

Lake Manassas Residential Owners Association
Policy Resolution No. 2019-020401
Replaces Resolution No. 2018-010101
(Related to Vehicles, Parking and Towing)

WHEREAS, Article III, Section 1 of the Bylaws and Article II(a) and Article IX, Section 3 of the Declaration of Covenants, Conditions, and Restrictions for Lake Manassas Residential Owners Association (“Declaration”) provide that the Board of Directors (“Board”) may exercise all the powers and duties necessary for the administration of the affairs of the Association, including adoption of rules and regulations;

WHEREAS, Article II(a) of the Declaration authorizes the Board of Directors to adopt, promulgate, enforce, and amend reasonable rules and regulations pertaining to the use of the Common Area; and

WHEREAS, Article II (c) and (e) of the Declaration authorizes the Board to assess violation charges and/or to suspend the rights to use the Association’s facilities for violations of the Association’s governing documents and/or duly adopted rules and regulations; and

WHEREAS, Article XII, Section 2 of the Declaration expressly authorizes the Association to regulate parking on the Common Area, and provides that all vehicles of occupants and guests of Residential Units shall be parked only in the garage or in the driveways serving Residential Units; and

WHEREAS, the Board of Directors believes it to be in the best interests of the Association to establish a policy with regards to parking and towing within the community; and

WHEREAS, the safety of residents of the Lake Manassas community is of utmost importance, and open and clear streets provide a clear line of sight for pedestrians and motorists to see each other on narrow streets, particularly the sections of the community that have no sidewalks; and

WHEREAS, to maintain the aesthetics of a family community and enhance the property value of homes;

NOW THEREFORE, be it resolved, that the Board of Directors hereby adopts the following:

A. Parking and Vehicle Policy

1. Vehicles of owners, residents, occupants and visitors/guests of Residential Units shall only be parked in the garage or in the driveways serving Residential Units. NOTE: Parking on or blocking the sidewalk is a Prince William County parking violation and may result in receiving a ticket from the Prince William County Police.
 - a. Owners are responsible for ensuring that those living in their Residential Units are fully utilizing their driveways for parking.
 - b. Owners that rent their Residential Units are responsible for educating their tenants on the ROA policies to ensure compliance.

- c. Residents are responsible for notifying their guests to park in their driveway as space permits.
- d. If a resident, or guest of resident, finds the need to park on the street for a limited period of time (when parking requirements will exceed driveway space) that resident must notify the onsite manager in advance. Residents shall request exceptions to this policy by notifying the management office by phone, e-mail or on-site visit to the office, providing the date, time and duration of the exception and estimated number of vehicles. Management will keep a log of these requests. Exceptions include:
 - i. Occasional gatherings where parking requirements will exceed driveway space.
 - ii. When a resident or the guest of a resident finds there is need to park on the street for a limited period of time. For example, when service contractors' vehicles or materials will temporarily take up driveway space.
 - iii. Last minute gatherings where advance notification cannot be made during management office hours, and where parking requirements will exceed driveway space. In this case, residents will e-mail or voice mail the management office with the date, time and duration of event.
 - iv. Basketball hoops located in the driveway are not an exception for on-street parking.
- e. All service vehicles should be entered in GateKey (including unmarked service vehicles). When residents are having services performed at their home they are strongly encouraged, *but not required*, to have the service vehicle park in their driveway where vehicle size and nature of the work permit.
- f. When an exception takes place, residents must ensure that:
 - i. To the extent possible, residents should maintain a full driveway during large gatherings.
 - ii. Vehicles are not impeding the flow of traffic, blocking other resident's driveways or mailboxes, or parking across the street from a driveway that impedes the residents living in that house from safely exiting their driveway without concern for damaging the parked car and/or the resident's car.
 - iii. Vehicles are not parked directly across from/adjacent to other vehicles parked in the street.
 - iv. Vehicles face the same direction as traffic flow.
 - v. Vehicles are not parked within 30 feet of a stop sign (per Prince William County).
 - vi. Vehicles are not parked in spots specifically designated as "no parking" via a sign or by paint.
 - vii. Vehicles must not be parked within 15 feet of a fire hydrant or parked in fire lanes.
 - viii. Vehicles must stop 20 feet from intersections and/or cross walks (per Prince William County).
 - ix. Residents that do not live on pipe stems or "eyebrows" may not park on them, as they are the personal property of the homeowners who live on the pipe stems and "eyebrows".

- x. Vehicles are not parked in the street overnight without prior authorization of management.
2. On-Street parking exceptions are one time and day-by-day. Residential Units with more occupant cars than can fit in their driveway and garages must find non-street parking alternatives for the overflow vehicles, as exceptions are not granted on a regular basis.
 3. Commercial vehicles, tractors, mobile homes, trailers (either with or without wheels), campers, camper trailers, boats and other watercraft and boat trailers must be garaged or stored off site.
 - a. Commercial Vehicle: Any motor vehicle which is designed to use or carry, deliver, handle or move goods or transport one or more persons who perform services in commerce, industry or trade and which has painted or displayed upon it any sign identifying or advertising any business or commercial venture of any kind. A Commercial Vehicle additionally includes but is not limited to trucks over 2.5 ton GVW, vehicles in excess of 19 feet in length or eight feet in width, vehicles with logos, vehicles with ladders or other items that are not contained completely within the vehicle. Examples of Commercial Vehicles include dump trucks, moving vans, service vehicles, vehicles with business names or logos, construction vehicles, taxi cabs and rental moving trucks.
 - b. Recreational Vehicles: Recreational Vehicles (RV's) owned or leased by residents may be brought into the community. These RV's whether motorized or towable, may be brought in for the sole purpose of loading or unloading and may remain on-site no more than 8 hours per day. In no case can RV's remain on-site overnight (after 12:00 a.m., midnight). Every effort should be made to park RV's in the resident's driveway.
 4. All front entry or garage doors visible from the street shall be kept closed at all times when not in use. All garage doors shall be closed at night.
 5. Vehicles shall be repaired only in a property owner's garage so as not to be visible from any neighboring property.
 6. Unlicensed Vehicle: Mini-bikes, go-carts, electric scooters, or any unlicensed motorized vehicle shall not be operated on any common area or on any road or trails within Lake Manassas, except those providing a service to the Association, Declarant or Golf Course(s).
 7. Golf Carts: In accordance with Article XII, Section 21 of the Declaration, gas powered/combustion engine golf carts are prohibited on Association property. Electric golf carts are permitted, subject to the following:
 - a. Operator of any golf cart must be at least sixteen (16) years old, and must hold a valid Virginia driver's license:

- b. Golf carts may not be operated on the Association's private roads and/or paths, except those roads and/or paths that may be designated by the Association; and
- c. When not in use, golf carts must be stored or parked within an enclosed garage

B. Enforcement – Below policy for Parking Violations is set forth in Policy Resolution No. 2018-010102, Creation of Procedures to Ensure Due Process in Enforcement Matters.

The Board of Directors shall have the power to assess charges against the Owner, pursuant to Article II (e) of the Declaration and Section 55-513 of the Virginia Property Owners Association Act (the "Act"), for any violation of this Parking Policy, for which an Owner or his family members, tenants, guest or other invitees are responsible as follows:

1. In accordance with Section 53-5513.C of the Act, before any such charges may be assessed, the Owner shall be mailed a Notice and Opportunity to Correct ("Correction Notice"), giving the Owner a reasonable opportunity to correct the violation. Such written notice shall be mailed to the Owner's address of record, via First Class Mail. Parking violations are treated as a single offense subject to a violation charge of up to \$50 and therefore the Notice shall advise the owner that correction of the violation includes refraining from further occurrences of the same offense. (*See "Procedures", Section II(b) of Policy Resolution 2018-010102*).
2. In the event the violation is not corrected, or if there is a repeat violation, the Owner shall be sent a Violation Notice ("Violation Notice"), in which the Owner is advised of the violation and given an opportunity to be heard and to be represented by counsel before the Board of Directors. The Violation Notice shall set forth each individual violation that is subject to sanctions and advise the Owner of the possible penalties. The Violation Notice shall be hand delivered or mailed by certified mail, return receipt requested, to the Owner's address of record with the Association.
3. If the Owner requests a hearing, the Association shall send the Owner a Hearing Notice ("Hearing Notice"), which shall be hand delivered or mailed by registered or certified mail, return receipt requested to the member at the address of record with the Association, at least fourteen (14) days prior to the hearing
4. The amount of any charges so assessed shall not exceed fifty dollars (\$50) for a single offense or ten dollars (\$10) per day for an offense of a continuing nature and shall be treated as an assessment against the lot for the purposes of Section 55-513(A) of the Virginia Property Owner's Association Act. For the purpose of this policy, parking violations are treated as a single offense. The notice to the homeowner to correct the violation (Correction Notice), within a specified period of time, will concurrently advise them that correction of the violation includes refraining from further occurrences of the same offense.

- a. For the purpose of this Policy, each vehicle parked on the street without an exception granted may be treated as an individual violation/single offense. Vehicles of owners of Residential Units, tenants or guests at a residential unit that continue to violate this rule after proper notification, and imposition of assessments, may be subject to towing, at the owner's sole risk and expense and/or a civil suit.
5. Nothing in this Resolution shall be construed to hold the Association, the Board of Directors, or any designated agent thereof responsible for damage to vehicles or loss of property from vehicles parked within the Lake Manassas community.

Effective Date: This resolution shall be effective on February 4, 2019.

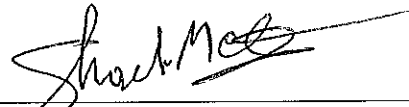
**LAKE MANASSAS RESIDENTIAL OWNERS ASSOCIATION
RESOLUTION ACTION RECORD**

Resolution Type: Policy No. 2019-010101

Pertaining To: Parking and Towing Policy, duly adopted by the LMROA Board of Directors, December 12, 2018.

Motion By: Joe Greenlee Second By: Don Minogue

	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Bob Hale President	✓ —	—	—	—
Gary Border Vice President	✓ —	—	—	—
Don Minogue Treasurer	✓ —	—	—	—
Shashi Mehta Secretary	✓ —	—	—	—
Joe Greenlee Director	✓ —	—	—	—

ATTEST: 
Shashi Mehta, Secretary

12-12-18
Date

RATIFIED AND EFFECTIVE MARCH 21, 2019