

**FAIR OAKS GREEN HOMEOWNERS ASSOCIATION, INC.**

**POLICY RESOLUTION #2014-01**

**Rules and Regulations Relating to Vehicle Parking and Storage**

WHEREAS, Article IV of the Declaration empowers the Association to adopt reasonable rules and regulations;

WHEREAS, Article VI of the Declaration establishes the use restrictions of motorized vehicles, restricts the type of permitted vehicles and authorizes the Association to regulate parking and to permanently assign parking spaces;

WHEREAS, Section 55-513 of the Virginia Property Owners Association Act and Article VI of the Bylaws provide the Board of Directors with the power to establish, adopt and enforce rules and regulations; and to suspend the use of facilities and services;

WHEREAS, there is a need to establish orderly procedures for the use of the parking areas, type of permitted vehicles, and removal of violators;

NOW THEREFORE, IT IS HEREBY RESOLVED THAT the Board of Directors adopts the following parking rules and regulations:

**I. PARKING RIGHTS**

1. The Fair Oaks Green Homeowners Association parking areas are for the exclusive use of Association members, member's guest, and members' lessees. These rules and regulations are applicable to the guests and visitors or Residents, as well as the Residents themselves. As applicable, Owners are required to notify tenants of the parking rules and regulations.
2. All vehicles parked in the Fair Oaks Green Community shall display current, properly displayed license plates, current inspection sticker and be maintained in proper operating condition so as not be a hazard or a nuisance by reason of noise, exhaust emission or appearance.
3. Vehicles shall be parked in the driveway or the garage of the home, and common area parking areas. Vehicles shall not be parked in driveway aprons or blocking sidewalks.
4. Vehicle shall not be parked in the grass, the roadway, blocking mailboxes or where the curbs areas are painted in yellow.

5. Vehicles shall not be parked in a manner that obstructs any parking space, or in such a manner that it blocks one or more vehicles, or occupies more than one space.
6. Vehicles shall not be parked in the roadway, or where curbs are painted yellow or in a manner that obstructs ingress and egress of vehicular traffic. These vehicles shall be subject to immediate towing WITHOUT NOTICE.
7. Except in connection with permitted construction, landscaping activities, a commercial vehicle/taxi picking up or discharging passengers, or a homeowner moving and relocating goods via a moving truck or van no commercial vehicles shall be permitted on the property. "Commercial vehicle" means: (1) Any solid waste collection vehicle, tractor truck or tractor truck/semitrailer or tractor truck/trailer combination, dump truck , concrete mixer truck, towing and recovery vehicle with a registered gross weight of 12,000 pounds or more, and any heavy construction equipment, whether located on the highway or on a truck, trailer or semitrailer; (2) any trailer, semitrailer, or other vehicle in which food or beverages are stored or sold; (3) any trailer or semitrailer used for transporting landscaping or lawn-care equipment whether or not such trailer or semitrailer is attached to another vehicle; (4) any vehicle licensed for use as a contract carrier (taxi service) or as a limousine; (5) any vehicle more than twenty-one (21) feet in length or more than eight (8) feet in height including appurtenances attached to the vehicle, or with a width of 102 inches or more, or with a gross weight of 12,000 or more pounds. Any motor vehicle with a permanently mounted rack used to carry ladders, equipment or building materials is considered a commercial vehicle and is therefore prohibited. Examples of prohibited vehicles include but not limited to moving vans, pickup trucks on which commercial letters or equipment is visible, or recreational vehicles or equipment such as trailers, campers, boats or other large vehicles, including grounds maintenance equipment, may be parked or used on any portion of the Common Area or on any portion of a Lot visible from the Common Area or another Lot or on any public right-of-way within or adjacent to the Property.
8. A vehicle parked in a Common Area parking space must be entirely within the marked bounds of a single Parking Space.
9. No part of a Vehicle parked in a Common Area parking space, nor its contents, shall protrude beyond the bounds of a single Parking Space, including beyond the curb.
10. No vehicle parked in a Common Area may occupy more than a single Parking Space.
11. No abandoned, junk or derelict vehicles or other vehicle on which current registration plates or decals and current county and state inspection permits are not displayed shall be kept upon any portion of the Common Area or another Lot or on any public right-of-way within or adjacent to the Property. Any vehicle leaking oil, gasoline or other automotive fluid upon the pavement of a Common Area parking space or private street is subject to

immediate towing and removal. The cost of cleanup may be charged or assessed to the responsible Owner at the discretion of the Board of Directors.

12. Vehicle repairs are not permitted on property however the occasion washing of a vehicle is allowed if performed on a homeowner's property.
13. Storing a vehicle for longer than five (5) consecutive days is not permitted in Common Parking Areas. Homeowners who park and store vehicle (s) for longer than five (5) consecutive days without moving the vehicle (s) shall be subject to having the vehicle (s) towed.

## **II. NOTICE**

The Board or Managing Agent shall make a reasonable attempt to give notice to the owner of an offending vehicle. Reasonable notice shall consist of placing notice on the vehicle. If such vehicle is not removed or the violation corrected within 24 hours of issuance of the notice the Board may have the offending vehicle towed at the expense and risk of the vehicle owner. Any vehicle previously noticed for violations of the same regulations shall be subject to towing WITHOUT NOTICE for any second offense of the same regulation.

The Board, the Managing Agent, or designees of the Board shall have authority to tow offending vehicles.

## **III. ASSOCIATION NOT RESPONSIBLE**

Nothing in this Resolution shall be constructed to hold the Homeowners Association, Board of Directors, or their agents responsible for damage to vehicles or loss of property from vehicles parked upon or towed from Common areas.

## **IV. ENFORCEMENT OF THE REGULATIONS**

In addition to the towing provisions above, violations of the regulations are subject to appropriate action by the Board including, but not limited to, the initiation of legal action by the Board of Directors. Should any legal action be required, all legal fees and costs shall be assessed and attributed to the lot owner responsible for the offence. Lot owners shall be responsible for the offenses of their tenants and their guests.

FAIR OAKS GREEN HOMEOWNERS ASSOCIATION, INC.

RESOLUTIONS ACTION RECORDED

Resolution Type: Policy

Pertaining to: Rules and Regulations Relating to Vehicle Parking and Storage

Duly adopted at a meeting of the Board of Directors held March 31, 2014.

Motion by: Carolina Hurtado Seconded by: Victor Astudillo

	VOTE:			
	YES	NO	ABSTAIN	ABSENT
<u>Christina M. Phillips</u> President	✓			
<u>[Signature]</u> Vice President	✓			
<u>Junji Joshi</u> Secretary	✓			
<u>Chan Park</u> Treasurer				✓
<u>[Signature]</u> Board Member	✓			

ATTEST:  
Junji Joshi  
Secretary

March 31, 2014  
Date

FILE:  
Resolution effective: April 21, 2014