

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 (i) 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.

EXHIBIT A
SULLY STATION II COMMUNITY ASSOCIATION

VIOLATORS ARE SUBJECT TO BEING TOWED BY THE ASSOCIATION AFTER SEVENTY-TWO (72) HOURS FROM THE DATE OF THIS NOTICE AT VEHICLE OWNER'S RISK AND EXPENSE PURSUANT TO POLICY RESOLUTION NUMBER 7, VEHICLE POLICIES, SECTION III (B)

Date: _____ Time: _____
Desc: _____ ID: _____

- 1 PROHIBITED VEHICLE TYPE: Vehicle type not permitted to be parked on lots or common area parking spaces.
- 2 JUNK, DERELICT OR ABANDONED VEHICLE: Vehicle not in operating condition.
- 3 IMPROPERLY PARKED VEHICLE: Occupies more than one marked space, parked in a "No Parking" area, blocking sidewalk, parked on any Common Area or Lot which is not designated for parking.
- 4 PROHIBITED AUTO REPAIRS: Vehicle left unattended in a visibly disassembled condition.
- 5 OTHER:

VIOLATORS ARE SUBJECT TO BEING TOWED AFTER SEVENTY-TWO (72) HOURS FROM THE DATE OF THIS NOTICE AT OWNER'S RISK AND EXPENSE. The Association assumes no responsibility whatsoever for any damage to vehicles towed.

ANY VEHICLE PREVIOUSLY POSTED FOR A VIOLATION OF ANY OF THESE REGULATIONS SHALL BE SUBJECT TO TOWING WITHOUT NOTICE FOR ANY SECOND VIOLATION OF ANY OF THESE REGULATIONS.

FOR FURTHER INFORMATION -- CONTACT

Community Association Office at (703) 968-9753 or the Community Management Corporation at (703) 631-7200

Location Parked: _____ *Date Towed: _____

*Posted By: _____ *Time Towed: _____
Signature

Henry's Wrecker Service
13850 Barnsfield Road
Chantilly, VA 20171
Ph. (703)464-5599

*Towed By: _____

Vehicle Description: _____

The above vehicle was received by and towed to the above location on the above stated date.

By: _____
Signature of Towing Agent