

Reserve Master Association, Inc.
Parking and Vehicle Policy
Policy Resolution 2021-_____

WHEREAS, Article 4, Section 4.5(a) of the Restated and Amended Declaration of Protective Covenants and Restrictions (the “Declaration”) provides that the Association has the right to establish rules and regulations related to the use of the Common Areas which includes Neighborhood Common Areas and Limited Common Areas; and

WHEREAS, Va. Code Ann. § 55.1-1819 empowers the Board of Directors to establish, adopt and enforce rules and regulations with respect to the use of the Common Areas; and

WHEREAS, Article 7, Section 7.1(c) and empowers the Board of Directors to adopt rules and regulations regarding the storage and use of all vehicles; and

WHEREAS, Article 7, Section 7.1(u) establishes certain restrictions related to parking and vehicles; and

WHEREAS, Article 1, Section 1.7 of the Declaration provides that the streets Common Areas, and Article 1, Section 1.15 of the Declaration provides that parking related to the pool and clubhouse are Limited Common Areas; and

WHEREAS, the Board of Directors believes it is in the best interest of the Association to adopt rules and regulations to govern parking and vehicle use on the Common Areas consistent with the Governing Documents.

NOW THEREFORE, it is hereby RESOLVED that the Board of Directors adopts the following parking policy:

A. *Parking and Vehicle Regulations*

1. All Owners, occupants, family members, and guests must abide by all parking regulations as posted, as contained in the Declaration, or in this Policy.
2. All vehicles are required to be registered with the Manager.
3. **All parking is at the risk of the vehicle owner.**
4. No vehicle may be parked so as to block sidewalks, streets or driveways, block access to other vehicles, encroach upon fire lanes, lawns, or landscaping, or in any manner that is contrary to safety or impinges upon the rights of other Owners. No vehicle shall be parked in any manner that blocks the ingress/egress to any garage other than the Owner's garage. Vehicles parked in driveways may not extend onto the street.

5. Parking on the street in the townhouse section of the community is prohibited as per York County regulations. Signs are posted indicating that no parking is allowed on either side of the street.
6. No trucks (other than customary passenger vehicles of a non-commercial nature), trailers, campers, recreational vehicles, boats or large vehicles shall be parked on any portion of the Common Area including the private streets, the parking area for the pool and the clubhouse, or any Lot. The Board of Directors may grant exceptions for certain parking areas and for such temporary time periods. Such vehicles may be parked in garages or screened enclosures approved by the Architectural Review Committee, or in areas designated by the Board of Directors.
7. All vehicles shall display current licenses and inspections, be registered, and be maintained in proper operating condition as not to be a hazard or nuisance by noise, exhaust, emissions, or appearance. Such vehicles shall not be parked or stored on any Common Area, or on any portion of a Lot that is visible from the Common Areas or another Lot.
8. No major repairs or mechanical servicing of vehicles, as determined by the Board, is permitted, except of an emergency nature. No vehicles will be raised or left on blocks. Vehicles may be raised to change a flat tire, but in no case will the vehicle be left unattended while it is raised. Repairs of a non-commercial nature may be made to vehicles within an owners garage.
9. All vehicles using a stand for support (such as a motorcycle or automobile supported by a jack stand) shall require a load bearing pad beneath the stand that would prevent the stand from puncturing, scarring or otherwise damaging the road or parking lot surface. Offenders will be held financially responsible for any damage.
10. Trail bikes, motorcycles, dune buggies, and snowmobiles shall only be driven upon the paved streets and parking areas.
11. No motor vehicles, motorized scooters, segways, or similar motorized equipment shall be driven on any community trails, pathways or unpaved portions of the Common Areas except such vehicles as are authorized by the Board of Directors as needed to maintain, repair or improve Common Areas. Motorized wheelchairs or other devices to assist the disabled are permitted on community trails.
12. Parking in the community is for Owners, occupants, their families and guests.
13. The speed limit on the private streets in the community is 15MPH. The speed limit on Reserve Way is 25 MPH. Reckless operation, excessive speed, and parking or driving on lawn areas or sidewalks is prohibited.

B. Enforcement and Towing

1. Imposing Charges for Violations: The Association shall have the power, in accordance with the provisions of Va. Code Ann. § 55.1-1819, as amended from time to time, to assess charges against any Owner for any violation of the Declaration or any rules and regulations for which the Owner or their family members, tenants, guests, or other invitees are responsible.

Before any such charges may be assessed, the Unit Owner shall be given an opportunity to cure the violation, an opportunity to be heard and to be represented by counsel before the Board. Notice of such hearing, including the actions that may be taken by the Association, shall, at least fourteen (14) days in advance, be hand delivered or mailed by registered or certified United States mail, return receipt requested, to such Unit Owner at the address or addresses required for notices of meetings pursuant to Va. Code Ann. § 55.1-1815.

The amount of any charges so assessed shall not exceed fifty dollars (\$50.00) for a single offense or ten dollars (\$10.00) per diem for any offense of a continuing nature, and shall be treated as an assessment against such Owner's Lot for the purpose of Va. Code Ann. §55.1-1833. However, the total charges for any offense of a continuing nature shall not be assessed for a period exceeding 90 days.

2. Towing: The Association shall have the power and authority to have vehicles that are parked in violation of the Declaration or this Policy removed by towing.

A. Without Notification: Vehicles that are parked within fifteen feet (15') of a fire hydrant, blocking or impeding a drive aisle or a private street, taking up more than one parking space, parked in a "no parking" area, impeding access to mailboxes or sidewalks, constituting a safety hazard, leaking or spilling hazardous or damaging substances shall be subject to immediate towing without any notification at the vehicle owner's expense. Vehicles which cannot be identified as belonging to an Owner, occupant, their family members or guests which are parked on any Common Area or along any private street for more than forty-eight (48) consecutive hours may be towed off the premises at the vehicle owner's expense.

B. With Notification: Vehicles that fail to comply with other requirements of the Declaration and this Policy shall be subject to towing with notification by posting a violation notice on the vehicle. If the vehicle is not brought into compliance or removed within seventy-two (72) hours, it is subject to removal by towing. Any subsequent violations within six (6) months shall subject the vehicle to immediate towing without any notification.

C. Responsibility for Costs, Security and Damages: The vehicle owner shall be responsible for all expenses, including without limitation, towing charges or fees, and attorney fees incurred by the Association for the enforcement of this Policy. The Association assumes no responsibility for the security of any vehicle parked on any Common Area and disclaims responsibility for any damage to any vehicle parked or operated anywhere in the community, or for any damage resulting from the towing of any vehicle from the property.

D. Contact Information for Towing Company: The contact information for the

towing company shall be as posted at the Clubhouse, Pool or at the entrance to the community.

This Resolution is effective _____, 2021.

Adopted by the Board of Directors at a duly called Board Meeting by Unanimous Consent
(written approvals attached) of the Board of Directors on _____, 2021.

Secretary