

THE DALE CITY 4TH HOMEOWNERS ASSOCIATION, INC.

POLICY RESOLUTION NO: 2022-04-11

PARKING POLICY

WHEREAS, Section 55.1-1819 of the Virginia Property Owners' Association Act provides the Board of Directors with the authority to establish rules and regulations of areas of responsibility assigned to the Association by Declaration;

WHEREAS, Article VI, Sections 1 and 1(c) of the Declaration of Covenants, Conditions, and Restrictions ("Declaration") states that "every Member shall have a right and easement of enjoyment in and to the Common Areas" subject to the "right of the Association, as provided in its Articles and By-Laws, to suspend the enjoyment rights of any Member for any period during which any assessment remains unpaid";

WHEREAS, Article III, Section 2 of the Association Bylaws as amended in the First Amendment to the Bylaws of The Dale City 4th Homeowners Association, Inc. provides that "during any period in which a member shall be in default of the payment of any annual or special assessment levied by the Association...the right to use the common area parking of any such member may be suspended by the Board of Directors, after notice and hearing, until such assessment has been paid";

WHEREAS, to assure equitable parking arrangements, the Board of Directors has determined that it is in the best interest of the Association to establish enforcement procedures for violation of the rules and regulations; and

NOW THEREFORE be it resolved that the following parking policy is established:

I. PURPOSE

This policy incorporates all restrictions on parking in The Dale City 4th Homeowners Association, Inc. This policy supersedes any prior policies or resolutions adopted by the Board of Directors regarding parking/vehicle management.

II. PARKING PERMITS

- A. Each lot within the Association is entitled to the exclusive use of one (1) assigned residence space. The markings on the space shall correspond with the address of the lot entitled to its use. A parking permit will not be required to park in an assigned space.
- B. Each lot within the Association is entitled to two (2) parking permits. A parking permit will be required when a vehicle is parked in a non-assigned and/or visitor space within the community. The parking permit must be displayed 10pm-6am, and must hang from the rear view mirror. Use of counterfeit, expired, invalidated, revoked or unauthorized parking permits is prohibited.
- C. Permits are non-transferable between Lots. They may not be loaned, borrowed, sold, or traded.
- D. Vehicles displaying invalid, expired, or revoked parking permits shall be subject to towing enforcement.
- E. Vehicles registered to residents or owners who are more than thirty (30) days late in their dues assessments may have their parking privileges suspended pursuant to the Association's policy regarding due process.
- F. The Association is not responsible for lost, stolen, broken parking permits. The replacement fee is \$35.00 per pass.

- G. When a property transfers ownership, the seller must transfer parking permits to the new owner.
- H. Vehicle owners may use covers on vehicles parked on Association property but these vehicles are subject to inspection by the removal of the cover in order to view plates, stickers, vehicle condition, and valid parking permit.

III. GENERAL PARKING REGULATIONS

A. General Rules

1. Vehicles permitted within the Association property are conventional passenger vehicles properly maintained and operated under the power of their own engines and in compliance with state and county laws by displaying current VA license plates, current VA inspection sticker, and current PWC sticker at all times.
2. No vehicle shall be parked or left unattended in violation of any posted sign, including but not limited to fire lanes, pedestrian use areas, or lawns.
3. No unlicensed vehicles, including but not limited to motorized bicycles, motorcycles, mini-bikes, go-karts, etc., shall be operated on or parked upon any common area. All vehicles must display all required inspection and registration stickers.
4. Abandoned and/or inoperative motor vehicles are not permitted on the Association's property. A vehicle shall be deemed abandoned if it does not move for more than three (3) days without prior notice to management.
5. All motor vehicles (including motorcycles) shall be parked in designated parking spaces only. All paved areas within the Association not expressly marked for parking are considered a fire lane. Any vehicle parked in a fire lane is subject to immediate towing without warning or notice. Parking is not permitted in yards or on common areas other than the parking lot.
6. All persons who park motor vehicles on the common area shall position their vehicle as close as possible to the center of the space between the painted lines. Overlapping the painted lines which separate parking spaces or parking at an angle to the curb is expressly forbidden. Vehicles shall not be parked between two spaces or be parked diagonally between one or more spaces.
7. Double parking in any space is not permitted except that motorcycles or any two-wheeled vehicle may be parked in front of a space parallel to the curb (perpendicular to a vehicle). Vehicles that are double parked are subject to immediate towing without warning or notice.
8. The repair or maintenance of vehicles, which take more than three (3) hours to complete, shall not be carried out on the Association's property. Any damage to the common areas as a result will be repaired by the association and the expense assessed to that Unit Owner.
9. Dumping or disposal of oil, grease, or any other chemical, residual substances, or any substance of particles from holding tanks of vehicles of any type (as a result of the repair, maintenance, or carelessness) is prohibited on common areas. Disposal must conform to environmental regulations. Any damage to the common areas as a result will be repaired by the association and the expense assessed to that Unit Owner.
10. Commercial vehicles are prohibited from parking on the common area. A "Commercial Vehicle" is defined as any of the following: (1) a vehicle which displays advertising, lettered thereon except small window decals; (2) a vehicle with externally located or easily visible commercial equipment or materials. Commercial equipment shall include, but not be limited to: ladders, compressors,

generators, pumps, and building trade tools; (3) a box body, or other utility body mounted to a cab-chassis; (4) a public or private school bus or church bus; (5) a vehicle licensed "for hire"; and (6) a trailer, or semi-trailer or commercial equipment. Public vehicles assigned to officials who must respond to an emergency call will not be considered a "commercial vehicle".

11. Recreational vehicles are prohibited from parking on the common area. "Recreational vehicles" shall include, but not be limited to: motor homes, self-contained campers, mobile homes, boats, all-terrain vehicles, dune buggies, trailers, boat trailers, pop-up camper/tent trailers, horse trailers, or semi-trailers used for transporting wave-runners, jet skis, or all-terrain-vehicles, whether or not such trailer or semi-trailer is attached to another vehicle, and any other type of vehicle primarily designed for recreational use, as opposed to conventional passenger use, and are prohibited within the community parking areas.
12. Owners are responsible for advising the members of their household, their tenants, and guests about the rules and regulations governing parking within the community.
13. All owners are responsible for ensuring that their vehicles, their tenants' vehicles, and their visitors' vehicles comply with this policy.

IV. ENFORCEMENT

- A. Between the hours of 10:00 PM to 6:00 AM, the towing company is authorized to tow any vehicle which is parked within the Association's parking areas and not displaying a valid parking permit, with the exception of those vehicles parked in an assigned residence space. All costs and risks of towing and impoundment shall be the sole responsibility of the vehicle's owner.
- B. Vehicles parked in violation of this Resolution shall be subject to one or more of the following:
 1. Towing at the vehicle owner's expense.
 2. Seventy-two (72) hour warning notice, then towing at the vehicle owner's expense. Repeat offenses will be immediately towed with no further notice.
 3. Towing at the vehicle owner's expense for parking in an assigned parking space not assigned to you.
 4. Imposition of charges as permitted under Section 55.1-1819 of the Virginia Property Owners' Association Act and the Association's rules and regulations.

The effective date of this Parking Resolution shall be June 1, 2022.

THE DALE CITY 4TH HOMEOWNERS ASSOCIATION, INC.

BY: Stacy M. Booker, Board of Directors, President

I hereby certify that the foregoing Resolution was duly adopted at a regular meeting of the Board of Directors of the Dale City 4th Homeowners Association, Inc. this 11 day of April, 2022.

ATTEST: Jennifer Campbell, Board of Directors, Secretary

RESOLUTION ACTION SHEET

RESOLUTION TYPE: POLICY

PERTAINING TO: PARKING

Duly adopted at a meeting of the Board of Directors held on 4/11, 2022.

Motion by: Stacy Booker

Seconded by: Melissa Martin

BOARD MEMBER	YES	NO	ABSTAIN	ABSENT
Stacy Booker, President	✓			
Jennifer Campbell, Vice President/Secretary	✓			
Melissa Martin, Treasurer	✓			

ATTEST:

Jennifer Campbell, Board of Directors, Secretary