# SUGARLAND RUN TOWNHOUSE OWNERS ASSOCIATION, INC.

## POLICY RESOLUTION NO. 7

## RULES, REGULATIONS, AND ENFORCEMENT GOVERNING PARKING

WHEREAS, Article V, Section 1 of the Bylaws of the Sugarland Run Townhouse Owners Association, Inc. (hereinafter referred to as, the "Association"), states that the affairs of the Association shall be governed by the Board of Directors; and

WHEREAS, Section 55-513 of the Virginia Property Owners' Association Act ("Act") establishes the Association's authority to adopt, publish, and enforce rules and regulations pertaining to the use of the Common Area; and

WHEREAS, Article VI, Section 1(a) of the Bylaws empowers the Board of Directors to adopt rules and regulations governing the use of the off-street parking area and facilities and to establish penalties for the infraction thereof; and

WHEREAS, Article XVI, Section 1 through 3 of the Bylaws provides general guidelines for parking on the off-street parking areas; and

WHEREAS, Article IX of the Declaration for the Association empowers the Board of Directors to assign parking spaces; and

WHEREAS, in order to ensure equitable parking arrangements as well as to maintain and preserve the appearance of the community, the Board of Directors has determined it is in the best interests of the Association, the Lot Owners and residents to promulgate rules regarding parking in the off-street parking areas.

NOW, THEREFORE, BE IT RESOLVED that the following rules are adopted with respect to parking in the common parking areas, hereafter referred to as off-street parking areas. This Resolution is intended to and hereby supersedes and replaces all previous rules related to parking.

### I. GENERAL POLICY

#### A. Definitions

1. The term "resident" includes resident owners and their families, as well as tenants.

2. The term "off-street parking area" as used in this document, refers to the off-street parking areas where spaces are marked with either numbers or "visitor" in the Sugarland Run townhouse development. These parking areas are part of the Common Area and are maintained by the Sugarland Run Townhouse Owners Association.

B. Resident Parking

1. Each lot is assigned two (2) parking spaces for vehicles owned by the resident.

2. These assigned parking spaces may only be used for Class 1 vehicles such as passenger cars, small trucks, and motorcycles and/or Class 2 vehicles, such as trailers, boats, and recreational vehicles. Vehicles parked in any off-street parking area may be no more than 18.5 feet long or eight (8) feet wide.

C. Visitor Parking

1. Visitor parking consists of those portions of any off-street parking area marked or designated for visitors.

2. Lot owners or named Lessee in good standing (i.e. all assessment dues are current) will receive one (1) VISITOR parking placard per address after completing a visitor request form and returning it to the property management company. Residents who lose their VISITOR place cards may obtain a replacement for a fee of $125.00. Any vehicle found to be displaying a VISITOR placard that has been reported as lost, missing or stolen will be towed at the owner's expense. Any vehicle found to be displaying a Visitor Permit that has been reported as lost, missing or stolen will be towed at the owner's expense.

   **amended by SRTHAO Board of Directors by Motion # 13-02B on February 14, 2013, effective March1, 2013.**

3. Display of a VISITOR placard does not guarantee visitors a visitor parking space. Access to visitor parking is on a first-come, first-serve basis.

4. Any vehicle parked in a visitor parking space between the hours of 12:00 AM (midnight) to 7:00 AM must display a VISITOR placard hung from the rear-view mirror. Vehicles parked overnight that do not display a VISITOR place card will be towed immediately and without notice at vehicle owner's risk and expense. Vehicles parked in a visitor space between the hours of 7:01 AM and 11:59 PM are not required to display a VISITOR placard. .

5. It is the resident's responsibility to advise their guests of the Association's parking regulations and ensure that the VISITOR placard is properly displayed on the visitor's vehicle. If a resident violates any provision of the visitor parking rules, visitor-parking privileges may be revoked pursuant to Section 55-513 of the Act.

6. No commercial vehicles may be parked in visitor parking spaces overnight (12:00 a.m. (midnight) – 7:00 a.m.). This prohibition includes any and all vehicles used for commercial purposes, which includes, but is not limited to, panel trucks, vans,

vehicles with lettering, vehicles with commercial plates or other vehicles used for commercial purposes.

D. Resident Parking; Permitted and Prohibited Vehicles

1. All vehicles must be parked legally, entirely within a marked space, and be properly licensed. "Properly licensed" is defined as having a valid state license tag with a current registration sticker (for the state in which the vehicle is registered), a current safety inspection sticker, and a current county personal property tax sticker, if applicable. No unlicensed vehicles of any kind, including but not limited to automobiles, trucks, motorized bicycles, motorcycles, mini-bikes, and go-karts, may be operated on or parked on Association property. Unlicensed vehicles operated or parked on the Property are subject to towing.

2. All vehicles operated or parked within the community must be maintained in an acceptable state of repair and so as not to present a hazard or nuisance by noise or exhaust emission.

3. No abandoned vehicles shall be allowed on any off-street parking areas within the Association. "Abandoned" shall mean any vehicle that is parked in an unmarked parking area and has not been moved for more than fifteen (15) days, even if it is properly licensed as defined above. This rule does not apply to properly-licensed vehicles owned by a resident and parked in one of their assigned spaces.

4. All Class 1 motor vehicles, such as passenger vehicles and motorcycles, shall be parked in the paved and marked parking lot areas only. All Class 2 vehicles, such as trailers, boats, and recreational vehicles, shall be parked only in assigned parking spaces. No vehicles, whether for commercial or personal use, exceeding 3 tons (i.e., 6,000 pounds) maximum empty weight and/or greater than eighteen and one half (18 ½) feet in length and/or eight (8) feet in width (i.e. trucks and/or trailers having multiple axles, flatbed trucks, and school buses), excluding vehicles making pickups or deliveries, shall be permitted in any of the parking areas. Vehicles in violation are subject to immediate towing. Parking in other areas where access to other off-street parking areas is impeded is also prohibited.

5. Motorcycles may be parked in one of the resident's assigned parking spaces, provided that such motorcycles are properly licensed and are street-legal. Two-wheeled motorcycles may be parked in the same space with another vehicle, provided that the motorcycle is parked closest to the curb and in such a manner so as the combined space occupied by both vehicles does not exceed 18.5 feet in length as measured from the curb. Motorcycles with more than two wheels must occupy their own parking space. Except as provided herein, no more than one vehicle is permitted to occupy an assigned parking space.

6. Notwithstanding any other rule in these parking regulations, all parked vehicles, as well as pickup and delivery vehicles, must always provide adequate maneuvering space for all other vehicles in the parking area, as well as any emergency vehicles that may need access to any part of the Property. Any vehicle that is parked so as to impede the normal flow of traffic on Association roads or to prevent the ingress or egress of any other vehicle to or from Visitor parking spaces or any Association road is subject to immediate towing at the vehicle owner's risk and expense.

7. No vehicle may park so as to block a fire lane or a fire hydrant. Any vehicle so parked is subject to immediate towing at the vehicle owner's risk and expense.

8. 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.

9. 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.

E. Operation and Repair of Vehicles

1. Minor repairs begun on vehicles parked in an off-street parking area must be completed within 24 hours. Minor repairs refer to repairs such as oil changes, tire changes, and replacing light bulbs.

2. Major repairs, such as engine repairs, transmission work, rear end overhauls, painting and similar repairs or work of similar nature are prohibited in the off-street parking areas. No vehicles may be left unattended on jacks, ramps or other devices at any time. All vehicles in violation will be tagged giving the owner 24 hours to correct violation. If the violation is not corrected during the time given the vehicle will be towed at the risk and expense of the owner. No parking spaces are to be used for commercial repair or business (e.g. car wash, detailing, and other such enterprises). No visitor space can be used for any repairs.

3. Operation of any motorized vehicle in the off-street parking areas shall be restricted to paved roadways only. Operation of any motor vehicle in violation of the Code of Virginia, as amended, is prohibited. Consent is hereby given by the Board of Directors of the Sugarland Run Townhouse Owners Association to all appropriate and empowered law enforcement officers to enforce all motor vehicle laws in the streets and off-street parking areas of the Sugarland Run townhouse development.

4. The resident (or the lot owner, if the resident is a tenant) shall be held liable for any and all damages that may occur to the parking area as a result of any vehicle repair undertaken by the resident. This includes any and all costs of the repair of the area to an acceptable state of condition arising out of damages sustained to the area as a result of negligence, repairs operations, or storage of any combustible, dangerous, or otherwise-hazardous material, regardless of the type of container.

5. 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, are not permitted in the off-street parking areas.

6. The dumping of motor oil, antifreeze, and other petroleum products into the storm sewers is a direct violation of the State Water Control Law and may lead to civil penalties and cleanup costs for the responsible person(s).

7. Portable basketball hoops and other similar sports equipment that impede the operation of motor vehicles can create a safety hazard for the community and therefore are prohibited within the parking areas.

F. Towing Policy

1. Vehicles in violation of any of the rules in sections B, C, and D above will be tagged with a violation notice, and owners will be given ten (10) days (unless otherwise noted) to respond to the notice, at which time, if no adequate response has been received by the management of the Association, the matter will be brought before the Board at the next regular meeting of the Board of Directors. The Board will decide whether the vehicle should be towed. Owners of towed vehicles are responsible for retrieving them from the towing company and paying the required fee. The name and telephone number of the towing company designated by the Association is published in the Sugarland Run newsletter.

2. Any vehicle that is illegally parked in such a way as to present a safety hazard (for example, parking in a fire lane) or to prevent any other vehicle from maneuvering in the parking area (for example, double-parking or extending beyond 18.5 feet) will be subject to immediate towing at the vehicle owner's risk and expense.

3. The Board of Directors of the Association, and/or its management representative, shall be empowered to authorize removal of vehicles that are in violation of any of the above stated rules, as well as any vehicles that are in violation of the Code of Virginia as amended. Such removal is done 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 charged incurred.

4. Individual residents shall only be empowered to have vehicles removed from the parking spaces assigned to their residence by contacting the towing company

designated by the Association. If a lot owner or tenant authorizes towing of a vehicle which should not be towed or removed under the governing documents or these rules, that lot owner or resident shall be held responsible for all resulting costs and shall indemnify the Association from any and all claims related to the wrongful towing.

G. Violation Charges and Other Remedies

1. The Association reserves the right to assess violation charges, pursuant to Section 55-513 of the Act, against Owners who violation this resolution.

2. The Association reserves the right to exercise all other powers and remedies provided by the Association's governing documents and/or the laws of Virginia and Loudoun 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.

This Resolution is effective **May 1, 2006, as amended February 13, 2013, effective March 1, 2013.**

SUGARLAND RUN TOWNHOUSE OWNERS ASSOCIATION, INC.

BY Patrick Noto

Patrick Noto, President

ATTEST:

I hereby certify that the foregoing resolution was duly adopted at a Regular Meeting of the Board of Directors of the SUGARLAND RUN TOWNHOUSE OWNERS ASSOCIATION, INC, this **8th day of February, 2006, as amended February 13, 2013, effective March 1, 2013.**

Kathleen Thomen 2-18-13

Marie Thomen, Secretary

## SUGARLAND RUN TOWNHOUSE OWNERS ASSOCIATION, INC.

### Resolutions Action Record

Resolution Type: Regulatory No. 7

Pertaining to: Parking Regulations

Duly adopted at a meeting of the Board of Directors held on the 8th day of February, 2006, as amended February 13, 2013, effective March 1, 2013

Motion by: Allen Jackson Seconded by: Robert Simanski

| VOTE: | YES | NO | ABSTAIN | ABSENT |
|---|---|---|---|---|
| P. Noto<br>President | ✓ | | | |
| A. Jackson<br>V. President | ✓ | | | |
| M. Thomen<br>Secretary | ✓ | | | ✓ |
| R. Simanski<br>Treasurer | ✓ | | | |
| M. Hughes<br>Director | ✓ | | | |

ATTEST:
Secretary Date 2-18-13

FILE:
Book of Minutes - 2006
Resolution effective: **May 1, 2006.**
Amended Resolution Effective: **March 1, 2013**