appellant shall be entitled to present all evidence that is relevant and material to the dispute, and to examine and cross-examine witnesses. The Board may establish rules and procedures in addition to these 15th Street Parking Rules governing the hearing. A record of the hearing shall be maintained.

(iii) Written Determination. Based on the record established, the Board shall issue a written decision concerning the disposition of the dispute presented to it and shall cause notice of the decision to be hand delivered or sent by certified mail to the Appellant within fifteen (15) calendar days after the hearing.

(iv) Board of Directors Determination Final. The decision issued by the Board shall be final and binding upon the District and the Appellant and shall constitute the final administrative action of the District. Any party to the hearing aggrieved or adversely affected by an order of the Board may appeal such order to the District Court in and for the County of Larimer, pursuant to Rule 106(a)(4) of the Colorado Rules of Civil Procedure.