

TrailMark Homeowners Association, Inc.  
Commercial Vehicle Restriction Interpretation  
January 14, 2021

WHEREAS, the Board of Directors of TrailMark Homeowners Association, Inc. is empowered to interpret the language set forth in the Declaration of Covenants, Conditions and Restrictions, Section 3.28 Trailers, Campers and Junk Vehicles to better clarify the definition of Commercial Vehicle.

WHEREAS, it is the intent that this interpretation be applicable to all Owners who reside within the TrailMark HOA geographical boundaries not including Star Canyon.

WHEREAS, the restriction of “commercial vehicles” is an important factor in maintaining the quality of the community and its property values.

WHEREAS, the Board further recognizes the term “commercial vehicle” can hold different meaning for different individuals. As such, it is important the term be clearly defined to eliminate confusion and provide consistent and equitable enforcement.

WHEREAS, the board endeavored to discover the least restrictive definition while balancing the Association’s need for enforcement of vehicles outside the scope.

NOW THEREFORE, BE IT RESOLVED THAT the following “commercial vehicle” interpretation is established.

For the purposes of interpretation and clarity:

- A commercial vehicle is interpreted to mean a vehicle used for business, industrial, vocational, office or institutional purposes. Having painted, affixed, or displayed thereto a sign or indication identifying a business, industry, office of institution, a principal product or service of such. A vehicle involved in commerce or commercial enterprise.
- A commercial vehicle may not exceed a curb weight of 8,000 lbs.
- Trailers are not included in this interpretation and therefore not permitted.
- Pick-up trucks not defined as, identified as, or used for commercial purposes is considered a passenger vehicle.
- Commercial vehicles may have professional markings or lettering, signage, photos, or logos indicating a business so long as they are not deemed offensive.
- No United States DOT registered vehicles are allowed unless deemed a first responder or emergency service vehicle.
- Vehicles requiring a commercial license (CDL) to operate are considered outside the scope of the definition above and therefore not allowed.
- The display of racks, utility boxes and integrated storage compartments is allowed if such items are permanently affixed to the vehicle and such equipment does not extend substantially over the height of the tallest portion of the vehicle.
- Equipment such as ladders, generators, fuel tanks, snowplows, towing apparatus, plumbing, electrical, construction, landscape, pool, or similar materials must be stored out of sight.
- Vehicle must be in good working order and the exterior well maintained. No faded, peeling, partial logos, signage, or letters.
- Tarpaulins are not allowed to be used anywhere on the vehicle.

- Commercial vehicles considered to be self-contained, self-generated, capable of holding fresh water, grey water or septic waste are not permitted.
- The entire Commercial vehicle must fit in the driveway and not encroach onto, into or over the sidewalk.
- The storage of hazardous materials anywhere on or in the vehicle is prohibited.
- All compartments and storage containers must be closed when parked in the community.

TrailMark Homeowners Association, Inc.

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President

\_\_\_\_\_  
Date

Attest

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Secretary

This interpretation was adopted by the Board of Directors on the 11<sup>th</sup> day of March, 2021 effective immediately and is attested to the Secretary of the TrailMark Homeowners Association, Inc.