

**RESOLUTION  
OF  
VILLAS METROPOLITAN DISTRICT  
ADOPTING TOWING REGULATIONS  
FOR IMPROPERLY PARKED VEHICLES IN THE DISTRICT**

**SUBJECT:** Adoption of a Resolution regarding the towing of vehicles in the Villas Metropolitan District community (“District”).

**PURPOSE:** To adopt standard towing regulations addressing the towing of improperly parked vehicles in the District (“Resolution”).

**AUTHORITY:** The District’s Declaration, Rules and Regulations and Colorado law.

**EFFECTIVE DATE:** February 18, 2025

**WHEREAS**, Villas Metropolitan District (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado, existing, organized and operating pursuant to the laws of Colorado, including but not limited to C.R.S. Title 32, Parts 1 through 16; and

**WHEREAS**, the District, pursuant to C.R.S. §32-1-1001(1)(f), may own and be responsible for the public use of property within the boundaries of the District, including road and street improvements, and may regulate the use of and access to the property it owns; and

**WHEREAS**, the Board of Directors of the District, pursuant to C.R.S. §32-1-1001(1)(g) is responsible for the management, control and supervision of the business and affairs of the District including the installation, operation and maintenance of District improvements; and

**WHEREAS**, the Board of Directors of the District, pursuant to C.R.S. §32-1-1001(1)(m), may adopt, amend, and enforce bylaws and rules and regulations for carrying on the business, objects, and affairs of the District; and

**WHEREAS**, C.R.S. §40-10.1-405(3) and §40-10.1-405(4)(f) provide the statutory framework for towing companies to follow when towing vehicles, and the District must therefore comply with same to the extent it is impacted; and

**WHEREAS**, the Board of Directors of the District believes it is in the best interests of the District to adopt a Resolution governing the towing of improperly parked vehicles in the Community.

**NOW THEREFORE, BE IT RESOLVED** by the Board of Directors of the Villas Metropolitan District of Douglas County, State of Colorado:

**I. Towing.**

A. Vehicles parked within the District on a road, alley, or other parking area must comply with the parking requirements provided in the Declaration and any parking rules and regulations adopted by the Board of Directors of the District (collectively "Parking Rules and Regulations").

B. Except as set forth in Paragraph I(E) below, which allows for immediate towing, in the event a vehicle is parked in violation of the Parking Regulations, the District will post written notice ("Notice") on the windshield of the vehicle at least 24 hours prior to towing, which notice will contain the following information:

1. The vehicle will be towed without consent if it remains parked inappropriately;
2. Description of the parking violation;
3. The vehicle will be towed if it is not moved; and
4. If the vehicle continues to violate the Parking Regulations in the same manner, this may lead to immediate towing without notice.

C. For each individual tow, the District, its authorized agent, employee, or management company/manager shall, in conjunction with the above Notice, provide to the tow company, within 24 hours immediately preceding the tow, the legally required and signed approval form created in accordance with C.R.S. §40-10.1-405(3)(d)(I). The form was created by the Public Utilities Commission and is attached as an exhibit to this Resolution. Such form shall not be automated or preapproved.

D. If the violation continues past the time for correction stated on the Notice, the vehicle may be towed in accordance with the Notice, without further notice to the vehicle owner or user, and the owner thereof shall be solely responsible for all towing and storage charges; provided, however, that the District shall not tow a vehicle for the sole reason that the vehicle's rear license plate shows that the vehicle's registration has expired.

E. Immediate Towing A vehicle will be subject to immediate towing, without notice, if:

1. The vehicle is parked in a designated fire lane;
2. The vehicle is parked in a handicap parking space without displaying an appropriate placard or license plate;
3. The vehicle is blocking a driveway or roadway enough to effectively obstruct access;
4. The vehicle has received two or more previous notices for violating the Parking Regulations in the same manner;
5. The vehicle is parked in a space designated for use of a particular resident.
6. The vehicle is being repossessed by a creditor with a lien or security interest in the vehicle;
7. The removal is expressly ordered or authorized by a court order, an administrative order, or a peace officer or by operation of law; or
8. The vehicle is parked without authorization in a parking lot marked for the exclusive use of residents or invited guests.

## II. General.

A. No Liability. If a vehicle is towed in accordance with this Resolution, 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.

B. Renters. Owners who rent their Property are required to provide their tenants with a copy of this Resolution as well as the Parking Rules Regulations adopted by the District's Board of Directors.

C. Other Remedies. Notwithstanding anything to the contrary in this Resolution, the Board of Directors of the District may elect to impose fines or use other available sanctions, rather than exercise its authority to tow. The District's right to tow is in addition to and not in limitation of all other rights of the District.

D. Supplement to Law. The provisions of this Resolution shall be in addition to and in supplement of the terms and provisions of the District's governing documents and the law of the State of Colorado governing the District.

E. Deviations. The Board of Directors may deviate from the procedures set forth in this Resolution if in its sole discretion such deviation is reasonable under the circumstances.

F. Amendment. This Resolution may be amended from time to time by the Board of Directors of the District.

**PRESIDENT'S**

**CERTIFICATION:** The undersigned, being the President of Villas Metropolitan District's Board of Directors, certifies that the foregoing Resolution was adopted by the Board of Directors on February 18, 2025 and in witness thereof, the undersigned has subscribed their name.

**Villas Metropolitan District,**  
a Colorado nonprofit corporation

By: Matthew Gibb  
Its: President