

**THE RESIDENCES AT FAIR CHASE (CONDO) ASSOCIATION, INC.
POLICY RESOLUTION 2015-1 – PARKING POLICY**

Relating to the Use, Parking and Storage of Vehicles

WHEREAS, Article III, Section 2 of the Bylaws of The Residences at Fair Chase Condominium Unit Owners Association (“Association”) establishes the authority of the Association Board of Directors (“Board”) to administer the affairs of the Association and to adopt any Rules and Regulations deemed necessary for the benefit and enjoyment of the Condominium; and

WHEREAS, Article X, Section 1(i) of the Bylaws and Section 55-79.80:2 of the Virginia Condominium Act (“Act”) empowers the Board to establish penalties for infraction of such rules and regulations, including the right to suspend a unit owner’s right to use facilities or services, including the right to park in any Common Element or Limited Common Element parking space; and

WHEREAS, Article III, Section 2 and Article XI, Sections 1 and 4 of the Bylaws provides the Board of Directors with the right to regulate parking within the Condominium; and

WHEREAS, Article XI, Section 1(g) of the Bylaws restricts the types of vehicles that may be parked on the Property; and

WHEREAS, Article X, Section 1 of the Bylaws provides the Association with the right to enforce the provisions of the Declaration, Bylaws and Rules and Regulations by towing any non-complying vehicle at the vehicle owner’s expense; and

WHEREAS, in order to assure safe and attractive parking areas the Board wishes to establish a comprehensive policy with respect to the parking and storage of vehicles.

NOW, THEREFORE. BE IT RESOLVED THAT the following parking policies be adopted by the Board:

I. RESTRICTIONS ON THE PARKING AND STORAGE OF VEHICLES

A. The types of vehicles listed in subsections (1) through (11) below may **NOT** be parked or stored in open view in any Common Element or Limited Common Element parking spaces, or on Common Area open space or public rights-of-way within the boundaries of the Residences of Fair Chase (Condo) Association. Any such vehicle may be stored in a garage out of open view.

1. Any boat or boat trailer;
2. Any motor home or self-contained camper;
3. Any camper slip-on where the back of the camper is higher than the roof line of the cab of the truck; except that if a truck-mounted camper is to be an Owner's primary means of transportation, it shall not be considered a recreational vehicle, providing it meets the following conditions: (1) the vehicle is moved on a daily basis; (2) it is parked within a garage or driveway;
4. Any mobile home, trailer or fifth wheel vehicle;
5. Any pop-up camp/tent trailer or similar recreation oriented portable vehicle or transportable facility or conveyance;
6. Any other vehicle not defined above which is not normally or regularly used for daily transportation, including dune buggies. Non-operational automobile collections or other automotive equipment not licensed for use on the highways of Virginia;
7. Any vehicle defined as a commercial vehicle under Section 82-5-7 of the Fairfax County Code;
8. Any vehicle with commercial signs – either permanent or temporary, advertising or visible commercial equipment;
9. Private or public school or church buses;
10. Any vehicle exceeding eighteen (18) feet in length and/or eight (8) feet in width or is more than three (3) tons gross weight, irrespective of whether or not such vehicle would otherwise be permitted in accordance with other terms of this Resolution.
11. Junk or derelict vehicles may **NOT** be parked or stored in open view on residential lots, Common Area parking spaces, streets or on Common Area open space within the boundaries of the Residences of Fair Chase (Condo) Association. A vehicle shall be deemed to be a derelict vehicle if it is missing any necessary parts, such as, but not limited to tires, wheels, engine etc. that are necessary for operation of

the vehicle on public streets. A vehicle shall also be classified as a derelict vehicle if it does not have a current state inspection sticker and current license.

12. Any agricultural, industrial, construction or similar machinery or equipment.

- B. Vehicles must be parked so as not to obstruct other parking spaces sidewalks or ingress and egress areas including Limited Common Element driveways. Vehicles parking adjacent to a driveway shall allow a minimum distance of 3 feet on either side of the driveway. Residents may not park vehicles in any manner which impedes the normal flow of traffic, blocks any mailbox, or prevents ingress and egress of any other vehicle to adjacent parking spaces or the open roadway. No vehicle may be parked in a manner that it extends beyond the parking lines or crosses over the parking lines.
- C. No vehicles other than those clearly indicated as operated by or for a handicapped person shall be parked in spaces reserved for handicapped parking.
- D. Vehicles may be parked only in designated parking areas. All vehicles must comply with "No Parking" areas as posted or designated.
- E. The performance of repairs to vehicles, including painting and the drainage of automobile fluids is not permitted within the boundaries of the property.
- F. Vehicles may not be parked or stored unattended in a hazardous condition, including, but not limited to, vehicles on jacks or blocks.
- G. Residents may not park vehicles in fire lanes or no-parking zones.
- H. Major repairs or maintenance to vehicles (including oil changes), or painting of vehicles, is not permitted anywhere within the Association, except that repairs or maintenance of a minor nature, such as the repairing of a flat tire or the re-charging of a dead battery, are permitted.
- I. The dumping, disposal or leak of oil, grease, or any other chemical residual substance, or any substance or particles from holding tanks of any vehicles, is not permitted within the Association.
- J. If a vehicle's security system interferes with the right of quiet enjoyment of the community for more than fifteen (15) uninterrupted minutes, the vehicle is in violation of the Association's regulations and subject to removal through towing.

- K. The principal use of the individual garages shall be for passenger vehicle storage only. Owners may not store boats, trailers, buses, campers, recreational vehicles, utility trailers, commercial vehicles, oversized vehicles or any other type of equipment, material, machinery or goods in their garage which prevents the owner from parking a passenger vehicle in the garage.
- L. Residents must have a proper operating license in order to operate a motorized vehicle on Association Property.

II. COMMON ELEMENT SURFACE PARKING SPACES

- A. **All Common Element surface parking spaces within the Residences of Fair Chase (Condo) Association have been designated as visitor parking only. Only vehicles with a valid visitors parking pass, and not registered to a Fair Chase Condo owner or renter, may park in visitor parking spaces, without the prior approval of the Board of Directors. It is expected that homeowners will use their private parking spaces (in the garage and on the driveway) for parking their vehicles.**

- 1. Each owner in good standing, which shall be defined as any owner who does not have any uncured violations of the Association's governing documents, and who is current on all dues and assessments, will be issued Two (2) parking decals, and One (1) visitor pass, per Condo Unit annually.

- a) Each homeowner must present a valid Virginia vehicle registration showing the owners name and address within the Residences of Fair Chase (Condo) Association. (Active Duty military personnel may present a valid vehicle registration from any state along with a valid military ID and current duty-station orders)
 - b) Renters must present a copy of their lease and a valid Virginia vehicle registration showing the renters' name and address within the Residences of Fair Chase (Condo) Association. Stickers will only be issued to renters whose names appear on the lease. (Active Duty military personnel may present a valid vehicle registration from any state along with a valid military ID and current duty-stations orders)
2. The stickers are to be placed on the lower drivers' side section of the windshield, in compliance with Virginia law, so they are clearly visible.
3. Only vehicles with current Residences of Fair Chase (Condo) Association parking decals and guest parking passes issued by the Residences of Fair Chase (Condo) Association will be allowed to park at the clubhouse or private streets within the boundaries of the Residences of Fair Chase (Condo) Association and the Fair Chase Homeowners Association (HOA).
4. A special visitor's pass may be issued when a residence is undergoing maintenance that makes the unit's garage or driveway temporarily inaccessible. The owner must provide the number from the vehicle's resident parking decal that will be parked in a visitor's space. A temporary pass valid for 72 hours will be issued for that vehicle(s) that will allow it to be parked in any visitor's space for a period of no more than a total of seventy-two hours in any calendar year. For maintenance requiring more time than a 72 hour visitor pass, the owner must present a time estimate for the work to be performed at their lot.
5. Each owner in good standing, which shall be defined as any owner who does not have any uncured violations of the Association's Governing Documents and who is current on all dues, will be issued One (1) guest parking pass annually. Guest parking permits will be valid ONLY on the Owner's designated street address (example - Battenberg, Whittemore, and Eggleston).
 - a) The pass will be hung from the rear view mirror of a guest's vehicle while parked in a designated visitor space.

b) A visitor vehicle may only be parked overnight in any visitor area for a maximum of three (3) consecutive or non-consecutive nights in any seven (7) day period. Seven day periods start on the Sunday of each calendar week of the year, and end on Saturday. **Overnight parking is defined as parking in a visitor area for any period of time between the hours of 12:00AM (midnight) and 6:00 AM.**

c) Any vehicle parked in a visitor parking space that does not display a valid visitor parking pass shall be subject to towing at the vehicle owner's expense.

d) Lost guest parking passes may be replaced at a cost of \$150.00 per pass for the first lost pass and \$250.00 per pass for subsequent replacement passes.

III. ASSOCIATION NOT RESPONSIBLE

All owners must ensure that their family members, tenants, visitors, and/or contractors comply with these rules and regulations. If you are a landlord and your tenant is towed because you did not provide parking permits or make them properly aware of the parking policy and necessary permits, the Association shall not be responsible for any damages, injuries and causes of action arising out of the towing of such tenant's vehicle.

Nothing in this resolution shall be construed to hold the Association or the Board of Directors responsible for damage to vehicles or the loss of property from vehicles parked on the Common Areas.

IV. ENFORCEMENT

A. Any vehicle (a) parked within fifteen (15) feet of a fire hydrant or in a designated fire lane, (b) occupying more than one (1) parking space, (c) extending beyond the parking lines, (d) parked perpendicular to the marked parking space or on a grassy area, (e) impeding access to sidewalk ramps or mailboxes, (f) constituting a safety hazard, (g) that is not registered with the Association or has parked in an unreserved visitor parking space without a valid visitors pass or in excess of the time allowed for any visitor or guest pass, (h) any vehicle previously towed for a similar infraction of this policy, (i) whose security system has been triggered and allowed to continue unattended for more than fifteen (15) minutes, (j) commercial vehicles, vehicles with commercial signs or visible commercial equipment, (k) mobile home, trailer, or recreational vehicle, or otherwise in violation of this Policy, shall be subject to immediate removal without notification to the owner of the vehicle. The Towing

Company retained by the Association shall engage in random and roving enforcement of this Policy and may initiate the immediate towing of any vehicle observed to be parked as detailed in this paragraph.

- B. Any violation of the provisions of this policy relating to parking vehicles within garages, failure to register a vehicle with the Association, or parking of vehicles that extends onto a sidewalk from a driveway pad will result in a warning citation being issued. Upon any repeat violation of a similar infraction, the owner or resident will be provided with a notice of violation, which will result in the initiation of an enforcement action.
- C. Visitor passes will NOT be required for the visitor parking areas from 6:00AM thru 12:00AM (midnight). Visitor passes will not be required during normal hours.
- D. The Association reserves the right to exercise all other powers and remedies provided by the Association's governing documents or the laws of Virginia and Fairfax County.
- E. Nothing contained herein shall preclude the Board of Directors from seeking injunctive relief or any other remedy available to it in a court of equity.
- F. If the Association must enforce this resolution through any form of legal action, the offending owner shall be responsible for all expenses and/or attorneys' fees incurred by the Association in enforcing the provisions of this Resolution.
- G. The Association assumes no responsibility for the provision of any security service to protect vehicles parked in the parking areas, and it disclaims responsibility for any damage to any vehicle parked or operated on Association Property. All owners and residents agree to indemnify and hold harmless the Association and its directors, officers, committee members, and agents against any claims arising out of the towing of a vehicle.

The effective date of this Resolution shall be February 1, 2016.


THE RESIDENCES OF FAIR CHASE
(Condo) ASSOCIATION, INC.



Chau Nguyen, President

FOR ASSOCIATION RECORDS

I hereby certify that a copy of the foregoing Policy Resolution was mailed or hand-delivered to the members of the Residences at Fair Chase (Condo) Association, Inc. on this 21st day of January, 2012.



Managing Agent

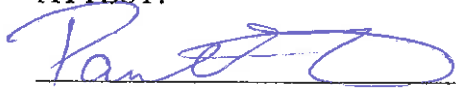
RESOLUTION ACTION RECORD

Duly adopted (as revised) at a meeting of the Board of Directors held December 17, 2015.

Motion by: Chau N. Seconded by: Marc H.

VOTE:	YES	NO	ABSTAIN	ABSENT
<u>Chau Nguyen</u> President	<u>X</u>	_____	_____	_____
<u>Marc S. Hyman</u> Vice President	<u>X</u>	_____	_____	_____
<u>Paula Threadgill</u> Treasurer	<u>X</u>	_____	_____	_____

ATTEST:

 1/18/16
Secretary Date

Resolution effective: January 1, 2016.

Ratified by board action 1/21/16