

**THE AMBERLEA AT SOUTH RIDING CONDOMINIUM UNIT OWNERS
ASSOCIATION
REGULATORY RESOLUTION No. 2021-02**

(Parking Regulations and Enforcement Procedures)

WHEREAS, Section 55-79.53 of the Virginia Condominium Act, Code of Virginia (1950, as amended) (“Act”) and Article 9, Section 9.1 of the Bylaws (“Bylaws”) of The Amberlea at South Riding Condominium Unit Owners Association (“Association”) charge all owners and all those entitled to occupy a Unit with compliance with the Declaration and Bylaws of the Association, as well as any duly promulgated rules and regulations; and

WHEREAS, Article 4, Section 4.4(b) and Article 3, Section 3.1(f) of the Bylaws grants the authority to the Board of Directors (“Board”) to adopt and amend any rules and regulations restricting and regulating the use and enjoyment of the property or any portion thereof and the actions of the owners and occupants affecting the property as long as they are not inconsistent with the provisions of the Condominium Act, Association’s Declaration, Bylaws and Board-adopted rules and regulations (“Condominium Instruments”); and

WHEREAS, Article 5, Section 5.8(b) provides that the dwellings shall be occupied and used in compliance with the rules and regulations adopted by the Board; and

WHEREAS, Section 55-79.80:2 of the Condominium Act and Article 9, Section 9.1(g) of the Bylaws allows the Board to levy reasonable charges against Unit Owners for violations of the Condominium Instruments after notice, reasonable opportunity to cure and opportunity to be heard have been offered; and

WHEREAS, Article 9, Section 9.1(a)-(f) and (h) of the Bylaws authorize the Association to undertake specific actions to abate violations of the Condominium Instruments, assess violation charges, take legal action, and note the conditions under which an owner has additional liability to the Association or another owner; and

WHEREAS, Article 4, Section 4.4(d) of the Declaration grant the Board the right to suspend the right to use Common Facilities for failure to comply with the Condominium Instruments; and

WHEREAS, Article 5, Section 5.8(a)(7) and Section 5.11 of the Bylaws regulate parking and vehicles on common elements; and

WHEREAS, it is the intent of the Board to enforce the Instruments for the benefit and protection of the Association’s Unit Owners and residents by establishing procedures that provide for due process and consistency of enforcement.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT the Board, by the Condominium Act, the Condominium Instruments and this Resolution establishes the following rules, regulations and enforcement procedures with regard to parking.

I. Restrictions on the Parking and Storage

1. The types of vehicles or other personal property listed in subsections (a) through (k) below, may not be parked, placed, kept, or stored in open view on a Lot or on any of the Common Elements, including but not limited to streets and parking spaces, driveways, open spaces or any streets within the boundaries of the community. Any such vehicle may be stored in a garage, out of view.
 - (a) Any boat or boat trailer, canoe, jon boat, paddleboat, jet skis, sailboat, catamarans, rafts or inflatables and the like.
 - (b) Any motor home, recreational vehicle, or other self-contained camper.
 - (c) Any camper slip-ons where the camper back are 12 inches or higher than the roofline of the cab of the truck.
 - (d) Any mobile home, trailer or fifth-wheel trailer.
 - (e) Any pop-up camper/tent, trailer or other similar recreation oriented portable or transportable facility or conveyance.
 - (f) Any other vehicle not defined above which could not normally or regularly be used for daily transportation, including dune buggies, all-terrain vehicles, go-carts, mini-bikes, golf carts, scooters or non-operative automobile collections or other automotive equipment not licensed for use on the highways of Virginia.
 - (h) Any private or public school or church bus.
 - (i) Any vehicle with any type of "For Sale" sign displayed in or on the vehicle.
 - (j) Any vehicle with distasteful or offensive language, images or symbols posted on any portion of the vehicle by means of paint, stickers, magnets, window chalk or any other method.
 - (k) Junk or derelict vehicles. A vehicle shall be deemed to be a junk or derelict vehicle, if it does not display valid state license/registration or inspection sticker or if it is missing any necessary parts, such as, but not limited to, tires, wheels, engines, door, truck, hood, wrecked or smashed body parts, etc. that are necessary for the operation of the vehicle on public or private Streets.
2. Vehicle repairs other than: (i) emergency maintenance, (ii) ordinary light maintenance (excluding fluid changes and other operations which might soil the common elements) and (iii) normal cleaning are not permitted on any of the Common Elements, including but not limited to, Common Element streets and parking spaces, driveways, Common Element

open spaces or any streets within the boundaries of the community, except that such repairs may be made in a garage or other approved, enclosed structure out of view.

3. Vehicles may not be parked, kept, placed, or stored on any Lot or on any Common Element in a hazardous condition including, but not limited to, vehicles placed on ramps, lifts, jacks or on blocks. Damaged/un-repaired vehicles that were involved in vehicular accidents shall not be left in plain sight and must be stored in a garage only.
4. All vehicles must conform to Commonwealth of Virginia and Loudoun County codes, ordinances and statues. All vehicles must bear current license plates, registrations, sticker and certifications as required by the Commonwealth of Virginia and Loudoun County. Vehicles reflecting expired license tags/registration that have paid and are awaiting arrival of new DMV issued stickers must place an approved copy of the DMV temporary registration letter/authorization on the dashboard of the vehicle until valid tags are received and affixed to vehicle license plates.
5. No vehicle shall be parked, kept, placed or stored in such a manner or in any area that obstructs the safe, free-flow of moving vehicular traffic or obstructs the movements of other vehicles or pedestrians into or out of parking spaces anywhere on the Property, including the Common Elements, Public and Private Roads or Driveways.
6. All Unit Owners, their family members, tenants, guests, or other invitees shall observe and abide by all applicable parking and traffic regulations posted by the Association or by municipal authorities.
7. All vehicles shall be parked wholly within space lines, as applicable.
8. No resident shall park any portion of a vehicle in any “no parking” zone as typically marked by yellow curbing or by signage stating such an area.
9. No vehicle shall be parked on any grassy or landscaped area.
10. No vehicle shall be parked on or across any area, including public sidewalks, or ingress and egress areas so as to obstruct use and access.
11. Vehicles may not be parked, placed, kept or stored near a mailbox in a manner that impedes the access of a USPS postal carrier.
12. Vehicles shall be parked within two feet (2') of the curb and shall be parked with the right side of the vehicle adjacent to the curb.
13. No vehicle shall remain parked idle on any common element street or in any common element parking space, or other area, excepting a driveway or garage, for excess of seven (7) days. Any vehicle left idle for excess of ten (10) days shall be deemed abandoned.

14. Each unit's driveway and garage are their designated parking spaces and no garage shall be used in any manner which would prevent the parking of the number of vehicles that such garage is designated to accommodate.
15. All parking spaces located on the common elements shall be used by the Unit Owners, their family members, tenants, guests, or other invitees for self-service parking purposes on a "first come, first served" basis.
16. No unit shall park more than one (1) vehicle owned or leased by such Unit Owner, their family members, tenants, guests, or other invitees, upon any common element parking spaces (excepting limited common element driveways) without the prior written consent of the Board of Directors. Residents should be aware that the Bylaws mandate that a garage shall not be utilized in any manner that impedes storage of vehicles.
17. Motorized vehicles, other than Association authorized vehicles, are not permitted on Common Elements within the Association.
18. Covers for vehicles are permitted without prior Board approval so long as the following requirements are met: (i) covers shall be designed for use on the specific covered vehicle to ensure an appropriate fit and neat appearance, (ii) covers shall be of a solid color either in muted neutral, earth tone or black, (iii) covers are not permitted on any vehicle listed under subparagraphs (a) through (j) as stated above in paragraph 1, (iv) motorcycle covers shall follow the same requirements, and (v) all vehicle covers must be maintained in good condition at all times.
19. The use and storage of any temporary storage units or temporary dumpster (PODS, Door-to-Door, Box Trotters, etc.) does not need the prior approval from the Board of Directors so long as: (i) the Association is notified in advance of the intent to use such storage unit or dumpster, the start date of when the unit will be delivered and the anticipated removal date, (ii) the storage unit or dumpster is stored wholly on the units driveway, (iii) the maximum amount of time that the unit is stored is under seven (7) days, (iv) and all storage units be maintained in good condition at all times which includes emptying the dumpster when full.

All residents and visitors shall observe and abide by these Parking Regulations and those of State and Loudoun County authorities. Vehicles parked in violation of any such regulations may be towed at the owner's sole risk and expense.

The Board of Directors may, from time to time, temporarily restrict parking on certain Private Streets and Roadways or at specific locations on such Streets and Roadways as needs arise and situations dictate.

II. Parking Privileges

All vehicles owned, leased or used by any Unit Owner, their family members, tenants, guests or other invitees who park in any of the common element street parking spaces must display a valid hang tag parking permit.

III. Vehicle Registration

1. Each Unit will receive one (1) hang tag parking permit. Beginning January 2, 2022, this hang tag must be displayed in the front mirror of any car parked on the Common Element street spaces between the hours of 11:00 pm and 6:00 am.
2. Beginning January 2, 2022, no vehicle shall be parked in a Common Element parking space without a valid hang tag parking permit during the hours noted above. Any vehicle that does not display an appropriate hang tag parking permit during the required hours is subject to immediate towing at any time, at owner's sole expense.
3. No Unit shall be entitled to more than one (1) hang tag parking permit. Hang tag parking permits must be displayed in accordance with the instructions provided by the Association's managing agent.
4. Upon change of ownership or tenant, the selling Owner or landlord must relinquish all parking hang tags to the Association's managing agent. The new Owner or registered tenant will be responsible for obtaining new parking hang tags from Management.
5. In the event of a loss, theft or non-conveyance of a hang tag parking permit, a replacement parking permit may be obtained from the Association's managing agent for a charge of \$250.00. The lost, stolen or non-conveyed permit or sticker shall become invalid.
6. Vehicle hang tags shall not be issued to any Resident if the Owner of the Unit is more than sixty (60) days past due in any assessment or fee obligation owed to the Association. Unit owners more than sixty days past due in any assessment or fee obligation are subject to loss of community privileges which shall include revocation of Common Element parking privileges and invalidation of hang tag.
7. The copying, reproducing, forging or reprinting of any Association parking permit or sticker is prohibited. Any such act is subject to immediate towing.

II. Enforcement Procedures

1. The Association shall have the authority, but not the obligation, to issue a warning notice to vehicles which are in violation of this parking policy. A notice, if any, shall be affixed to the driver side window of the vehicle and/or, if known, a notice may be mailed to the unit in which such vehicle resides.

2. Vehicles which are in violation of this resolution are subject to being towed at the owner's risk and expense, without warning.
3. Hang tag permit parking is effective between the hours of 11:00 pm to 6:00 am. Any vehicle parked on Common Elements that fails to display a valid Association issued parking permit will be towed without warning.
4. All other violations of this resolution will be enforced and subject to towing 24 hours per day, 7 days a week.

III. Required Signage Concerning Towing

At appropriate and prominent locations throughout the Property, the Association shall post signs that comply with the requirements of State Law and any applicable Loudoun County Code concerning the towing of vehicles.

IV. Records

The Board or the Management Agent shall keep copies of all correspondence related to rules violations in the Unit Owner's file or in a separate file on rules violations. Minutes of each hearing or meeting and a record of the results of the hearing or meeting shall be kept in the appropriate Association files.

V. Other Remedies

This Resolution shall not prevent the Association from exercising any other remedies authorized or available under the Act, the Condominium Instruments, or by law, and shall not constitute an election of remedies.

This Resolution shall not be construed to prevent the acting management company from exercising the same rights as held by the Board of Directors per the Condominium Instruments and current management contract.

VI. Association Not Responsible

The Association is not responsible or liable for any vehicles or other personal property parked, located, stored, kept or placed on the Common Elements or Units within the Association. Neither shall anything in this resolution be construed to hold or make the Association or its Board of Directors, any Officer, or employee responsible for damages to or loss of any vehicle or other personal property while parked, located, kept, placed or stored on the Common Elements or any Unit within the Association.

This Resolution was duly adopted by the Board of Directors on this 10th day of November 2021. This Resolution shall supersede and replace all previous rules and regulations adopted by the Board regarding parking and vehicles.

**THE AMBERLEA AT SOUTH RIDING
CONDOMINIUM UNIT OWNERS
ASSOCIATION**

By: Amanda Curran
President

RESOLUTION ACTION RECORD

Duly adopted at a meeting of the Board of Directors held November 10, 2021.

Motion by: Amanda Curran

Seconded by: Daniel Vargas

VOTE:

YES NO ABSTAIN ABSENT

Amanda Curran

x _____ _____ _____

President

Daniel Vargas

x _____ _____ _____

Vice President / TREASURER

Dolores Brest

x _____ _____ _____

Treasurer DIRECTOR

Andrea Lupton

x _____ _____ _____

Secretary

Cyp McCreary

x _____ _____ _____

Director

Resolution effective: 11/10/2021.