

Appendix G – Parking Policy

LENOX PLACE AT SUNNYSIDE HOMEOWNERS ASSOCIATION PARKING POLICY

WHEREAS, Article VI, Section 6 (d) and 9 of the Declaration of Covenants, Conditions and Restrictions (“Declaration”), Lenox Place at Sunnyside (“Lenox Place”), Alexandria Virginia prohibits the parking of certain vehicles within Lenox Place and provides general guidance for use of Common Area and Private Streets.

WHEREAS, Article VI, Section 1 (c) 8.1 and Article VI, Section 9 of the Declaration provides that the Board of Directors may regulate parking upon Common Areas and Private Streets.

THEREFORE, BE IT RESOLVED THAT the Board of Directors duly adopts the following Parking Rules and Regulations (“Parking Rules”) with respect to vehicular parking on all areas of the Association’s property. These areas include Charles Avenue and Courtland Circle, Shorter lane (Not the street) and driveways of each townhouse. Shorter lane and Elbert Avenue are city-owned; use of these streets is governed by the laws of the City of Alexandria.

I. UNAPPROVED VEHICLES

Residents may not park the following vehicles anywhere on Association Property:

A. Commercial Vehicles: Any vehicle including the following:

1. any vehicle in which the driver is ordinarily hired for transport, including, but not limited to, taxis, limousines, or buses; or
2. any vehicle with uncovered exterior logos, signs, letters, numbers, advertising, or irregular and distinct coloring which creates the appearance of a commercial vehicle; or
3. any unmarked vehicle with commercial paraphernalia or equipment attached, strapped, or affixed to the exterior of the vehicle, including, but not limited to, storage containers, racks, ladders, or pipes; or
4. any unmarked vehicle with an excessive amount of commercial equipment or supplies within the interior of the vehicle which is in obvious plain view from another parking space or from the sidewalk, including, but not limited to; pesticide, paint buckets, propane, tanks, cabling, uncovered or unsecured tools or other supplies; or
5. any unmarked vehicle, which because of its irregular height, length, shape, or weight, is not a conventional passenger car and is more suited for a commercial purpose; or
6. any van designed for the transport of furniture, goods, equipment, animals or scheduled transportation.
7. The strict prohibition against commercial vehicles shall not apply if the resident covers the commercial vehicle (or that portion of the vehicle which has commercial vehicle characteristics) at all times while parked within the community and the vehicle is then indistinguishable from a conventional passenger vehicle under cover; however, those commercial vehicles, which because of their irregular height, length, shape, weight, or exterior attachments, cannot be made to look indistinguishable from a conventional passenger vehicle under cover shall still be prohibited, regardless of whether the vehicle is covered.

- #### B. Recreational Vehicles. Any motor home, self-contained camper, mobile home, boat, all- terrain vehicle, dune buggy, trailer, boat trailer, pop-up camper/tent trailer, horse trailer, any trailer or semi-trailer used for transporting wave-runners, jet skis, motorcycles, 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.

- C. Inoperative Vehicles. Any vehicle with a malfunction of an essential part required for the legal operation of the vehicle or any vehicle which is partially or totally disassembled as a result of the removal of tires, wheels, engine, or other essential parts required for legal operation of a vehicle.
- D. Abandoned Vehicles. Any vehicle left unmoved in a parking space for more than seven (7) consecutive days, unless the owner provides written notice to the Board in advance that he or she will be away and unable to move the vehicle for a period greater than seven (7) days.
- E. Other Equipment and Machinery. Any agricultural, industrial, construction or similar machinery or equipment.
- F. Unregistered Vehicles. Any vehicle displaying a Virginia license plate that fails to display a valid safety inspection sticker and valid license plate registration stickers.

II. REGULATION OF PARKING

- A. Unit Owner Permits. Each Unit Owner shall have the opportunity to submit an application for a parking permit. The parking permit application must identify the unit address, name of the applicant and the license tag for the vehicle. Each unit owner that submits a valid application shall be given a one parking permit per unit.

Unit owners without a garage will be offered an additional permit at the then current monthly rate for the parking space. Parking permits must be placed on the rear view mirror of the vehicle.

- B. In order to receive a parking permit, the unit owner must be a member in good standing in the Association. A member in good standing is defined as (a) any unit owner who has not received a notice of delinquency for nonpayment of assessments or a citation for violating the Association's covenants, Rules or Regulations at the time the owner submitted the application; or (b) any unit owner who has received a notice of delinquency for nonpayment of assessments or -a citation for violating the Association's covenants, Rules or Regulations but has requested a hearing to contest the notice of delinquency or citation at or prior to the time the owner submitted the application; or (c) any unit owner who has received a notice of delinquency for nonpayment of assessments or a citation for violating the Association's covenants, Rules or Regulations but as of the, date the owner submitted the application still has time to submit a request for a hearing to either contest the notice of citation or explain the circumstances surrounding the delinquency or violation. It is the unit owner's responsibility to obtain and provide parking permits to their tenants.
- C. Failure to Display Permits. Vehicles parked on Association Property must at all times display a valid parking permit as outlined in Section II, part A of this Resolution. Vehicles that fail to display a valid permit will be subject to the enforcement procedures outlined in Section IV of this Resolution.

III. RULES REGARDING USE OF PARKING AREAS

- A. Use of Parking Areas. Residents may not use parking areas for any purpose other than vehicular parking. Residents may park vehicles only in designated parking spaces or areas. All unapproved vehicles are prohibited from the parking spaces except when picking up or delivering passengers or merchandise or during the performance of work of services at the location.
- B. Fire Lanes and No Parking Zones. Residents may not park vehicles in fire lanes or no parking zones marked with a sign or yellow painted curb.
- C. Repairs. Major repairs or maintenance to vehicles, or painting vehicles is not permitted anywhere on the Association Property, except that repairs or maintenance of a minor nature, such as the repairing of a flat tire or the recharging of a dead battery, are permitted. Residents are responsible for all costs associated with repairing any damage to the common elements resulting from the performance of vehicular repairs on the Association Property.

- D. Dumping of Materials. 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 on the Association Property.
- E. Operator's Responsibilities
1. Residents may park only one (1) vehicle within each parking space.
 2. The parking of any vehicle, including motorcycles, in any location of the association property other than a parking space is strictly prohibited.
 3. Residents may not park vehicles in any manner that impedes the normal flow of traffic or prevents ingress or egress of any other vehicle to adjacent parking spaces or the open roadway.
 4. No vehicle may be parked in a manner that it extends backward beyond the parking lines or crosses over the parking lines.
 5. Residents may not park any vehicle perpendicular to marked parking spaces.
 6. Residents must have a proper operating license in order to operate a motorized vehicle on Association Property.
 7. No signs, initials, numbers, storage containers or any other additions or alterations to parking spaces may be painted, displayed or erected by any Resident without with the prior written consent of the Board of Directors or its representatives. The cost to correct a violation of this provision will be charged to the applicable Unit Owner:
 8. Residents may not park a vehicle along the curb in the ingress lane of the common area parking.
 9. No vehicle may be parked in the common area parking that displays a "For Sale" sign except for signs which are attached to the interior side of a window of the vehicle.
- F. Unit Owners' Responsibilities. All Unit Owners must ensure that their family members, tenants, guests and contractors comply with the parking rules and regulations outlined in this Resolution.

IV. ENFORCEMENT

A. In General

1. Vehicle Removal. The Board of Directors shall have the authority to have any vehicle not in compliance with the provisions of this Resolution removed from the Association's Property. All costs and risks of towing and impoundment shall be the sole responsibility of the vehicle's owner.
2. Violations Subject to Immediate Towing. Any vehicle: (a) parked on Association Property without a valid unit owner permit; (b) parked within fifteen (15) feet of a fire hydrant or in a designated fire lane; (c) extending beyond the parking lines into the path of regular traffic; (d) parked perpendicular to the marked parking space or on a grassy area or sidewalk; (e) impeding access to sidewalk ramps; or (f) constituting a safety hazard, shall be subject to immediate removal without notification to the owner of the vehicle.
3. Citation Notices. In the case of all other situations not addressed in Section IV.A.2 of this Resolution, the Board or its designated representative shall post a citation notice on any vehicle not in compliance with the rules and regulations of the Association. No other form of notice is required. If the owner of the vehicle does not bring the vehicle into compliance within twenty-four (24) hours of the date of the initial notice or contact a member of the Board, the vehicle will be subject to removal by towing.
4. Subsequent Violations. Subsequent violations committed within any consecutive six (6) month period shall subject the violating vehicle to immediate towing without notification and may result in the suspension of parking privileges.

5. Requests for Enforcement. Any requests from Unit Owners for enforcement of this parking policy by the Association against another resident must be directed to the Board or Management in writing.
 6. Imposition of Monetary Charges. The Board reserves the right and power to impose monetary charges as a sanction for violations of this parking policy. Before any such charge may be imposed, the Board shall provide the Unit Owner with notice of the violation and an opportunity to request a hearing before the Board of Directors in accordance with the provisions of Virginia Code Section 55-79.80:2. The Board reserves the power to impose a monetary charge of \$50 for a single offense or \$ 10 per day for an offense of a continuing nature. Any monetary charges so imposed may be secured by a lien against the Unit Owner's title in accordance with the provisions of Virginia Code Section 55-79.84.
 7. Further Relief. 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 City of Alexandria.
- B. No Waiver. 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.
 - C. Owner's Responsibilities. If the Association must enforce this resolution through any form of legal action, the offending Unit Owner shall be responsible for all expenses and/or attorneys' fees incurred by the Association in enforcing the provisions of this Resolution.
 - D. Liability. The Association assumes no responsibility for the provision of any security service to protect vehicles parked on Association Property, and it disclaims responsibility for any damage to any vehicle parked or operated on Association Property.

V. REPEAL OF PRIOR POLICIES

The rules and regulations set forth in this policy resolution supersede and replace all rules and regulations set forth in any prior parking policy

Policy Modified in August 2004 and April 2011