

## Resolution

### **Maple Court Home Owners' Association, Inc.**

POLICY RESOLUTION NUMBER: 2009-09

#### **Relating to the Restriction on Mobile Homes and Trailers**

**WHEREAS**, Section 6 of the Certificate of Incorporation of the Maple Court Home Owners' Association, Inc. ("Association") states that the activities, property and affairs of the Association shall be managed by a Board of Directors, as provided from time to time in the bylaws of the Association; and

**WHEREAS**, Article VII Section 1(a) of the Bylaws of Maple Court Home Owners' Association, Inc. ("Bylaws") assigns the Board of Directors the power to adopt and publish rules and regulations governing the use of the Common Areas and facilities, and the personal conduct of the Members and their guests thereon, and to establish penalties for the infraction thereof; and

**WHEREAS**, Article VII Section 1(c) of the Bylaws states that the Board of Directors shall exercise for the Association all powers, duties and authority vested in or delegated to this Association and not reserved to the membership the Association by other provisions of these By-Laws, the Articles of Incorporation, or the Declaration; and

**WHEREAS**, there is a need to clarify Article V Use Restrictions, Section 3 of the Declaration of Covenants, Conditions and Restrictions ("Declaration"), which is subject to different interpretations; and

**WHEREAS**, it is the intent that this interpretation of Article V Use Restrictions, Section 3 of the Declaration and the development of specific rules regarding this document provision remain in effect until otherwise rescinded, modified, or amended by a majority of the Board of Directors.

**NOW, THEREFORE, BE IT RESOLVED** that the following are the guidelines pertaining to the restriction on mobile homes, mobile trailers, and trailers:

The following terms from the Declaration shall have the meanings indicated:

A TRAILER WITH WHEELS shall have the same meaning as the type of vehicle defined as "trailer" in Connecticut General Statutes § 14-1, which may be changed, deleted, or amended from time to time as the Connecticut General Assembly may seem fit.

A MOBILE HOME, either with or without wheels, shall have the same meaning as the class of vehicles defined under the terms “camper,” “motor home,” or “recreational vehicle” in Connecticut General Statutes § 14-1, as amended from time to time, or the detached residential unit called a “mobile manufactured home” in Connecticut General Statutes § 21-64, as amended from time to time. For mobile homes with wheels, the Department of Motor Vehicles (DMV), which changes procedures at times, generally use a license or marker plate with the legend word “Camper” imprinted on it and a vehicle registration under class code 31.

A MOBILE TRAILER or TRAILER WITH WHEELS FOR PERSONAL USE shall have the same meaning as the class of vehicles known as “camp trailer” used for camping or recreational purposes defined in Connecticut General Statutes § 14-1, as amended from time to time, which includes but not limited to boat trailers, utility trailers, house trailers, trailer coach, travel trailer, or snow mobile trailer. This class of vehicle generally uses a marker plate with the legend word “Camp Tr.” imprinted on it and a vehicle registration under class code 11.

A MOBILE TRAILER OR TRAILER WITH WHEELS FOR COMMERCIAL USE shall have the same meaning as “commercial trailer” defined under the Connecticut General Statutes § 14-1, as amended from time to time, and used in the conduct of a business to transport freight, materials, or equipment. This class of vehicle generally uses a marker plate with the legend word “Trailer” imprinted on it.

Mobile homes, mobile trailers for personal use, mobile trailers for commercial use, trailers for personal use, and trailers for commercial use as clarified and defined by this resolution, may only be kept in a garage, defined in Article 1 Section 7 of the Declaration. The garage is the area that is specifically designated by the Board of Directors for the keeping of mobile homes or trailers, either with or without wheels.

If a mobile home, mobile trailer, or trailer, either with or without wheels, as defined and clarified by this resolution, is kept and stored in the garage, it must fit completely inside the garage building in such a way that the overhead garage door can and must be completely and securely closed and operable when not accessing the contents of the garage.

Mobile homes, mobile trailers, and trailers, either with our without wheels, that are so large that the vehicle is too high to clear the entrance to a residential garage or is too long or too wide to fit completely within the garage with the door closed are considered oversized and prohibited from being kept or stored on any of the property and lots within the jurisdiction of the Association.

**Attachment:**

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
ARTICLE V  
USE RESTRICTIONS

Section 3. No tent, shack, garage, barn or other outbuilding shall at any time be used for human habitation temporarily or permanently, nor shall any structure of a temporary character be used for human habitation. The keeping of a mobile home or trailer, either with or without wheels, on any of the Properties is prohibited except in areas which may be specifically designated for such purpose by the Board of Directors.

Excerpts from C.G.S., which are subject to change by the CT General Assembly, from time to time:

Connecticut General Statutes  
Title 14. Motor Vehicles. Use of the Highway by Vehicles. Gasoline  
Chapter 246. Motor Vehicles  
Part I. Definitions

§ 14-1. Definitions

(8) "Camp trailer" includes any trailer designed for living or sleeping purposes and used exclusively for camping or recreational purposes;

(11) "Camper" means any motor vehicle designed or permanently altered in such a way as to provide temporary living quarters for travel, camping or recreational purposes;

(17) "Commercial trailer" means a trailer used in the conduct of a business to transport freight, materials or equipment whether or not permanently affixed to the bed of the trailer;

(51) "Motor home" means a vehicular unit designed to provide living quarters and necessary amenities which are built into an integral part of, or permanently attached to, a truck or van chassis;

(73) "Recreational vehicle" includes the camper, camp trailer and motor home classes of vehicles;

(93) "Trailer" means any rubber-tired vehicle without motive power drawn or propelled by a motor vehicle;

(98) "Utility trailer" means a trailer designed and used to transport personal property, materials or equipment, whether or not permanently affixed to the bed of the trailer, with a manufacturer's GVWR of ten thousand pounds or less;

Title 21. Licenses  
Chapter 412. Mobile Manufactured Homes and Mobile Manufactured Home Parks. Park  
Owners and Residents

§ 21-64. Definitions

As used in this chapter:

(1) "Mobile manufactured home" means a detached residential unit having three-dimensional components which are intrinsically mobile with or without a wheeled chassis or a detached residential unit built on or after June 15, 1976, in accordance with federal manufactured home construction and safety standards, and, in either case, containing sleeping accommodations, a flush toilet, tub or shower bath, kitchen facilities and plumbing and electrical connections for attachment to outside systems, and designed for long-term occupancy and to be placed on rigid supports at the site where it is to be occupied as a residence, complete and ready for occupancy, except for minor and incidental unpacking and assembly operations and connection to utilities systems;

Maple Court Home Owners' Association, Inc.  
RESOLUTION ACTION RECORD

Resolution Type: Policy No. 2009-09

Pertaining to: Restriction on Mobile Homes and Trailers

Duly adopted at a meeting of the Board of Directors held: \_\_\_\_\_

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

	VOTE:			
	YES	NO	ABSTAIN	ABSENT
_____ Matthew J. Cook, President	_____	_____	_____	_____
_____ Michael Girard, Vice President	_____	_____	_____	_____
_____ Robert Hertel, Treasurer	_____	_____	_____	_____
_____ Deb Yurko, Secretary	_____	_____	_____	_____
_____ Jean Sablan, Member at Large	_____	_____	_____	_____

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Date

FILE:

Book of Minutes – Year 2009

Book of Resolutions:

	Book No.	Page No.
Policy	1	_____
Administrative	_____	_____
Special	_____	_____
General	_____	_____

Resolution effective date: upon passage