

RIVER VIEW AT ROLLING BROOK HOMEOWNERS' ASSOCIATION, INC.

POLICY RESOLUTION NO. 02-12

Revised: February 19, 2019

PARKING REGULATIONS
(Restated and Revised)

WHEREAS, Section 55-513A of the *Virginia Property Owners' Association Act*, Va. Code § 55-508, *et seq.* ("Act") grants the Board of Directors of River View at Rolling Brook Homeowners' Association, Inc. ("Association") the power to establish rules and regulations for the use of the property and with respect to such other areas of responsibility assigned to the Association by the Amended and Restated Declaration of Covenants, Conditions and Restrictions for River View at Rolling Brook ("Declaration"); and,

WHEREAS, Section 55-515A of the Act charges all Lot owners and their tenants, guests and invitees with compliance with the Act, the Declaration, By-Laws and Rules and Regulations of the Association, as amended; and,

WHEREAS, Article II, Section 2.3(15) of the Amended and Restated Declaration of Covenants, Conditions and Restrictions for River View at Rolling Brook ("Declaration") empowers the Association, acting through its Board of Directors, to adopt and publish rules and regulations governing the use of the Common Area and facilities; and,

WHEREAS, Article II, Section 2.3(18) of the Declaration specifically authorizes the Association, acting through its Board of Directors, to make and enforce rules and regulations regarding the parking areas within the Common Area; and,

WHEREAS, Article VI, Section 4.7 of the Bylaws allows the Board of Directors to establish penalties for infractions of the rules and regulations; and

WHEREAS, Article VI, Section 6.1(1) and Section 6.5 of the Declaration imposes restrictive covenants relating to the displaying of signs in public view; and,

WHEREAS, Article VI, Section 6.13 of the Declaration imposes restrictive covenants with respect to vehicles parked within the boundaries of River View (whether on Lots or Common Area); and,

WHEREAS, Article VI, Section 6.16 of the Declaration provides that the Board of Directors have the authority to adopt such rules and regulations with respect to Sections 6.1 through Section 6.14 as from time to time considered necessary or appropriate; and,

WHEREAS, Article VI, Section 6.17 of the Declaration allows the Association to take corrective action for violations of Article VI of the Declaration.

WHEREAS, it is the intention of the Board of Directors, by this resolution, to update the previously published parking regulations in order to assure equitable parking arrangements, as well as safe and attractive parking areas.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT the Board of Directors adopts the following revised and restated parking regulations:

I. PARKING RIGHTS – ASSIGNED SPACES AND PERMITS.

A. All members will be assigned two (2) individual parking spaces that are marked with “Address Numbers” (“Assigned parking spaces”).

B. Only “Approved Resident Vehicles” may be parked in Common Area Assigned parking spaces. An Approved Resident Vehicle is a vehicle driven/used/borrowed/rented by a resident(s) residing at a River View at Rolling Brook address, regardless of where the vehicle is titled/registered, and shall include any licensed conventional passenger vehicle, motorcycle, van or truck which does not exceed eighteen (18) feet in length, eight (8) feet in width and is less than three (3) tons gross weight, except where otherwise prohibited by the terms of this Resolution.

C. Visitor, Overflow, and unmarked parking spaces (“Unassigned parking spaces”) are first come first served. All vehicles parked in an Unassigned parking space must display a Visitor Hang Tag, and may park no longer than forty-eight (48) hours, in order to allow Unassigned parking spaces to be available for temporary visitors. The rotation of vehicles in any Unassigned parking spaces for longer than forty-eight (48) hours is prohibited.

D. Only “Approved Visitor Vehicles” may be parked in Common area Unassigned parking spaces. An Approved Visitor Vehicle is a vehicle driven/used/borrowed/rented by a visitor(s) of a River View at Rolling Brook resident, and shall include any licensed conventional passenger vehicle, motorcycle, van or truck which does not exceed eighteen (18) feet in length, eight (8) feet in width and is less than three (3) tons gross weight, except where otherwise prohibited by the terms of this Resolution.

E. All vehicles parked in Common Area Unassigned parking spaces must display an Association Visitor Hang Tag. Towing enforcement occurs from 10:00 p.m. to 7:00 a.m. every day of the week. (Times subject to change with notice.) All violators will be towed at the Owner’s expense.

F. Motorcycles do not require Hang Tags; however, when parked in an Assigned parking space, please park them in a shared space with your other vehicle (parked either in front of or behind your vehicle).

G. Visitor Hang Tags must be displayed from the inside on the rearview mirror or if it does not fit, must be laying on the dash where easily visible.

H. If a vehicle parked in an Unassigned parking space is covered, the Visitor Hang Tag must be displayed somewhere on the cover where it is visible to the towing company (with

some type of “window” or opening in cover). Vehicles parked in Unassigned parking spaces with a cover but without a Visitor Hang Tag are subject to towing at the Owner’s expense.

I. Visitor Hang Tags that have been lost or stolen must be reported to Management and the Hang Tags will be reported to the towing company and voided. Any voided Visitor Hang Tag used within River View will be towed with no notice at the Owner’s expense.

J. The Visitor Parking Hang Tag replacement fee is \$35. Due to the shortage of Unassigned parking spaces, no more than one (1) Visitor Hang Tag will be issued to each Unit.

K. Visitor Hang Tags are assigned to a specific address and are not transferable, but can be loaned to another lot resident. The Owner is responsible if he loans out a Visitor Hang Tag and there is an issue or it is lost.

II. GENERAL RESTRICTIONS.

A. No vehicles, other than those which are defined as Approved Vehicles in accordance with Section I of this Resolution, may be parked on Association Property. Prohibited vehicles include, but are not necessarily limited to, the following:

1. Any boat or boat trailer;
2. Any motor home or self-contained camper;
3. Any camper slip-on where the back of the camper is higher than the roof line of the cab of the truck;
4. Any mobile home, trailer or fifth wheel vehicle;
5. Any pop-up camp/tent trailer or similar recreation oriented portable vehicle or transportable facility of conveyance;
6. 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;
7. Any junk vehicles (any vehicle that cannot legally be driven on public highways or streets in Virginia or any vehicles that are in such a state of disrepair that they cannot be driven on public roads).
8. Commercial Vehicles
 - a. Any vehicle defined in the Virginia Code as a “Commercial Motor Vehicle”, which means, except for those vehicles specifically excluded in Section 46.2-641.4 of the Code of Virginia, every motor vehicle, vehicle or combination of

vehicles used to transport passengers or property which either: (i) has a gross vehicle weight rating of 26,001 or more pounds; or (ii) has a gross combination weight rating of 26,001 or more pounds inclusive of a towed vehicle with a gross vehicle weight rating of more than 10,000 pounds; or (iii) is designed to transport 16 or more passengers including the driver; or (iv) is of any size and is used in the transportation of hazardous materials as defined in this section. Every such motor vehicle or combination of vehicles shall be considered a commercial motor vehicle whether or not it is used in a commercial or profit-making activity.

b. For the purpose of this Resolution, a “Commercial Vehicle” shall also be defined as any vehicle licensed as a commercial vehicle under the laws of any state, or any vehicle without commercial license but which has signs, decals, lettering and/or three-dimensional equipment, equipment racks or appliances that indicate that the vehicle is conspicuously used for commercial purposes.

c. A vehicle shall not be considered a “commercial” vehicle and/or in violation of the signage covenants and regulations solely because (a) manufacturer’s name and brand of the motor vehicle are on the motor vehicle; (b) parking permits are posted on the vehicle windows or hangtags in the vehicle, and/or (c) there are bumper stickers on the vehicle.

d. Any vehicle that falls into this category belonging to a contractor/service provider/vendor that has been contracted to enter the community to effect repairs or provide other services on the Association Property may park on Association Property while providing these services.

9. Private or public school or church buses.

B. All vehicles must display current registration and state inspection stickers.

C. No “oversized motor vehicles” shall be parked overnight on the Association property. The term “over-sized motor vehicle” shall mean any motor vehicle which exceeds any of the following:

1. 8 feet in width, including mirrors
2. 9.5 feet in height, not including whip antennas
3. 18 feet in length, including tow accessories
4. Any vehicle designed to operate on more than four wheels
5. Curb Weight exceeding three (3) tons gross weight.

D. No portion of any Lot, Common Area, or Public Street within River View at Rolling Brook shall be used for the maintenance or repair of motor vehicles, except minor repairs such as changing a tire or replacing wiper blades. Minor repairs do not include oil changes as leaking oil causes environmental issues and damages to parking lots. Any damages to parking areas due to work will be billed to the Owners. Automotive repairs are restricted to those repairs which: (i) cause no damage, stain, or unsightly appearance to the grounds upon which the repairs were made;

(ii) are capable of reasonably being completed within the same day during which work began; (iii) do not require the use of large bulky equipment, which if unattended could cause harm to others through accidental or purposeful handling; and (iv) under no circumstances may more than one (1) wheel be raised off the ground or left unattended while using a jack.

E. Motor vehicles shall not exceed a speed limit of fifteen (15) miles per hour while operated on Association property.

F. Motor vehicles (including motorcycles) shall be operated and parked in the paved parking lot areas only.

G. Parking in the fire lanes, including marked yellow curb areas, is prohibited.

H. Owners of vehicles will be held liable for all costs to repair damages to the Association Property caused by or resulting from their negligence, vehicle repairs, or storage of any combustible, dangerous or otherwise hazardous materials on the Association Property (regardless of the type of container).

I. Resident and non-resident Owners shall not use the parking lots for the storage of any vehicle, including but not limited to motorcycles, boats, trailers, campers, etc.

J. The operation of a motor vehicle by any person who does not possess a current driver's license is prohibited.

K. All persons operating motor vehicles upon Association property shall conform to all traffic control signs posted on the premises, and in accordance with the provisions of the traffic and motor vehicle ordinances of Prince William County and the laws of the Commonwealth of Virginia.

L. All motor vehicles parked in an Unassigned parking space shall be parked within the boundaries of each Unassigned parking space and shall occupy one (1) Unassigned parking space. Hitch accessories shall not extend over the sidewalk. Motor vehicles (including motorcycles) shall be parked only in designated parking spaces on the property. **Double parking in Unassigned parking spaces is prohibited.**

III. LIMITATION ON ASSOCIATION RESPONSIBILITY.

Nothing in this Resolution shall be construed to hold the Association or the Board responsible for damage to vehicles or loss of property from vehicles parked on the Common Area.

IV. ENFORCEMENT OF VEHICLE RULES AND REGULATIONS.

A. Vehicle Removal. The Board of Directors shall have the authority to have any motor vehicle not in compliance with the provisions of this Resolution removed from the common parking areas. This authority may be delegated to the Board or the Managing Agent. All costs and risks of towing and impoundment shall be the sole responsibility of the vehicle's owner.

B. Violations Subject to Immediate Towing. Any motor vehicle (a) parked within fifteen (15) feet of a fire hydrant or in a designated fire lane; (b) not displaying an Association Visitor Hang Tag; (c) parked in an assigned parking space without permission of the Owner of the Lot to which the parking space is assigned; (d) occupying more than one (1) unassigned parking space; (e) parked on a grassy area or sidewalk; (f) not parked in a designated parking space/area; or (g) constituting a safety hazard or impeding access to other parking areas, shall be subject to immediate removal without notification.

C. Notice of Violation. The owner of any motor vehicle not in compliance with any of the other rules and regulations in this Resolution shall be notified of the violation by the posting of a notice on the vehicle. If the motor vehicle is not brought into compliance within the (10) days' notice, it will be subject to removal by towing as well as other enforcement action. A record of such action will be entered into the violation records. Subsequent violations committed within any consecutive twelve (12) month period shall subject the violating motor vehicle to immediate towing without notification.

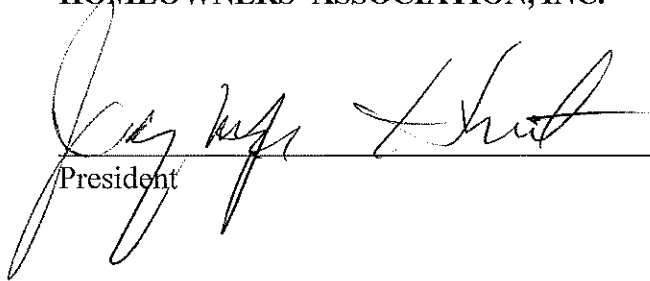
E. The Association reserves the right to exercise all other power and remedies provided by the Association's governing documents or the laws of Virginia and Prince William County, Virginia.

This Resolution supersedes and replaces any previous resolution establishing rules and regulations for vehicles and parking as of the Effective Date.

(Signatures start on next page)

The Effective Date of this Resolution is April 1, 2019.

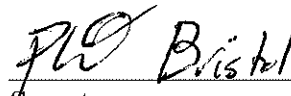
**RIVER VIEW AT ROLLING BROOK
HOMEOWNERS' ASSOCIATION, INC.**



President

ATTEST:


I, Secretary of the River View at Rolling Brook Homeowners' Association, Inc. hereby attest that the foregoing revised and updated Policy Resolution No. 02-12 was duly adopted by the Board of Directors on the 19 day of February, 2019.



Secretary

CERTIFICATE OF MAILING

I, Deborah Turner of Burke Community Management Group, Community Manager for the River View at Rolling Brook Homeowners' Association, Inc., hereby certify that copies of the foregoing revised and updated Policy Resolution No. 02-12 were mailed, postage prepaid, to all Members of the Association at their address on record on the 27 day of February, 2019.



Community Manager