

Edgewater at Town Center Cluster Association, Inc.

Policy Resolution No. 01 - 05

(Parking Rules and Regulations)

(Supersedes all other parking rules and regulations issued prior to July 2005)

WHEREAS, Article II, Section 1 (f) of the Declaration of Covenants, Conditions and Restrictions ("Declaration") of the Edgewater at Town Center Cluster Association, Inc. ("Association") establishes the right of the Association to regulate parking on the Common Area through the granting of easements or promulgation of rules and regulations,

WHEREAS, Article II, Section 1 (c) of the Declaration establishes the right of the Association to establish uniform rules and regulations pertaining to the use of the Common Area and any facilities thereon;

WHEREAS, the Board of Directors believes it is in the best interest of the Association to establish and promulgate uniform rules and regulation related to the parking of Vehicles on the Property.

NOW, THEREFORE, BE IT RESOLVED THAT the following rules and regulations related to the parking and use of Vehicles are hereby adopted:

I. DEFINITION OF TERMS:

- A. **Property**: All of the Lots and Common Areas which comprise the geographical area known as Edgewater at Town Center Cluster as more particularly described in the Declaration.
- B. **Resident**: Any person, whether owner or tenant, who resides within the property.
- C. **Parking Areas**: Any portion of the Common Areas marked and designated as parking spaces, whether assigned or unassigned.
- D. **Vehicles**: Any motorized device in, or by which, persons or property, may be transported or drawn by on a highway. Such devices shall include, but are not necessarily limited to, automobiles, motorcycles, trucks, campers and any other recreational vehicle.
- E. **Oversized vehicles**: Any vehicle, which, because of its irregular height, length, shape or width will not fit within the confines of a single parking space. An oversized vehicle shall be construed as a vehicle which exceeds any one of the following specifications: greater than ten (10) feet in length from axle to axle, nineteen (19) feet in length from bumper to bumper, eight (8) feet in width, 10,000 pounds in gross weight, has three or more axles and/or commercial license plates.

- F. **Improperly Licensed /Unlawfully Parked Vehicles:** Any vehicle with an expired or otherwise invalid state license plate, Fairfax County decal or decal of another County, City or Town, state inspection sticker or invalid Association parking hangtag permit parked in the Common Area.
- G. **Inoperative Vehicles:** Any vehicle that does not run or cannot be driven or any vehicle which is partially or totally disassembled as a result of the removal of tires, wheels, engine or other essential part.

II. RULES AND REGULATIONS:

- A. **General:** No commercial, industrial or recreational vehicle (including boats, campers, motor homes, etc.) shall be parked anywhere on the Property without the written consent of the Board. No oversized, improperly licensed/permitted or inoperative vehicles, as described above, shall be parked anywhere on the Property.
- B. **Use of Parking Areas:** Residents may not use the parking areas for any purpose other than vehicular parking. Each Lot is assigned two (2) reserved spaces, which are deemed to be the garage and driveway of such Lot. All other parking on the Property shall be designated for authorized vehicles displaying a hangtag permit issued by the property management office. All unauthorized vehicles are prohibited except to pick up or deliver passengers or merchandise or during the performance of work or services at the location.
- C. **Number of Vehicles:** Residents may not park more than one (1) registered motor vehicle, displaying a valid hangtag, including but not limited to motorcycles, on the Property. No vehicle may remain in the same parking space for more than 72 hours without being moved.
- D. **Registration Requirement:** All vehicles parked in the parking areas must display a parking hangtag issued by the Association in order to be lawfully parked within the parking areas.
 - 1. **Parking Hangtag Permit:** The Association shall issue one (1) parking hangtag permit per Lot to the Owner(s) of record or to his/her tenant provided the following criteria are met:
 - a. Each Owner or Tenant must complete and submit a Vehicle Information Form (see attached). Each form must contain complete information for each owner/tenant with a registered vehicle.
 - b. Each Owner must be no more than 60 days delinquent in the payment of all Association assessments, charges and legal

fees charged to the account. (Any issued parking permit will be revoked for delinquencies occurring after issuance of the parking permit).

- c. Tenants must provide a copy of the current lease, showing his or her leasehold interest in the property.
- E. **Placement of Parking Permit:** Parking hangtag permits must hang from the rearview mirror or, for motorcycles or convertibles, be displayed on the rear bumper or other clearly visible spot. Hangtags must be facing outward and must be clearly visible.
- F. **Replacement Fees:** If a resident loses a parking hangtag permit, the original applicant must submit a request for a new hangtag permit and pay a One Hundred Dollar (\$100.00) fee and satisfy all other requirements of these rules before the Association will issue a replacement.
- G. **Repairs:** Repairs or maintenance to vehicles, painting of vehicles or the drainage of automobile fluids are not permitted anywhere on the Property, except for emergency repairs of a minor nature (e.g., such as the repairing of a flat tire or the recharging of a dead battery).
- H. **Dumping of Materials:** The dumping, disposal or leakage of oil, grease, or any other chemical residual substance is not permitted on the Property. Any such dumping will result in the suspension and/or revocation of parking privileges, and the unit owner will be assessed for costs incurred by the Association including, but not limited to, all clean-up costs, as well as any applicable local, state, and/or federal penalties or fines.
- I. **Operator's Responsibilities:**
 1. Only one (1) vehicle may be parked within the lines of each parking space. A motorcycle may be parked in front of another vehicle provided that both the vehicle and the motorcycle fit within the confines of the parking space lines and do not violate vehicular length and width provisions.
 2. Vehicles may not be parked in fire lanes or any curb areas painted yellow, grassy areas, may not occupy more than one parking space, impede the normal flow of traffic, block or impede access on any sidewalk or mailbox, or prevent ingress and egress of any other vehicle to adjacent parking spaces or the open roadway.
 3. Vehicles may not be parked diagonally to the marked parking spaces or behind other parked vehicles.

4. Vehicles such as school buses, moving vans, service or delivery trucks may be parked in the parking area on a brief, temporary basis if essential to the performance of a service, and provided the vehicle is immediately moved if necessary to allow ingress or egress of other vehicles.
5. Vehicles may be operated only on the paved roadways of the Property and use on sidewalks or grass areas is prohibited.
6. Residents must have a valid operator's license in order to operate a motorized vehicle on the Property.
7. If a vehicle's security system interferes with the right of quiet enjoyment of the community for more than fifteen (15) minutes, the vehicle is subject to immediate removal by towing.
8. Parking hangtag permits must be plainly visible. Towing will be strictly enforced between the hours of 7:00 PM and 7:00 AM seven days a week for permit violation. All other unauthorized parking is subject to towing, 24 hours, 7 days a week.
9. All owners are responsible for ensuring that family members, employees, guests, tenants and agents observe and comply with these regulations and any Rules and Regulations as adopted from time to time by the Board.
10. No vehicle shall be parked on the Common Areas with a "For Sale" sign in view.
11. Only vehicles displaying current handicapped tags or stickers may be parked in parking spaces reserved for handicapped parking.

III. ENFORCEMENT:

A. **Removal of Vehicles:**

1. The Board of Directors shall have the authority to have any Vehicle not in compliance with these Rules and Regulations removed from the Property. This authority has been delegated to a towing company. All costs and risks of towing and/or impoundment shall be the sole responsibility of the owner of the vehicle.

B. **Violations Subject to Immediate Towing Without Notification:**

Any vehicle, which is:

1. Parked within fifteen (15) feet of a fire hydrant or in a designated fire lane, or any area marked as no parking area identified by yellow curbs and/or signs;
2. Occupying more than one (1) parking space;
3. Parked diagonally in a parking space or on a grassy area or either partially or entirely on a sidewalk;
4. Impeding access to sidewalk ramps or mailboxes;
5. Constituting a safety hazard;
6. Whose security system has been triggered and allowed to continue unattended for more than fifteen (15) minutes;
7. Parked in handicapped space without a valid handicapped issued permit;
8. Parked anywhere on the Common Area, other than in a marked parking spot;
9. Parked in the Common Area and not displaying a parking hangtag permit between the hours of 7 PM and 7 AM, Monday through Sunday.

C. **Further Restrictions:**

All laws of the Commonwealth of Virginia and of Fairfax County must be followed. The Association reserves the right to exercise all other powers and remedies provided by the Association's governing documents or the laws of the Commonwealth of Virginia and Fairfax County.

D. **Revocation or Suspension of Vehicle Parking Permits for Failure to Pay Assessments:**

1. A permit to park a Vehicle May be suspended or revoked at the discretion of the Board of the Board of Directors for failure to pay any Association assessments when due, including, without

limitations, special assessments, charges and legal fees charged to the account.

2. A resident shall have three (3) days from issuance of notice of revocation or suspension to remove the vehicle from the Association Property and return the hang tag permit to the property manager. Failure to do so will result in the immediate towing of the cited vehicle.

E. **Owner's Responsibilities:** Owners and Residents shall be responsible for all expenses, including but not limited to towing charges, and/or attorney's fees incurred by the Association in enforcing the provisions of this Resolution.

F. **Liability:**

The Association assumes no responsibility for the security of any vehicle parked in the parking areas, and it disclaims responsibility for any damage to any vehicle parked or operated on Property, including without limitation, damages resulting from towing. The Association reserves the power to hold any Owner and/or Resident legally responsible for any damage caused to the Common Area by the use, repair or maintenance of his/her vehicle, or as a result of negligence or violation of these rules and regulations, whether on the part of the owner, tenant, and his/her family, tenants, invitees, guests and/or agents.

This Resolution was duly adopted at a meeting of the Board of Directors on the 14th day of July, 2005 and published to the members. The effective date shall be August 15, 2005 and this Resolution shall supersede and replace the existing rules and regulations governing the parking of vehicles on the Property.

Karl Wolf

Karl Wolf
President, Board of Directors
Edgewater at Town Center Cluster Association, Inc.