

**SOUTHLAKE COVE TOWNHOMES ASSOCIATION
RESOLUTION #2005-01
PARKING RULES AND REGULATIONS**

**Approved by Board of Directors 3/7/05.
Replaces 11/1/98 Parking Rules & Regulations.**

WHEREAS, Article VIII, Section 8.01(d), of the Declaration of Covenants, Conditions and Restrictions empowers the Board of Directors to promulgate such rules and regulations needed to regulate the use of any parking areas that may be constructed or authorized on Neighborhood Common Area for the benefit of all Owners of lots or Living Units within the Neighborhood, which rules and regulations may include assignment of parking spaces;

WHEREAS, Article VII, Section 7.04, of the Declaration of Covenants, Conditions and Restrictions provides that no noxious or offensive activity shall be carried on upon the property, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood. No commercial vehicles, other than a commercial van or commercial pickup truck, whether owned by the Lot Owner or other person, shall be permitted to remain on or be parked on any Lot or Townhouse Common Area overnight. No junk vehicle (as defined in the Prince William County Zoning Ordinances) and no economically irreparable and inoperable vehicles shall be permitted to remain on or be parked on any Lot or Townhouse Common Area; and

WHEREAS, Article VII, Section 7.01(a), of the Bylaws of the Southlake Cove Townhomes Association states that the Board of Directors shall have the power to adopt and publish rules and regulations governing the use of the Common Area and facilities, the personal conduct of the members and their guests thereon, and to establish penalties for the infraction thereof; and

THEREFORE, It is the conclusion of the Board of Directors that the unregulated parking of vehicles, including commercial trucks, commercial vehicles, trailers, and junk cars on Southlake Cove property is inconsistent with the beneficial use and enjoyment of the properties within Southlake Cove by the residents of the community and that the afore-described parking restrictions are essential to maintaining and preserving Southlake Cove common areas;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Southlake Cove Townhomes Association does hereby adopt as official policy, the attached rules and regulations concerning parking within Southlake Cove; and

BE IT FURTHER RESOLVED, that the Board of Directors shall have the authority to grant a temporary variance to the established parking policy providing that all requests for variances are made in writing to the Managing Agent. All variances, when granted, must be granted in writing, stating the grounds for the request, and will not exceed thirty (30) days. Variances may be revoked upon any failure to comply with the stipulations of the variance.

BE IT FURTHER RESOLVED, that the attached rules and regulations shall take effect thirty (30) days after the date hereof, following distribution to all Southlake Cove homeowners and tenants, and shall be enforced as of **June 1, 2005**. Prince William County Police and Virginia State Police are empowered to ticket, boot and/or tow violators parked in designated fire lanes and/or designated handicapped parking spaces and/or in violation of any state vehicle registration or titling law.

BE IT FURTHER RESOLVED, that nothing contained herein may prohibit the Board of Directors from amending afore-described parking restrictions in the future. All remedies are deemed to be cumulative. This policy becomes effective on the **1st day of June, 2005**, and supercedes all previous resolutions on parking.

**Board of Directors
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- I. No vehicle shall be parked on common areas in such a manner as to obstruct other parking spaces, or parked in another resident's reserved space without authority.
- II. No vehicle shall park on common areas or in assigned spaces in such a manner as to block one or more vehicles, or occupy more than one space.
- III. No vehicle shall park as to block or impede access to mailboxes and sidewalks.
- IV. No vehicle shall park in a fire lane, or in fire turn-arounds, as designated by Prince William County Department of Fire and Rescue. A yellow curb and/or signage marks these areas.
- V. No vehicle may park parallel to any curb on any townhome street in Southlake Cove. [Of particular note, townhome owners, tenants and visitors are reminded that parallel parking is not permitted on any portion of Buena Vista Drive or Winding Creek Drive. This includes, but is not limited to, parallel parking at the intersections of Southlake Boulevard and Buena Vista Drive, Port Washington Court and Buena Vista Drive, and the entrance to Ebb Tide Court.]
- VI. No vehicle shall park on lawns or grassy areas, sidewalks, walkways or patio areas, or park in designated handicapped parking spaces without designated handicapped license plates, decals or special parking permits from the Department of Motor Vehicles, or park in any other common area without written authorization of the Southlake Cove Townhomes Association Management Agent or other official appointee of the Board of Directors.
- VII. No signs, initials, numbers or any other alteration to parking spaces may be painted, marked or erected by any lot owner, resident, tenant or guest. Only those owners or tenants, residents or guests to whom the authority to park in the owner's reserved spaces has been designated, may park in the designated reserved spaces for that lot.
- VIII. Southlake Cove homeowners, residents, occupants, tenants, and guests shall not park boats, recreational vehicles, boat trailers, or any other trailers, in any parking space in Southlake Cove, except as provided herein or as authorized in writing by the Southlake Cove Townhomes Association management agent, or other official appointed by the Southlake Cove Townhomes Association Board of Directors. Boats, recreational vehicles and trailers can be parked for a period not to exceed ten (10) hours for the sole purpose of loading and unloading.
- IX. Trucks and commercial vehicles are permitted temporary access to Southlake Cove Townhomes streets and parking areas if they are delivering to, or furnishing services to a home, provided that the vehicle is not parked within Southlake Cove for more than ten (10) hours in any twenty-four (24) hour period. Trucks and commercial vehicles owned by or assigned to homeowners, residents, occupants, or tenants may only occupy a parking space within Southlake Cove for no more than one (1) hour for the purposes of loading, unloading or washing. Violators are subject to towing without notice. For repeat offenders the Board of Directors may also vote to assess the homeowner Fifty Dollars (\$50.00) for a single offense, or Ten Dollars (\$10.00) per day for any offense of a continuing nature, for a period not to exceed ninety (90) days or such greater amounts as may be authorized by the Virginia Property Owners' Association Act.
- X. Except for trucks or commercial vehicles, as reference in paragraph IX above, no truck or commercial vehicle other than a standard size van or pick-up truck that will fit wholly within a parking space shall be parked on any common areas, streets, lots or building site, except wholly within a garage.
- XI. Inoperable or abandoned vehicles, as defined by Virginia State law and the Prince William County Code, shall not be parked on Southlake Cove property. Vehicles which leak fluids pose a hazard to the community asphalt and may lead to toxic runoff into the storm sewers, and thus, such vehicles may not be parked in Southlake Cove Townhomes Association. In addition, all

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vehicles shall be maintained in proper operating condition so as not to be a hazard or nuisance by noise, exhaust emissions or appearance, as determined by the Board of Directors.

- 1) Through the act of the owner or any of their tenants, agents, guests or members or their families (whether or not such act is negligent or otherwise culpable), it shall be the obligation of such Owner to rebuild and repair the Private Street or Common Parking Area without cost to the other owners of that Private Street or Common Parking Area.
- 2) Other than through the act of an Owner, his tenants, agents or guests or members of his or their families (including any damage or deterioration due to ordinary wear and tear and lapse of time), it shall be the obligation of all Owners of the Townhomes Association to rebuild and repair such Private Street or Common Parking Area. The maintenance reserve provided for in the **Declaration of Covenants, Conditions and Restrictions, Article IV, Section 4.03**, is designed to provide for repair of its private streets and parking areas that require repair due to deterioration from ordinary wear and tear and lapse of time and is not designed to repair damage which is attributable to a Lot Owners' or his tenants', agents' guests', or family's intentional acts or negligence.

XII. **Visitors Parking** is provided for the use of Southlake Cove Townhomes Association guests. Homeowners and residents should not abuse the visitor parking spaces (e.g. homeowners and residents are requested to not park their vehicles in visitor parking while their allocated driveways, garages and parking spaces remain unused and available for parking.) Homeowners and their tenants are requested to utilize their allocated parking spaces in order to maintain spaces for all visitors. Vehicles parked for over 24-hour continuous period in any visitors parking spaces are subject to towing, after notification with parking violation sticker and/or notice placed on vehicle by management agent. Visitors spaces are not intended to be storage areas for a third vehicle. Moving the vehicle to a different visitors parking space does not reset the 24-hour clock. Again, visitors parking is not intended for, nor shall it be used as, a vehicle storage area.

XIII. **P.O.D.S.:** Nothing shall be stored upon any parking space, nor shall the same be permitted to accumulate trash or debris. For the purpose of moving either into or out of a property in Southlake Cove, a portable storage container such as a Portable On Demand Storage (P.O.D.S.) unit or trailer may be placed or parked in a space assigned to that property. Permission to do so must be requested and approved in advance by the Board of Directors. The temporary storage unit or trailer may only be in the parking space for a maximum of three days and must fit within the area of said parking space. Storage units or trailers larger than the parking space are not allowed.

XIV. **Persons authorized to contact the Towing Agent for parking violations are outlined below:**

- 1) For violations where a resident's designated parking space is occupied and/or blocked by an unauthorized vehicle as outlined in paragraph I, II, III, the resident is authorized to contact the Management Agent. (Residents should be prepared to furnish model, color, license tag number of vehicle and allocated space number.)
- 2) For all other violations as outlined below, only Southlake Cove Townhomes Association Management Agent and/or Board of Trustees or other official appointee of the Board of Directors may initiate towing:
 - (a) Parking on Common areas;
 - (b) Parking in a visitor's space in violation of the restrictions as set forth in paragraph XII.

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- 3) For violations of parking in a designated fire lane, residents may call the management company and/or Prince William County Police Department at 703/792-6500. The Prince William County Police are authorized to enter any fire lane for the purpose of enforcing the "No Parking of Standing" provisions. Any police officer or representative of the Fire Marshal's Office who finds any vehicle in violation shall have the authority to remove such vehicle at the owner's expense.
- XV. **The Towing Agent for Southlake Cove Townhomes Association is: Dominion Towing, 703-730-1177**, with principal office at P. O. Box 1777, Lorton, Virginia 22199. Secured storage lot is located at 15009 Jefferson Davis Hwy, in Woodbridge, VA. The Towing Agent is responsible for notifying the Prince William County Police Department of all pertinent and required information concerning the vehicle removed from Southlake Cove property. Signs providing the phone number of the Prince William County Police Department have been posted at each entrance. Vehicles may be towed immediately and without warning from the property, and stored at the vehicle owner's risk and expense if parked as prohibited by this Resolution or if deemed hazardous or could cause damage or injuries a determined by the Board of Directors.
- XVI. Homeowners and residents are responsible for their renters' and visitors' compliance with the Southlake Cove Townhomes Association Parking Rules and Regulations. If a homeowner, resident, tenant, or occupant have visitors and do not ensure that their visitors obey the parking regulations set forth by the Board of Directors, they will be subject to loss of their parking privileges, special assessment, or whatever action the Board deems appropriate.
- XVII. Motorized vehicles are to be operated in accordance with existing county, state and federal regulations. Drivers will control and operate their vehicles in a safe and prudent manner. The speed limit in Southlake Cove THA is 15 miles per hour, and is not to be exceeded.
- XVIII. Nothing in this resolution shall be construed to hold Southlake Cove, its Board of Directors, employees, committee or designees responsible for damage to vehicles or loss of property from vehicles parked within the Southlake Cove Townhomes Association. Vehicles and their contents parking within Southlake Cove THA are at the sole risk of the owner(s) thereof.
- XIX. For any violation of the Southlake Cove Townhomes Association Parking Regulations, a homeowner, resident, occupant, or tenant may be subject to having their vehicle towed without notice. In addition the Board of Trustees may also vote to assess the homeowner for Fifty Dollars (\$50.00) for a single offense or Ten Dollars (\$10.00) per day for any offense of a continuing nature. Repeat offenses may result in the revocation of parking privileges within the Association's property.
- XX. The Board of Directors, or its' designated committees, Management Agent, or towing contractors (if directed by the Board of Directors in writing) shall identify vehicles in violation of the established parking policy for towing at the vehicle owner's risk and expense. Vehicles may be towed immediately without warning from the property, and stored at the vehicle owner's risk and expense if parked as prohibited by this Resolution, if deemed hazardous, or could cause damage or injuries as determined by the Board of Directors. The name and telephone number of the towing company authorized to tow vehicles will be available by calling the Management Company if any resident wishes to have a vehicle towed from his/her space, or the Prince William County Police Department, after a vehicle has been towed.
- XXI. Nothing in this Resolution shall be construed to hold Southlake Cove Townhomes Association, its Board of Directors, employees, committees or management designees responsible for damage to vehicles or loss of property from vehicles parked on common areas belonging to Southlake Cove Townhomes Association. Vehicle and vehicle contents parked on the parking areas and the common areas are at the sole risk of the owner(s) thereof.

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Definitions:

“Truck” means any powered source of transportation which has a gross vehicle weight in excess of 8,500 pounds or which has a cargo bed area in excess of 34.5 square feet. Notwithstanding, and in addition to the foregoing, the following are each deemed to be a “truck” for the purposes of these regulations:

- (1) Any vehicle with commercial lettering;
- (2) Any vehicle with roof or side racks designed to hold ladders or other construction apparatus, regardless of whether such apparatus are present;
- (3) Any vehicle which uses wood, metal, or other materials to extend the height of the sides or to increase cargo capacity; and,
- (4) Any vehicle which has, as its primary purpose, the towing of other vehicles, the removal of snow, or which clearly is not intended to be used for personal transportation purposes.

“Commercial Vehicle” means any vehicle, regardless of capacity, with commercial or government agency lettering or insignia or which displays advertising letters or symbols, whether temporarily or permanently affixed to the vehicle, except for law enforcement and fire and rescue vehicles; any vehicle with a rated carrying capacity of 2,000 pounds or more; any vehicle regardless of capacity, which displays or which is licensed as a “for hire” vehicle; garbage trucks, tractors or trailers; dump trucks; tow trucks; passenger buses; cement trucks; construction equipment; and commercial vehicles more than 16 feet long, including stake bed trucks, flat bed trucks, box trucks and step vans. Law enforcement and fire and rescue vehicles kept within Southlake Cove on a regular basis shall park in accordance with these regulations with respect to the parking of personal vehicles.

“Trailer” means any device that is not self-propelled, but which is designed for and capable of being pulled upon the public roadways by a motorized vehicle, such as boat trailers, utility trailers, mobile homes, and pop-up campers.

“Inoperable motor vehicle” shall mean any motor vehicle, which displays neither valid license plates or a valid Prince William County inspection decal, is not in operating condition, or which for a period of twenty-four (24) consecutive hours or longer has been partially or totally disassembled or stored in a visitors space.

“Resident” shall mean anyone whose name appears on the properties’ mortgage or lease papers: to be in residence as the incumbent of a benefice or office; to dwell permanently or continuously; occupy a place as one’s legal domicile.

“Tenant” shall mean anyone who is an occupant or dweller of a town home in Southlake Cove but whose name does not appear on the deed. Tenants include spouses, parents, children, relatives, and long-term guests: one who holds or possesses real estate or sometimes personal property (as an annuity) by any kind of right; one who has the occupation or temporary possession of lands or tenements of another, specifically: one who rents or leases (as a house) from a landlord.

“Occupant”: one who occupies a particular place; especially: Resident.

“Long term guests” shall mean any occupant or dweller not normally residing at the residence but who has been residing at the residence for a period over one week, but less than thirty days.

“Visitor/Visitor Vehicle”: A visitor and/or visitor vehicle in Southlake Cove is an individual (and his/her vehicle, whether owned, borrowed or merely operated) who does not own, rent or otherwise reside in Southlake Cove and who visits no more frequently than three (3) separate occasions per every seven-day week, and who on each visit occasion remains in the community for less than 24 hours. Such visits shall not be on consecutive days.