

GREAT OAK HOMEOWNERS ASSOCIATION, INC.

REGULATORY / POLICY RESOLUTION 21-01

PARKING AND TOWING POLICY

WHEREAS, Article VII, Section 7.33 of the Declaration of Covenants, Conditions, and Restrictions for Great Oak ("Declaration"), grants the Board of Directors of the Association the power to adopt, publish and enforce Rules and Regulations governing the use of all Common Areas; and

WHEREAS, Section 55.1-1819 of the Virginia Property Owners' Association Act, grants the Board of Directors of the Association the power to establish, adopt, and enforce Rules and Regulations governing the use of all Common Areas;

NOW THEREFORE, BE IT RESOLVED THAT the Board of Directors adopts the following policy, which shall be effective on May 1, 2021:

1. Definitions:

- a. "Common Area" shall be as defined in Section 1.1 of the Declaration.
- b. "Illegally Parked" is defined to include, but is not limited to:
 - (1) Unattended vehicles parked in fire lanes, double-parked, blocking designated parking spaces, parked in more than one parking space; or
 - (2) Vehicles blocking one or more driveways, blocking egress by other vehicles to Association streets, or blocking sidewalks within Association property.
- c. "Resident" is defined to include someone who continually resides in the Great Oak development for more than 60 consecutive days.
- d. "Governing documents" means the Declaration and Board-adopted and approved rules/regulations of the Association.

I. General Policy

- a. Parking Permit Hangtags. All lots in good standing shall be issued one

(1) Great Oak parking permit hangtag per lot. "Good Standing" shall mean a Lot that is current in the payment of their assessments and not in violation of the Governing Documents. A violation of Governing Documents is as determined by the Board of Directors in the exercise of its discretion and judgment, and the violation(s) shall be deemed to continue until such time as the matter is resolved or appealed. When parking on the common area, **every** vehicle (visitor and resident) must display the parking permit hangtag from 1:00 a.m. to 5:00 a.m. The hang tag must be hung from the internal rearview mirror in the vehicle or easily visible on the dashboard. Hangtags will convey with the lot and must be passed by sellers to purchasers. Residents are not permitted to sell, lease, profit from use of their assigned hangtag and/or lend- out or allow another resident to borrow their assigned hangtag for use on a continuous or routine basis. Replacement parking permit hangtags will be available at a cost of fifty dollars (\$50.00) per replacement hangtag.

- b. Each lot has a garage and driveway for the parking of vehicles owned by the resident of the lot. Garages must be used for the parking of the number of vehicles intended by the size of the garage. See Section 7.14, Declaration.
 - i. Vehicles parked on the Lot and Common Areas must be properly licensed. "Properly licensed" is defined as having a valid state registration sticker and valid inspection sticker.
 - ii. No boat, trailer, bus, camper, motor home, recreational vehicle, utility trailer, commercial vehicle (including, but not limited to, moving vans, trucks, tractors, vans, wreckers, tow trucks, taxi cabs and hearses, but not including commercial vehicles connected to construction on the Property) (other than cars and pickup trucks and similar vehicles which are used for personal as well as commercial purposes), wrecked or "junked" cars (including, but not limited to, vehicles without proper and current inspection and registration identification), or oversized vehicles shall be parked or maintained on any street or Common Area or on any Lot except as otherwise may be expressly permitted by the Association. If the Association permits any such vehicle on a Lot, it shall be kept within a garage or an enclosed or screened area such that the vehicle shall not be visible from any street, the Common Area, or any other Lot. The plans for the enclosed or screened

area shall be submitted to the Covenants Committee for its approval. Vehicle repairs are not permitted, except in accordance with the Rules and Regulations; provided, however, that washing of non-commercial vehicles on Lots and non-commercial repair of vehicles is permitted within enclosed structures approved by the Covenants Committee. All motor vehicles, including without limitation, trail bikes, motorcycles, dune buggies and snowmobiles shall be driven only upon paved streets and parking lots. No motor vehicles shall be driven on trails or unpaved portions of Common Area, except vehicles authorized by the Board of Directors for upkeep of the Common Area or otherwise authorized or permitted by the Board of Directors

- iii. No moving containers, PODS or any other non-vehicles shall be parked or maintained on any Common Area parking or street parking or other Common Area (grass) except as otherwise may be expressly permitted by the Association. As with vehicles, owners should use their driveway as the primary site for such items. The Association reserves the right to deny approval of any moving pods in the Common Area if the resident is not utilizing his/her driveway as the primary site for such pod(s). Moving containers, PODS, and other non-vehicles need to be removed from Great Oak within seven (7) days of their initial appearance in Great Oak.

2. Unassigned/Open Space Parking

- a. The Common Area unassigned/open parking spaces are to be shared among owners, residents, and visitors on a first-come, first-served basis. Per Subsection 4.5.2 of the Declaration, the Association may restrict the number of Common Area parking spaces used by one Owner. Accordingly, overnight parking in the Common Area is by permit only. Each Lot in good standing will receive one (1) parking permit hangtag. **Any** vehicle parked in the Common Area from 1:00 a.m. to 5:00 a.m. **not displaying** the visible hangtag parking permit is subject to enforcement action, to include but not limited to, towing of the vehicle at the owner's risk and expense.
- b. No vehicle, whether the property of an owner, resident or guest, shall remain in the same unassigned/open parking space in the Association common areas in excess of three (3) consecutive calendar days.

Vehicles parked in the same unassigned/open parking spaces in the Association common areas in excess of three (3) days shall be subject to enforcement action, to include but not limited to, towing of the vehicle at the owner's risk and expense.

3. Vehicles

a. Commercial Vehicles

- i. Defined to include, but not limited to, moving vans, trucks, tractors, vans, wreckers, tow trucks, taxi cabs, and hearses) (other than cars and pickup trucks and similar vehicles which are used for personal as well as commercial purposes).
- ii. This definition also includes any and all vehicles used for commercial purposes, including but not limited to, panel trucks, vans or any vehicles with lettering, vehicles with equipment mounted on the exterior, and other similar vehicles which are used for commercial purposes.
- iii. Fairfax County Code also defines commercial vehicles as any vehicle, regardless of capacity, which displays advertising lettered thereon or which is licensed as a "for hire" vehicle.
 1. There shall be an exception to this rule for commercial vehicles belonging to a business actively doing service or repairs to a resident's home or property, which vehicles may be parked during normal business hours or in the event of an emergency, outside normal business hours. In no event will a commercial vehicle be permitted to park within the Great Oak subdivision overnight.

- b. All motor vehicles, including without limitation, trail bikes, motorcycles, dune buggies and snowmobiles shall be driven only upon paved streets and parking lots and must be properly registered. No motor vehicles shall be driven on sidewalks, paths or unpaved portions of the Common Area, except vehicles authorized by the Board of Directors for Upkeep of the Common Area or otherwise authorized

or permitted by the Board of Directors.

- c. Vehicles parked inside the Great Oak community must display current license plates, inspection stickers and current registration stickers. Violation of this rule shall result in the posting of a notice on the vehicle directing removal of the vehicle or correction of the violation within one (1) business day. The Association may coordinate its actions with the Fairfax County Police Department in accordance with the applicable requirements of the Code of Virginia as amended.
- d. All vehicles parked within the Community must be maintained in an acceptable state of repair and shall meet the following conditions:
 - i. Powered vehicles must be maintained in an operating condition.
 - ii. Tires supporting vehicles must be inflated at all times to within 10 PSI of the manufacturer's recommended pressure so that it can be moved in the event of an emergency.
- e. Vehicle repairs are not permitted on the Common Areas at any time. Washing of non-commercial vehicles in the individual driveways is allowed. No vehicles may be left unattended on jacks, ramps or other devices at any time anywhere within Great Oak, including property owned by homeowners. No parking spaces are to be used for commercial repair or business.
- f. All motor vehicles (including licensed motorcycles) shall be parked in the designated paved parking areas only, or in driveways or garages. Parking in paved areas that are not designated for parking is prohibited.
- g. Motorcycles parked on Great Oak property may use protective covering, provided however that registration, inspection are readily visible without having to remove said covering. If the registration and/or decals are not readily visible, the motorcycle will be presumed as being in violation of Great Oak regulations.
- h. Owners of vehicles (or the owner of the lot, if the vehicle owner is a tenant) will be held liable for any and all costs of the repair of Common Areas to an acceptable state of condition arising out of damages sustained to the Common Areas as a result of negligence, repair operations or storage of any combustible, dangerous or otherwise hazardous material on Common Areas regardless of the type of container.
- i. Dumping, disposal or leaks of oil, grease or any other chemical, residual substance or any substance or particles from holding tanks of vehicles of any type is not permitted on Common Areas.

- j. The dumping of motor oil, antifreeze and other petroleum products into the storm sewers is prohibited and is a direct violation of the State Water Control Law and may lead to civil penalties and cleanup costs for the responsible person(s).
- k. Operation of any motor vehicle in violation of Code of Virginia, as amended, is prohibited. Consent is hereby given by the Board of Directors to all appropriate law enforcement officers that are empowered to enforce all motor vehicle laws in the streets and Common Areas of Great Oak.

4. Towing / Enforcement Policy

- a. Any vehicle parked in violation of these rules shall be towed at the vehicle owner's risk and expense.
- b. Abuse of unassigned/open parking spaces will result in immediate towing (See Section 2b).
 - i. The Board and its management agent may authorize removal of vehicles that are in violation of the above-stated rules and any vehicles in violation as defined by the Code of Virginia. Vehicles in violation that are removed are done so at the vehicle owner's and/or operator's **risk**. The owner and/or operator of the vehicle in violation is responsible for any towing and storage charges incurred. The Board may take other and additional enforcement action against vehicle owners and/or operators who are in violation of the above stated rules in lieu of towing a vehicle if the situation warrants such action. Remedies may include assessing rules violation charges, suspension of use rights relative to parking on the common area, or other remedies allowed by law.