

OAK SPRINGS HOMEOWNERS' ASSOCIATION

POLICY RESOLUTION NO. 006

PARKING AND TOWING REGULATIONS

WHEREAS, Article IV of the Articles of Incorporation of the Oak Springs Homeowners' Association, Inc., ("the Association") states that the Association should perform all of the duties and obligations of the Association as set forth in the Declaration, and Article VII states that the affairs of the Association shall be managed by a Board of Directors;

WHEREAS, Article VII, Section 1(c) of the By-Laws of the Association assigns to the Board of Directors all of the powers for the conducting of the affairs of the Association which are enabled by law or the Founding Documents, which are not specifically reserved to the Members;

WHEREAS, Article VIII of the Declaration of Covenants, Conditions, and Restrictions of the Association authorizes the Board of Directors to formulate and enforce rules and regulations;

WHEREAS, Section 55-513 A. of the Virginia Property Owners' Association Act ("the Act") states that "The Board of Directors of the Association shall have the power to establish, adopt and enforce rules and regulations with respect to use of the common areas and with respect to such other areas of responsibility assigned to the Association by the Declaration, except where expressly reserved by the Declaration to the members. Rules and regulations may be adopted by resolution..."; and

WHEREAS, there had been a need for the Board of Directors to adopt specific rules regarding parking in the Oak Springs community, which would apply to all owners, tenants, guests, invitees, or any others who have access or authorized use of the parking areas; and

WHEREAS, there is now a need to revise those regulations;

NOW, THEREFORE BE IT RESOLVED THAT the following revised Parking and Towing Regulations, which supersede any regulations regarding parking which were previously enacted, including those in Resolution #3, are adopted:

I. INTRODUCTION

This document has been developed by the Board of Directors of the Oak Springs Homeowners' Association, hereinafter called "The Association", to establish regulations regarding the use of the Association parking areas, roadways, and other common grounds and private property, and the setting of speed limits within the community, for purposes of driving, parking, maintaining, or storing motor vehicles, trailers or other similar vehicles or equipment in the community. These regulations presented herein have been developed in concert with the Declaration of Covenants, Conditions, and Restrictions as well as State, Town and County Codes. The approval by the Board of Directors (BOD) established these parking and towing regulations for the Association referred to hereafter as the "Regulations."

The number of resident and visitor spaces is different for each Court. These Regulations take this into consideration.

THE VEHICLE OWNER ASSUMES ALL RISKS AND/OR EXPENSES AND REASONABLE
ATTORNEYS' FEES INCURRED BY THE ASSOCIATION THROUGH
ANY AND ALL LITIGATION.

II. DEFINITIONS

A. Resident(s): Any person(s) who resides in, maintains or owns a residence within the Oak Springs subdivision.

B. Visitor(s): Any person who does not reside in or maintain a residence within the Oak Springs subdivision, who is visiting a resident overnight for a period of no more than 3 consecutive days (72 hours) per week.

C. Parking Space(s): All common areas that are designated for different types of parking. These spaces are solely the property of the Association.

1. **Assigned parking** - a common area parking space specifically designated by number assigned to a resident's address.
2. **Visitor parking** - a common area parking space specifically designated by the word "Visitor."
3. **Assigned handicapped parking** - a common area parking space specifically designated to a resident who has applied for and received written permission for an assigned handicapped parking space.
4. **Non-assigned parking** - an assigned common area parking space in which the number has been blacked out and is not designated as assigned, visitor, or handicapped.

D. Abandoned Vehicle: A vehicle, including a recreational vehicle, that is parked in the Oak Springs subdivision, and has been left unattended, is presumed abandoned if it has been in a specific location for seven (7) days without being moved or if it lacks a current license plate or a valid state inspection decal if it is registered in the Commonwealth of Virginia.

E. Unregistered Vehicle: Any vehicle not registered with the Division of Motor Vehicles in the Commonwealth of Virginia or any other state per Virginia statute. Any vehicle with out-of-state license plates, with the exception of those belonging to active military personnel, will be subject to inspection by local law enforcement.

F. Disabled Vehicle: Any vehicle which is inoperable or is unable to be driven on private or public roads. All vehicles parked within the Oaks Springs subdivision must be able to be moved at any time in case of fire or other emergency.

G. Commercial Vehicle/Equipment: Any equipment, including but not limited to vehicles, and enclosed or open trailers used for commercial purposes. Commercial vehicles may be indicated by any one or more of the following:

1. **"Commercial use"** license plates
2. **Obvious commercial advertising** pertaining to business information (i.e., telephone numbers, business name, location, etc.)
3. **Open display of equipment** used in any trade or business

H. Recreational Vehicle: Any vehicle used for non-commercial recreational purposes including but not limited to trailers, campers, motor homes, and boats.

I. Speed Limit: The speed limit within the Oak Springs subdivision is 5 mph.

J. Caregiver: A person who does not reside in the residence in which they are working. Caregivers may, if they register with the Management Company, park in visitors' spaces while they are working at that particular residence. Caregivers who DO reside at the residence or one close by, must follow standard residential Parking Regulations. Residents and homeowners with rental properties must call the Management Company to register the caregiver's vehicle so it is not ticketed as a visitor and/or towed.

K. Vehicle Repairs: Any mechanical work being done on a vehicle anywhere within the Oak Springs subdivision.

L. Commuters: Commuters who do not reside or maintain a residence within the Oak Springs subdivision are not permitted to park in visitors' spaces. They may park in the numbered space assigned to the resident with whom they are commuting, or on Oak Springs Drive.

M. Common Area: To include all grass areas and sidewalks not located on homeowners' lots, in front of and behind the townhomes, as well as any other open areas within the Oak Springs subdivision, including all asphalt surfaces.

N. Temporary Vehicles: Any vehicle that is parked temporarily in a resident's parking space, including but not limited to the following: non-wheeled vehicles such as PODs, moving vans, trailers, and commercial contractor vehicles and/or trailers.

O. Violator: Any resident(s), visitor(s) or operator(s) of a vehicle found to be not in compliance with these Regulations.

III. PARKING REGULATIONS:

A. Parking: Single vehicle parking is restricted to designated parking spaces (i.e., no parking on sidewalks, backyards, on "grassy" common areas, etc.). Also prohibited is double, or parallel parking by or behind cars parked legally in marked or visitor spaces. No vehicle with any type of trailer attached or unattached may be parked anywhere within the Oak Springs subdivision unless a resident or contractor is actively working. All commercial trailers must be removed each night from the Association's Property. All residential trailers must be removed to the RV Lot or Oak Springs Drive.

Parking spaces are common areas owned by the Association for the common use and enjoyment of its residents and visitors.

1. Assigned Parking - Home ownership entitles the owner(s) and/or renter(s) to the use of **not more than two vehicle** parking spaces per household. Resident parking will be permitted in assigned spaces only. Assigned spaces will be located as close as is reasonable to the household to which it is assigned and be identified by the corresponding house number painted on each parking space. Any homeowner who is more than \$300 past due on their payments of assessments to the Association will have their parking space numbers **blacked out**. These spaces become available spaces to residents or visitors until the homeowner brings their balance owed to the Association below \$300 and the numbers are repainted. The cost of the blacking-out and repainting will be charged to the owner of the home.

2. Visitors' Parking - Overnight parking for Association residents' guests will be permitted for up to 3 consecutive days (72 hours) in the appropriate assigned parking space or parking spaces designated as "VISITOR". Residents who have a visitor who will be parking in the visitor's space for more than 3 consecutive days (72 hours) per week must contact the Management Company, to be provided with a visitor's permit to display in the guest's vehicle, that will show the time frame during which the vehicle will be parked in the community. The resident must provide the beginning and ending dates of the visit when requesting the permit. This notice must be posted in a visible location in the vehicle for the entire time the vehicle is parked in the Oak Springs subdivision. Such permits are for the use of occasional visitors only, and cannot be used to habitually park in these spaces. Resident parking in "VISITOR" spaces will not be permitted at any time.

3. Assigned Handicapped Parking - Only residents who have applied for and received written permission for an assigned handicapped parking space may park in designated handicapped parking spaces. Any vehicle parked in a handicapped parking space must have handicapped parking plates or a current handicapped window placard.

4. Non-assigned Parking - Residents or visitors may park in non-assigned parking spaces.

5. Additional Parking - Residents requiring additional parking may park along public roadways as permitted by local code.

B. Abandoned Vehicles: No abandoned vehicle shall be parked on any court, resident's property, or common areas within the Oak Springs subdivision. Any abandoned vehicle found in a visitor's space or other common area may be towed at the owner's expense without notification.

C. Disabled Vehicles: No disabled vehicles or parts thereof shall be allowed within the Oak Springs subdivision. If prior notification is given to the Management Company, a grace period may be granted for the completion of minor or temporary repairs as referenced in Section G.

D. Incomplete Registration: Residents whose vehicles are registered in the Commonwealth of Virginia must have current state registration and inspection, including a Town of Warrenton sticker. All out-of-state vehicles parked in the Oak Springs subdivision must have current registration. For residents whose vehicles are found to be in violation, action will be taken through the Association's Due Process Procedure, which may result in the assessing of monetary charges. Additionally, any vehicle found within the Oak Springs subdivision without proper registration and inspection, may result in having the Town Police notified. Residents who are active military personnel are permitted to have out of state tags.

E. Commercial Vehicle/Equipment: No commercial vehicle/equipment shall be parked in any parking space or common area within the Oak Springs subdivision, including the RV lot, unless the driver is actively working in the community.

F. Items Overhanging from a Vehicle: Items or equipment (i.e. lawn mowers, poles, ladders, scaffolds, hitch, etc.) in a vehicle shall not extend past the ends or sides of the vehicle, or in any way impair the sidewalk or roadway. If a resident is found to be in violation, action will be taken through the Association's Due Process Procedure, which may result in the assessing of monetary charges. Vehicles parked in a visitor's space with overhanging items shall be subject to towing.

G. Vehicle Repairs: Only emergency repairs are permitted to be made in resident's parking spaces within the Oak Springs subdivision. This includes changing of flat tires, dead batteries and other **minor** emergency repairs. Absolutely no maintenance such as changing of oil or any other fluids is to be done on the property. This also includes changing brakes, mufflers and any other maintenance other than stated above. If a resident is found to be in violation, action will be taken through the Association's Due Process Procedure, which may result in the assessing of monetary charges.

H. Washing Vehicles: Residents are permitted to wash vehicles in their assigned parking spaces only.

I. Power Cords for Diesel, Electric and Hybrid Vehicles: Residents whose non-commercial vehicles require power cords must submit an Architectural Approval Form and receive approval for their use. All power cords which cross the sidewalk must be covered at all times with a hard rubber cover and must be REMOVED once the vehicle leaves the lot, and placed in an inconspicuous location.

J. Speeding: Driving over 5mph in any of the five (5) courts of the Oak Springs subdivision is expressly prohibited. If a resident is found to be in violation, action will be taken through the Association's Due Process Procedure, which may result in the assessing of monetary charges.

IV. NOTIFICATION OF VIOLATIONS(S) AND ACTION TO BE TAKEN

A. Notification of Violation(s) Regarding Parking in Visitors' Spaces:

Anyone consistently parking in visitors' spaces will be given notice of the parking violation. If the owner of the vehicle is known, the notice will be in the form of a letter written to the homeowner, and to the resident if a rental, once each for a first and second parking violation.

If the owner of the vehicle is not known, a tag will be placed on the vehicle. Two such tags will be given, once each for a first and second parking violation.

B. Notification of Violation(s) Occurring in Assigned, Numbered Spaces:

Notifications of violation(s) of the Parking and Towing Regulations which occur within the numbered spaces assigned to homeowners (such as parking abandoned, commercial, disabled, or recreational vehicles, any trailers, or any other prohibited vehicles) will be sent in writing to the home to which the space is assigned, and addressed through the Association's Due Process Procedure, if necessary.

No one is to park in the assigned numbered spaces of other residents without the permission of the resident to whose home the space is assigned. Notification of this violation may be given to the violator by the resident to whose home the space is assigned, but is not required.

C. Action(s) to be Taken Regarding Violation(s) of Restrictions on Parking in Visitors' Spaces:

Following the second offense regarding parking in a visitors' space, if the owner of the vehicle is known, this homeowner or resident will have action taken against them through the Association's Due Process Procedure which may result in the assessing of monetary charges. Any costs associated with this action will be the responsibility of the owner of the vehicle.

If the owner of the vehicle is not known, a "Final Notice" tag will be placed on the vehicle. Should the vehicle remain in the space or be parked there again, it will then be towed from the community.

The vehicles of residents or their guest who have parked in the spaces assigned to other homes may be towed at the discretion of the resident whose parking space is occupied without authorization.

V. DESIGNATED FIRE LANES AND NO PARKING AREAS

A. Fire Lanes: No vehicle shall be parked in designated fire lanes. Fire lanes are designated by fire lane signs in conjunction with yellow curbing. Vehicles parked in designated fire lanes will be subject to ticketing and towing per local code.

B. No Parking: No vehicle shall be parked in areas designated "No Parking." Vehicles parked in designated "No Parking" areas shall be subject to towing under the provisions of these Regulations.

C. Common Areas: No vehicle is to be driven or parked on any grassy or concrete common area without the express permission from the Association. Vehicles parked in the grassy or concrete common area shall be subject to towing without notification.

VI. RECREATIONAL VEHICLES

A. Recreational vehicles may be parked either in the "RV" lot or as allowed by law on Oak Springs Drive. The "RV" lot is only for use by Oak Springs residents who reside in the Oak Springs subdivision.

B. If planning to park a recreational vehicle in the "RV" lot, the owner of the vehicle must register it with the Management Company. This written notification must include the vehicle owner's name, address, phone number, a description of the vehicle, and tag number. All "RV" vehicles must have current registration and inspection. This information is needed in case the owner of the "RV" needs to be contacted. Failure to do so may result in the towing of the recreational vehicle at the owner's expense without notification. It is expressly understood that the Association **shall not be responsible** for the security of the owner's vehicle or any property stored within.

C. There are a limited number of spaces in the "RV" lot. Therefore each residence is permitted to utilize only one space and park no more than one vehicle in the "RV" lot at a time.

D. The "RV" lot is not intended as overflow parking for visitors' or 3rd vehicle resident parking.

E. All recreational vehicles parked in the lot should be parked perpendicular to the wall, and not parallel to it. Vehicles should not be parked by the recreational area fence.

F. The "RV" lot is for storage of recreational vehicles only. No commercial vehicles or commercial trailers with or without logos will be permitted to park in this lot. Nothing, including, but not limited to, trash, building materials, and household goods, other than recreational vehicles, recreational trailers, and boats, can be stored in the "RV" lot. Such items may be removed at the owner's expense without notification.

OAK SPRINGS HOMEOWNERS' ASSOCIATION RESOLUTIONS ACTION RECORDED

Resolution Type: Policy No. 006
 Pertaining to: Parking and Towing Regulations
 Duly adopted at a meeting of the Board of Directors held July 13, 2016
 Motion by: Robin Lohnes Seconded by: Betty Stanifer

VOTE

	YES	NO	ABSTAIN	ABSENT
<u>[Signature]</u> President	✓			
<u>[Signature]</u> Vice President	✓			
<u>[Signature]</u> Secretary/Treasurer	✓			
<u>Betty Stanifer</u> Board Member	✓			
<u>[Signature]</u> Board Member	✓			
<u>Stephen Taylor</u> Board Member				✓

ATTEST:

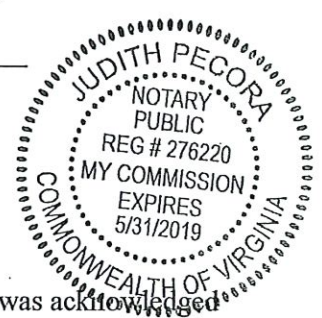
[Signature]
Secretary

7-13-16
Date

FILE:

Book of Minutes - July 13, 2016 (Date)
 Book of Resolutions:

	Book No.	Page No.
Policy	<u>1</u>	<u>10</u>
Administrative	_____	_____
Special	_____	_____
General	_____	_____



This document was acknowledged before me, a Notary Public, by the members of the Board of Directors of the Oak Springs Homeowners' Association, known or satisfactorily proven to be the persons whose names are subscribed to this instrument.

Notary: Judith Pecora
 Date: July 13, 2016
 My commission expires: May 31, 2019

Resolution effective August 1, 2016