

LAKWOOD HILLS NO. 1 COMMUNITY ASSOCIATION

Regulatory Resolution No. 06-01
(as amended ~~OCTOBER~~ 2011)

PARKING RULES AND REGULATIONS RESOLUTION

WHEREAS, Article VII, Section 1(a) of the By-Laws of Lakewood Hills No. 1 Community Association (“Association”) grants the Board of Directors (“Board”) the authority to “adopt and publish rules and regulations governing the use of the Common Area and facilities, and the personal conduct of the member and their guests thereon, and to establish penalties for the infraction thereof,” and

WHEREAS, in order to assure equitable parking arrangements as well as orderly and attractive parking areas, the Board desires to establish an amended parking policy:

NOW, THEREFORE, BE IT AFFIRMED THAT the following amended parking rules and regulations (“Parking Rules”) are hereby adopted by the Board:

Section 1. Homeowner Parking Rights. Homeowners in the Association whose assessment accounts are in good standing are entitled to two parking spaces per home for approved motor vehicles. Delinquency or default in the payment of assessments may result in the suspension of parking privileges within the Association pursuant to § 55-513.B of the Virginia Property Owners’ Association Act (“Act”).

Parking spaces shall be as near and convenient to homes as reasonably possible, based on the plan approved by the Board. Each space will bear the address number of the corresponding residence. The number will be painted in black and centered on the curb of each space. The boundaries of each space will be designated by the painted white lines. No signs, initials, or other additions or alterations to these spaces may be painted, displayed, or erected by any homeowner or occupant without the approval of the Board.

Parking in these numbered spaces is restricted to the personal motor vehicles of that household, and their guests, Parking is not permitted in another Association member’s parking spaces without the other member’s permission. Similarly, parking is not permitted outside of the striped-line areas that separate the spaces.

Section 2. Homeowner Parking Responsibilities. Each homeowner is required to comply with the parking rules and regulations (including enforcement thereof) as enacted by the Board. Each homeowner is required to insure that all tenants and guests are fully aware of and abide by the parking rules and regulations. Guests of each household should be directed to park in marked “visitor” spaces or on Golden Ball Tavern Court. Vehicles parked illegally will be towed at the vehicle owner’s risk and expense.

Section 3. Prohibited Vehicles. No commercial truck, bus, or other commercial vehicle of any kind shall be permitted to be kept or parked overnight on any portion of

the Property. In addition, no vehicle other than a private automobile may be parked in any parking space maintained by the Association. Prohibited vehicles found parked on the Property are subject to towing at vehicle owner's risk and expense.

For purposes of this section, the term "overnight" shall mean four or more hours between 10:00 pm and 5:00 am.

A "commercial truck, bus or other commercial vehicle," for purposes of these Parking Rules, includes any of the following:

1. Solid waste collection vehicle, tractor truck or tractor truck/semitrailer, construction equipment, tractor truck/trailer combination, dump truck, concrete mixer truck, or towing and recovery vehicle;

2. Trailer, semitrailer, or other vehicle in which food or beverages are stored or sold, or that is used for transporting landscaping or lawn-care equipment whether or not such trailer or semitrailer is attached to another vehicle;

3. Vehicles that bear any commercial advertising signs, names, logos, dealer tags, letterings or initials [this provision does not apply to passenger vehicles with standard-sized bumper stickers or window decals of a type and number customarily found on vehicles for personal/consumer use];

4. Vehicles used, or obviously intended for use, as a car for hire or a work vehicle, which may be evidenced by open carriage of pipes, lumber or other materials or ladders, tools or other equipment;

5. Vehicles designed to transport sixteen or more passengers including the driver; or

6. Vehicles used in the transportation of hazardous materials regardless of whether or not the vehicle is used in a commercial profit-making activity.

Notwithstanding the above, the term "commercial truck, bus or other commercial vehicle" shall not be interpreted to include law enforcement vehicles or other government vehicles used to provide governmental services other than a solid waste collection vehicle, tractor and/or trailer of a tractor-trailer truck, dump truck, construction equipment, cement mixer truck, wrecker with a gross weight of 12,000 pounds or more, or similar vehicles or equipment.

[Note: even if a commercial vehicle is parked in compliance with these Parking Rules, if the vehicle is parked in violation of county ordinance, the vehicle may be reported to the county for enforcement.]

Section 4. Prohibited Vehicle Operation. With the exception of lawnmowers or other small machinery approved by the Board in writing, the driving or parking of any type of vehicle upon lawns, grass areas, or sidewalks is prohibited. Persons so engaged in any of these activities will be subject to action by the Board and liable for any costs necessary to repair damage to these areas.

Section 5. Improper Parking. Parking in any the following manners is strictly prohibited:

- a. Double parking, which is defined as parallel parking beside another vehicle that is already parallel parked;
- b. T parking, which is defined as parking perpendicular to any marked parking space;
- c. Parking in a fire lane or adjacent to, or in a manner that blocks access to, any fire hydrant;
- d. Parking in a “No Parking” area;
- e. Parking in a marked parking space in such a way that the vehicle is not completely within the marked space; and
- f. Parking in such a manner as to obstruct or block another vehicle.

Any vehicle found improperly parked pursuant to this Section 5 shall be subject to towing immediately and without notice.

Section 6. Enforcement and Liability. Any vehicle found parked improperly or failing to comply with these Parking Rules will be subject to the penalties imposed by these rules and regulations as well as the applicable Fairfax County and Virginia state laws. Such violations will result in the vehicle being towed at the vehicle owner’s risk and expense. Vehicles parked in yellow lanes marked “No Parking” may be towed without warning. Further, any and all costs incurred due to damage to enforcement will be the responsibility of the offending vehicle owner. In the event that a vehicle is towed, the Fairfax County Police will be notified by the tow truck operator.

The Board shall also have the authority, pursuant to § 55-513.B of the Act, to assess violation charges against the responsible homeowner for violations of these Parking Rules by that homeowner or the residents, guests or tenants at that homeowner’s Lot, and for those homeowners who are more than 60 days’ delinquent in the payment of assessments to the Association, to suspend the owner’s right to use any and all parking facilities including any parking spaces on common areas [suspensions apply to the homeowner and to the residents, guests and tenants of that homeowner’s Lot].

Homeowners and vehicle owners may appeal policy and enforcement actions to the Board. The Board, however, has the authority to enforce the parking rules and regulations prior to review of the appeal,

The Association reserves the right to hold residents legally responsible for any damage caused to the Association Common Area by the use, repair, or maintenance of their vehicle, including any damage that is the result of negligence or violation of these rules and regulations, whether on the part of the unit owner, his family, tenants, visitors, invitees, or agents.

The Association further reserves the right to exercise all other powers and remedies provided by the Association’s governing documents and/or the laws of Virginia and Fairfax

County. Additionally, all expenses and/or attorney's fees incurred by the Association in enforcing the provisions of this Resolution shall be the sole responsibility of the vehicle's operator/owner.

The Association, its Board of Directors, its employees and agents assume no responsibility for the provision of any security for vehicles parked in the parking areas, and disclaim responsibility for the theft of, or damage to: 1) any vehicle parked or operated on Association Property, or 2) its contents, including personal property.

Section 7. Designation of "Visitor" Parking Spaces. Extra parking spaces in the homeowner parking areas will be designated "visitor." "Visitor" parking spaces may be occupied by guests only. Residents (homeowners and tenants) may not park in spaces marked "visitor" at any time. Vehicles parked in visitor spaces are limited to 48-hour parking. Any vehicle parked in a visitor space longer than 48 hours will be subject to towing. An attempt will be made to contact the owner of any vehicle parked in a "visitor" space prior to the vehicle being towed from the premises (e.g., by placing a warning notice on the vehicle).

Section 8. Parking in the Recreation Vehicle Lot. The Recreational Vehicle ("RV") Lot located at the intersection of Golden Ball Tavern and Grandstaff Courts is for the parking of recreational and commercial vehicles of homeowners, tenants, and guests. Permission to use the RV Lot for these vehicles must be requested of the Board in writing. The request must include: a written description of the vehicle, including make, model, color, license number, and operating condition; the name, address and telephone numbers of the vehicle owner, as well as the related homeowner; and the dates and duration of the intended parking period. Commercial and recreational vehicles are not permitted in numbered parking spaces.

Section 9. Overflow Parking. Homeowners, tenants, and guests may park on Golden Ball Tavern Court as allowed by law.

Section 10. "No Parking" Areas. "No parking" areas include: areas of grass, trees, shrubs, and flowers; sidewalks and curbs; streets and street corners except as otherwise allowed by these rules and regulations and the laws of Fairfax County and Virginia; areas adjacent to handicapped ramps; fire lanes; and areas adjacent to, or in a manner that blocks access to, fire hydrants.

Section 11. Vehicle Requirements. All motor vehicles will display current state and local required license plates and stickers. The presence or absence of required license plates and stickers will not free the vehicle owner of his/her obligation to abide by these rules and regulations.

Non-operational vehicles are not to be kept on the property. All vehicles must be properly maintained so as not to be a hazard or nuisance by noise, exhaust emissions, fuel and other fluid leaks, or appearance. No repair of vehicles is permitted within the Associations' property boundaries.

Vehicles that are obviously not in use (e.g., vehicles being stored) or are in a condition of disrepair (e.g., leaking fluids, bald or flat tires, noisy muffler, rusted body) are not permitted to be parked within the Association's property boundaries. Vehicles that are not in "proper operating condition" as defined by the Fairfax County Code (Chapter 110) may be found in violation of this Code by the Fairfax County Police.

Vehicles not meeting these vehicle requirements that are found parked on the property may be towed at the discretion of the Board, but not before the Management Agent has made an effort to notify the resident of the violation.

This Resolution is effective NOVEMBER 1, 2011. This Resolution is intended to and hereby supersedes any previous version of Regulatory Resolution No. 06-01.

Certification

I hereby certify that the foregoing Parking Rules and Regulations Resolution, which supersedes all prior versions of Regulatory Resolution No. 06-01, was duly adopted at a regular meeting of the Board of Directors of the Lakewood Hills No. 1 Community Association, this ~~27TH~~ day of ~~SEPTEMBER~~ 2011.

By: Susan A. Elliott
Secretary, Lakewood Hills No.1 Community Association
Board of Directors

LAKWOOD HILLS No. 1 COMMUNITY ASSOCIATION
RESOLUTION ACTION RECORD

Resolution Type: Regulatory No. 06-01 (as amended)
 Pertaining to: Amended Parking Rules and Regulations
 Duly adopted at a meeting of the Board of Directors held on _____, 2011.
 Motion by: _____ Seconded by: _____

VOTE:	YES	NO	ABSTAIN	ABSENT
<u>JOHN SCHMIDT</u> Director	___	X	___	___
<u>[Signature]</u> Director	X	___	___	___
<u>Kate Owens</u> Director	X	___	___	___
<u>Wim Rozen</u> Director	X	___	___	___
<u>Susan Elliott</u> Director	X	___	___	___
<u>[Signature]</u> Director	X	___	___	___
<u>M. Saplant</u> Director	X	___	___	___
<u>Cheryl A. Higdon</u> Director	X	___	___	___

Director _____

ATTEST:

Susan Elliott
Secretary

25 October '11
Date

FILE:

Book of Minutes 2011
 Book of Resolutions:

A copy of this Resolution was mailed to all Lot Owners, as listed in the Association's books and records, on the 25TH day of OCTOBER, 2011.

[Signature]
 Managing Agent, on behalf of
 Lakewood Hills No. 1 Community Association