

**THE UNIT OWNERS ASSOCIATION
PRESCOTT CONDOMINIUM**

POLICY RESOLUTION NO. 2009 – 03

(Parking Regulations and Enforcement)

WHEREAS, Article III, Section 2 of the Bylaws (“Bylaws”) of The Unit Owners Association of Prescott Condominium (Association”) provides the Association Board of Directors with the power to adopt any rules and regulations deemed necessary for the benefit and enjoyment of the Condominium; and

WHEREAS, Article XI, Section 1 of the Bylaws provides that the common elements shall be occupied and used in compliance with the Association’s rules and regulations; and

WHEREAS, for the benefit and protection of the Association, the Board of Directors deems it desirable to formally adopt a policy resolution to enact these parking regulations and establish a procedure for enforcement of these regulations that is fair and equitable to the Condominium.

NOW THEREFORE, BE IT RESOLVED THAT the Board duly adopts the following parking procedures:

1. APPROVED VEHICLES

For purposes of this parking policy, an approved vehicle shall be any conventional passenger vehicle, motorcycle, van, pick up, sport utility vehicle and light truck, except for unapproved vehicles as defined in Section 2. Only approved vehicles may be parked on the Property. The term “Property” shall be deemed to include all of the real property comprising the Condominium (including but not limited to the limited common element, guest and handicap parking spaces).

2. UNAPPROVED VEHICLES

Except as provided in Section 3 below, the following vehicles are not approved:

- A. Any vehicle of any type which exceeds eighteen feet in length, eight feet in height, or 5 tons in gross weight.
- B. Boats, trailers, motor homes or other recreational vehicles.
- C. Any commercial vehicle. A commercial vehicle is licensed as such by the Commonwealth of Virginia, defined as such under local ordinance and a vehicle of any type used for hire (e.g., taxis) or which displays commercial equipment such as pipes, lumber, ladders, ladder rack, tools or other equipment or material.
- D. Inoperable vehicles.

3. ASSOCIATION-OWNED VEHICLES

Any vehicle owned or operated by the Association or by contractors of the Association or contractors working in a unit shall be permitted to park upon the Property subject to the discretion and control of the Managing Agent and the Board of Directors.

4. DESIGNATED PARKING SPACES

- A. Each unit was entitled to purchase limited common element parking space/spaces (“assigned space/spaces”) for the owner’s exclusive use and such assigned spaces are numbered.
- B. Unit owners or tenants must park their vehicle/vehicles in his/her assigned space.
- C. No vehicle shall be parked outside of designated parking spaces.

5. VISITOR PARKING

- A. #24 City Requirements, Paragraph (b) in the Declaration of the Prescott Condominium state that; the ***designated visitor parking spaces shall be reserved for the use of the Condominium Guests.***
- B. Only vehicles belonging to visitors that are guests of a unit owner or tenant may be parked in the visitor parking spaces.
- C. Parking in the visitor parking spaces is on a first come, first serve basis. For visitors staying for an extended period of time (over seventy-two (72) hours) the unit owner/tenant to which they are visiting shall be required to notify the Management Company.
- D. Vehicles belonging to residents (unit owners/tenants) that are parked in designated visitor spaces will be subject to towing with a 48 hour warning tag and at the vehicle owner’s own risk and expense. The owner of the vehicle shall also be considered to have violated these rules and regulations, and the Association reserves the right to enforce these rules and regulations by any and all available remedies.
- E. Any vehicle belonging to a resident with a prior violation (previously issued a 48 hour warning tag) for parking in the visitor spaces may be towed without warning and at owners own risk and expense.

6. OTHER VEHICLE REQUIREMENTS

In addition to satisfying all aforementioned criteria for an approved vehicle, any vehicle parked upon the Property must:

- A. Be legal to operate on the streets of the Commonwealth of Virginia.
- B. Display a current and valid state inspection sticker.
- C. Display a current and valid license plate.
- D. Display a current and valid town/county decal (where required).

- E. Must not leak fluids or present a safety risk or nuisance. A vehicle with broken glass, severe body damage or with a car alarm that sounds repeatedly may be considered a nuisance, as determined by the Board of Directors.

7. USE RESTRICTIONS

To ensure that all owners and tenants enjoy reasonably convenient and attractive parking, the following restrictions apply to the use of the property

- A. Vehicles shall be parked in a manner that does not interfere with or impede vehicular access to any adjacent parking space. Examples of violations of this rule include, but are not limited to, vehicles that occupy more than one space and/or double/parked vehicles (e.g., moving vans, truck deliveries, etc.). A designated parking area for commercial deliveries may be provided.
- B. Changing or disposing of motor oil or other vehicular fluids anywhere on the Property is prohibited. Repairs or maintenance of vehicles on the Property is prohibited. No vehicle shall be left unattended while on a jack or with the hood open.
- C. Minor maintenance (e.g., replacing wipers, lights, and changing flat tires) on vehicles in an owner's assigned parking space is permitted subject to any Association restrictions on use of the common elements. No washing of vehicles is permitted on the property.
- D. Nothing shall be stored in parking spaces on the Property (e.g., portable storage units- "PODS" furniture, personal property, etc.) with the exception of bikes, strollers or carts that do not interfere with the parking of a vehicle.
- E. Handicapped Parking Spaces are intended to be used on a temporary, first-come, first-served basis by disabled residents and guests and no resident shall attempt to store his or her vehicle or otherwise utilize such spaces as their own personal space. Parking of vehicles in such spaces without proper decals is prohibited and any vehicle found in violation of this restriction may be towed without notice at owner's own expense and risk (in addition to any other enforcement remedy available to the Association).

8. PROHIBITED PARKING AREAS

Parking is prohibited in fire lanes, unpaved areas, sidewalks, walkways, and wherever "No Parking" signs are posted.

9. RE-ASSIGNMENT AND EXCHANGE OF PARKING SPACES

The Board of Directors has the sole discretion to approve or disapprove any requests for the re-assignment/exchange of a reserved parking space.

10. EXTRA VEHICLE(S)

Residents who own more vehicles than the spaces they are allowed to park in must park their additional vehicle(s) off of the Property.

11. ENFORCEMENT GUIDELINES

- A. Vehicles will be authorized to be towed after the vehicle has been tagged and If the vehicle has not been removed by the owner within the 48 hour warning period, and if the vehicle is parked in the following prohibited manner or area:
 - 1. Vehicles belonging to residents that are parked in visitor spaces.

2. Vehicles with no license plate and/or an expired license plate.
 3. Inoperable vehicles.
 4. Vehicles parked in assigned spaces that are not assigned to the vehicle owner (direct authorization to tow would be arranged and authorized only by the owner having the right to the assigned space).
 5. Double parked vehicles
- B. Vehicles will be authorized to be **towed immediately without notice** if the vehicle is parked in the following prohibited manner or area:
1. **Vehicles belonging to residents that are parked in visitor spaces that have on a previous occasion been given a 48 hour warning tag.**
 2. Unauthorized vehicles parked in fire lanes.
 3. Vehicles parked on any unpaved area.
 4. Vehicles parked on walkways.
 5. Vehicles parked wherever “No Parking” signs are posted.
 6. Commercial vehicles
 7. Vehicles parked in a handicapped space without visible hang-tag or license designation.

12. TOWING ENFORCEMENT OF RULES AND REGULATIONS

- A. Vehicles parked in prohibited areas or in a prohibited manner will be subject to towing as described above and at the owner’s expense.
- B. All Owners are responsible to ensure that their family member, visitors, guests, tenants, and agents observe and comply with these rules and regulations.
- C. The Board of Directors reserves the right to tow immediately without notice any vehicle that is in violation of these regulations on a recurring basis.

13. ASSOCIATION NOT RESPONSIBLE

Nothing in this Resolution shall be construed to hold the Association, the Board of Directors, or the Managing Agent responsible for damage to a vehicle or any loss of property from a vehicle parked on or towed from the property. Parking on Association property is at the sole risk for the vehicle owner. Owners who authorize towing from their assigned space bear all responsibility for the towing and any legal ramifications associated with the towing.

The effective date of the Resolution shall be _____, 2009

**THE UNIT OWNERS ASSOCIATION OF
PRESCOTT CONDOMINIUM**

Tammra Cervone, President