

APPENDIX II•B

**POLICY RESOLUTION NO. 7
VEHICLE POLICIES**

**SULLY STATION II COMMUNITY ASSOCIATION
RULES & REGULATIONS REGARDING PERMIT PARKING IN THE MIXED TOWNHOME
NEIGHBORHOOD SECTIONS**

(Those sections with both garage and non-garage townhomes)

(adopted by General Resolution by the Board of Trustees on April 17, 2001; Revised December 15, 2003)

Rules & Regulations

1. All vehicles parked within the mixed townhome sections must comply with all provisions of the Sully Station II Community Association's Policy Resolution Number 7; Vehicle Policies, relating to the use, parking and storage of all vehicles.
2. Between the hours of 7:00 p.m. and 6:00 am., daily (7 days a week, including holidays) all vehicles parked within the cluster common area parking lots must display a valid cluster parking permit issued by the Association.
3. Any such vehicle that does not display a valid Sully Station II cluster parking permit during the above specified hours will be subject to towing, at the vehicle owner's risk and expense, without prior warning.
4. All vehicles, whether owned by residents or visitors of residents, must park within their specific cluster common area designated by the Association's site plan. Any such vehicle that parks within any other cluster common area will be subject to towing at the vehicle owner's risk and expense. The cluster parking permits have a number to indicate which cluster the permit is issued for. Residents must park in the corresponding section number, which is painted on the curb of the parking space. (i.e., if the largest size number on your permit is number "2", you need to park in a Section "2" cluster parking space)
5. Each townhome within the mixed townhome sections that have permit parking approved by the Board of Trustees will be issued two parking permits.
6. There will be a \$50.00 fee to replace lost, stolen or misplaced parking permits. The parking permit, which is replaced, will be voided and deemed invalid and the person to whom the parking permit had been issued, and their guest, tenants, and invitees shall be deemed to have knowledge of such voiding and invalidation.
7. Any vehicle that displays an invalid parking permit will be subject to towing at the vehicle owner's risk and expense and be subject to further enforcement as specified in rule #12 of these rules.
8. Vehicles parked within their assigned reserved space must also display their valid parking permit during the designated hours. A vehicle parked in an assigned reserved space that is reserved for that vehicle's owner is subject to towing, without warning, if it does not have a properly displayed valid parking permit.
9. Any vehicle parked within a designated visitor parking space must not park in excess of 72 hours. Any vehicle parked in a visitor space in excess of 72 hours will be subject to towing without prior warning.
10. Residents may not park their own personal vehicles within the designated visitor parking spaces. These spaces are for the exclusive use of resident's guests, invitees, and visitors. Vehicles parked within a designated visitor space do not need to display a parking permit.
11. Signs shall be posted at the entrances of these mixed townhome sections that will specify the parking restrictions, enforcement of towing, and provide information on who to call if a car is towed.
12. Common Section Parking Spaces — Some sections of Sully Station II have parking spaces that have been set aside for the common use of the section residents. The spaces are intended to relieve the parking space shortage and are intended to be used on a first come first serve basis. It is a violation of the RULES & REGULATIONS REGARDING PERMIT PARKING IN THE MIXED TOWNHOME NEIGHBORHOOD SECTION for a resident to monopolize the common parking spaces. An example of monopolizing the common parking spaces is the movement of a vehicle from an assigned space to a common space thus leaving the assigned space vacant for the later use of the resident. This activity and any other activity that effectively monopolizes the common space will not be tolerated. Any resident who violates this rule or any other rule contained in the RULES & REGULATIONS REGARDING PERMIT PARKING IN THE MIXED TOWNHOME NEIGHBORHOOD SECTIONS may lose their permit parking privilege and/or be subject to the Association's Policy Resolution Number 14: Enforcement Procedures.

**SULLY STATION II COMMUNITY ASSOCIATION
POLICY RESOLUTION NO. 7 VEHICLE POLICIES**

**relating to the use, parking and storage of vehicles
(originally adopted 04/26/89 and revised 09/16/93 and 11/21/00)**

WHEREAS, Article VI, Section 8 of the Bylaws states that "The Board of Trustees shall have all powers for the conduct of the affairs of the Association which are enabled by law, the Declaration and the Articles of Incorporation which are not specifically reserved to members or the Developer;" 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. GENERAL

1. The types of vehicles listed in subsections (a) through (j) below may not be parked or stored in open view on residential lots, common area parking spaces, cluster common area parking spaces, or public streets or on common area open space within the boundaries of the Sully Station II community, except in such areas, if any, designated for such purpose by the Board of Trustees.

Any such vehicle may be stored in a garage out of open view. Such vehicles may also be temporarily parked in a private driveway for a period not to exceed forty-eight (48) hours and not to exceed three (3) times in a calendar year Any such vehicle owned by guests of residents may be parked in open view for a temporary period not to exceed seventy-two (72) hours without prior approval from the Board of Trustees or the management agent.

- (a) Any boat or boat trailer;
 - (b) Any motor home or self-contained camper;
 - (c) Any camper slip-on where the back of the camper is higher than the roof line of the cab of the truck;
 - (d) Any mobile home, any trailer or any fifth wheel vehicle;
 - (e) Any pop-up camp/tent trailer or similar recreation oriented portable vehicle or transportable facility or conveyance;
 - (f) 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;
 - (g) Any vehicle defined as a commercial vehicle by the code of Virginia.
 - (h) Any vehicle with visible commercial signs, advertising or commercial equipment;
 - (i) Private or public school or church buses.
 - (j) Any vehicle that does not display current licenses, registrations and safety inspection permits.
2. Junk or derelict vehicles may not be parked or stored in open view on residential lots, common area parking spaces, or public streets or on common area open space within the boundaries of the Sully Station II community
 - (a) 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_
 3. No vehicle may park on any common area or portion of a lot, which is not specifically improved for the specific purpose of vehicular parking.

4. Any vehicle that is otherwise an Approved Vehicle shall comply with the following conditions in order to remain an Approved Vehicle:
 - (a) All motor vehicles shall display current licenses, registrations and safety inspection permits to be kept upon the Common Area;
 - (b) All motor vehicles belonging to residents shall display a valid Fairfax County decal regardless of their state of registration to be kept upon the Common Area;
 - (c) All vehicles must be maintained in proper operating condition so as not to be a hazard or nuisance by noise, exhaust emissions or appearance;
 - (d) No commercial vehicle, trailer, or truck (other than those permitted under this Section's provisions above), shall be parked in the parking areas for longer than eight (8) hours without prior written permission of the BOARD;
 - (e) No junk vehicle shall be parked in the parking areas at any time. All vehicles must be kept in operating condition at all times. For this purpose, operating condition shall mean that all necessary parts of the vehicle, such as, but not limited to, tires, wheels, engine, brakes, etc., that are necessary for the operation of the vehicle on public streets must be maintained at all times and all licenses, registrations and safety inspection permits are current.

B. COMMON AREA PARKING SPACES

1. Unit Owners and their guests are entitled to use common area parking spaces on a first-come, first-served basis.
2. Vehicles must be parked so as not to obstruct other parking spaces, sidewalks or ingress and egress areas or parked in such a manner that blocks one or more vehicles or occupies more than one established marked parking space.
3. No vehicles other than those clearly indicated as operated by or for a handicapped person shall be parked in spaces reserved for handicapped parking.
4. Vehicles may be parked only in designated parking spaces. All vehicles must comply with "No Parking" areas as posted or designated.
5. The performance of major repairs to vehicles, including painting and the drainage of automobile fluids, is not permitted anywhere in open view on residential lots or common areas within the boundary of the property.
6. Vehicles may not be parked or stored unattended in a hazardous condition, including, but not limited to, vehicles on jacks or blocks.

II. ASSOCIATION NOT RESPONSIBLE

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

III. ENFORCEMENT

- A. The Managing Agent shall have the authority to issue a warning notice to vehicles, which are in violation of this parking policy. The notice (Exhibit A of this resolution) shall be placed on the vehicle and a carbon copy retained by the Managing Agent.
- B. Vehicles parked on common area parking spaces, including cluster common areas, are subject to being towed at the owner's risk and expense, seventy-two (72) hours from the date of notice (Exhibit "A" of this resolution) being placed on the vehicle, except that any vehicle previously posted for violation of any of these regulations shall be subject to towing without notice for a repetition of said violation.
- C. The BOARD has granted permission to the Fairfax County Police Department to enter onto the Common Area and

enforce the provisions of the Commonwealth of Virginia and Fairfax County motor vehicle registration and licensing requirements and to enforce the provisions of the Commonwealth of Virginia motor vehicle laws Chapters 1 through 4 (Section 46.1 -1 through 46.1-347).

- D. The BOARD shall allow representatives of Fairfax County Fire and Rescue Department to enter onto the Common Area and enforce the provisions of the Fairfax County Fire Prevention Code.
- E. Vehicles parked in spaces reserved for handicapped parking that are not clearly identified as operated by or for a handicapped person shall be reported to the Fairfax County Police Department.
- F. The BOARD or the Management Agent may cause the towing without notice of vehicles parked in fire lanes.
- G. The BOARD or the Management Agent may cause the towing without notice of vehicles parked in such a manner which blocks one or more vehicles or prohibits ingress or egress to the parking area.
- H. An Owner or owner's agent ordering the towing of a vehicle shall hold harmless and indemnify the Association, and the Management Agent from all costs or expenses they may incur from any claims or causes of action related to a towing that Association or the Management Agent is required to defend against, including attorney's fees and costs incident to such defense.
- I. The BOARD or the Management Agent may cause the towing of any other vehicle parked in violation of this Resolution. This remedy shall be in addition to all penalties set forth in the Governing Documents.
- J. The BOARD or the Management Agent may cause the towing without notice of vehicles parked in such a manner that occupies more than one marked space.
- K. The BOARD or the Management Agent shall have the authority to post a notice on any vehicles that are not in compliance with the provisions of this policy and on inoperable vehicles (those not capable of starting and moving under their own power), vehicles that do not display a valid (current) license plate, and vehicles that do not display an inspection decal that is valid or display an inspection decal that has been expired for more than sixty (60) days directing removal of the vehicle or correction of the violation within seventy-two (72) hours. In the event the vehicle is not removed and/or the violation is not corrected within seventy-two (72) hours, the BOARD or the Management Agent may cause the towing of the vehicle without further notice.
- L. The BOARD or the Management Agent shall have the authority to post a notice on commercial and recreational vehicles directing removal of the vehicle within seventy-two (72) hours. In the event the vehicle is not removed within seventy-two (72) hours, the BOARD or the Management Agent may cause the towing of the vehicle without further notice.
- M. The BOARD or the Management Agent shall have the authority to post a notice on vehicles licensed in the state of Virginia that do not display a Fairfax County decal directing removal of the vehicle or display of a valid Fairfax County decal within sixty (60) days. In the event the vehicle is not removed and does not display a valid Fairfax County decal within sixty (60) days, the vehicle shall be reported to the Fairfax County TARGET hotline at (703) 324-3767.