

# **Pinewood Greens Homeowner Association Common Property Parking Regulations**

**Effective August 1, 2013**

**We have a good mix of reserved and non-reserved parking in Pinewood Greens. There are just over twice as many parking spaces as homes in our community. This compares well to some of the newer townhome communities that were built with one, or maybe one and a fraction, parking space per home. We are also quite fortunate to have a good deal of curbside parking along Hyson Lane and along Snead Lane (our two state-maintained roads), as well as areas of curbside parking sprinkled throughout the neighborhood.**

**Parking in our community is governed by the Declaration of Covenants, Conditions, and Restrictions, a document that is a part of the deed of your property. Basically the Covenants state that each home shall be assigned one reserved parking space “which shall be near and convenient to said lot as reasonably possible, together with the right of ingress and egress in and upon said parking areas.” (Article V of the Covenants) The parking rules below are therefore adopted under the Covenants and Article VIII, Section 1(a) of the By-Laws.**

## **1. All Vehicles**

- a. These parking rules apply to every vehicle that parks on Pinewood Greens common property.

## **2. Reserved Spaces**

- a. Each home is assigned one Reserved parking space. The Reserved parking space is for the sole and exclusive use of that home.
- b. The parking space reserved for your home is marked with the word “Reserved.” Your house number will also be marked on the curb unless you specifically request that the number not be painted.
- c. Residents have the authority to tow any vehicle that parks in your marked Reserved spot. You do not have to call the Association office first. Please see Section 14.

## **3. Non-Reserved Spaces**

- a. Parking spaces that are not marked “Reserved” are available on a first come, first served basis.
- b. No vehicle can park longer than 15 consecutive days in a non-reserved space or common property curbside parking space.

#### 4. Vehicles Prohibited on Pinewood Greens Common Property

**The vehicles listed below are strictly prohibited from the common property (all areas, including reserved spaces, unreserved spaces, and curbside parking). The Association may tow any vehicle listed below parked in Pinewood Greens common property parking areas. The Association may also take action as explained in Section 13 below.**

- a. Vehicles in Violation of State and County Laws. All state and county laws are enforced in Pinewood Greens. State inspection stickers and state license tags must be current. Fairfax County police are authorized to enter the common area to enforce traffic and registration laws of the Commonwealth of Virginia and Fairfax County. If state licenses and inspection stickers, as well as county stickers, are not kept current, your vehicle could be ticketed and towed by the police. The Association may also tow or take action under Section 13 below. State and county laws apply to all cars parked in common property parking lots, whether the car is in a reserved space, unreserved space, curbside parking or elsewhere.
- b. Vehicles under Repair, Non-Functioning Vehicles. A resident may undertake minor repairs (repairs that take less than 8 hours) on a vehicle; however, **repeated** repair work on one or multiple vehicles over the course of days or weeks is strictly prohibited. Vehicles that are undergoing **prolonged** repairs (repairs that last more than 8 hours) are prohibited. Vehicles that obviously cannot be driven are prohibited.
- c. Vehicles Prohibited by Fairfax County CPD. No vehicles prohibited by Fairfax County in a Community Parking District are allowed to park on Pinewood Greens common property parking lots.
- d. Vehicles Used for Recreation. Vehicles such as boats, boat trailers, or any vehicles designed for water use, recreational vehicles, campers, motor homes, and unattached camper bodies are prohibited.
- e. Trailers. All types of trailers are prohibited.
- f. Stored Vehicles. No vehicle may be stored on common property non-reserved parking spaces or curbside parking areas. Any vehicle that is parked in a non-reserved space or in a curbside parking space for more than 15 days is considered a stored vehicle and is prohibited. Such a vehicle will be subject to tow by the Association. The Association may also take action under Section 13 below. The movement of a vehicle to another parking space or to curbside parking does not interrupt the storage cycle. If special circumstances arise (for example, illness, vacation, business travel) in which a vehicle must be parked in a non-reserved spot for more than 15 days, you must contact the Association office in writing, giving the reason for the storage.
- g. Covered Vehicles. Vehicles with covers that obscure the windshield and/or license plates will be considered in violation of these parking rules, unless the vehicle owner provides, within 7 days of a note affixed to the vehicle by the Association, proof of a valid state license and state inspection sticker. If such proof is not provided, the vehicle can be towed by the Association or action taken as explained in Section 13 below.

## **5. Towing by the Association**

**The Association may tow any vehicle in violation of any of these parking rules. If the Association tows a vehicle in violation of any of these parking rules, the cost for the tow and the risk for damage is the responsibility of the vehicle owner.**

- a. **The Association may tow any vehicle that is prohibited to park on common property listed in Section 4 above.** The Association must put a one week (7 day) warning note before towing a prohibited vehicle listed in Section 4 above. The 7 day period is allowed in order to give you time to remedy the parking violation. If a warning note is placed on your vehicle, you must contact the Association office right away. For subsequent violations of Section 4 by the same vehicle, no 7 day warning period is required.
- b. **For all other violations of the parking rules, the car may be towed by the Association immediately.** No warning note is needed. No waiting period is required.

## **6. Towing by the Association during Storm/Snow/Ice Emergencies**

- a. Any vehicle that is double parked, parked on the drive portion of a common property road, or blocking the progress of a snow plow **or blocking access needed for immediate removal of hazardous storm damaged trees** may be towed without any prior notice or warning by the Association.

## **7. Towing by the Association during Street and Sidewalk Repairs**

- a. The Association may tow vehicles in a work zone during street and sidewalk repairs. Work zones will be marked by signs and caution tape for at least **3 days** prior to the start of work. At least one week's written notice will be given to the owner or resident located in a street and sidewalk work zone, unless the repair is necessitated by an emergency. The notice will inform you of the date and start time for the repairs. If the vehicle is not moved from the work zone by the designated start time, your vehicle may be towed by the Association without further notice or warning at the vehicle owner's expense.

## **8. Towing from Fire Lanes**

- a. Under Fairfax County law, it is illegal for any vehicle to park in a Fairfax County designated fire lane. Vehicles parked in fire lanes are subject to ticket and tow by the police. Any resident can, and should, contact the police (703-691-2131) to report a vehicle parked in a Fairfax County designated fire lane.

## **9. Towing from Hyson Lane and Snead Lane Community Parking District**

- a. Fairfax County police tow from areas marked as a Community Parking District. Call the police non-emergency number at 703-691-2131 for towing from these areas.

## **10. Towing of Double Parked Vehicles/Improperly Parked Vehicles.**

- a. Vehicles that block the access into or out of any parking space are subject to immediate tow. See Section 14.b. for towing by residents of Pinewood Greens for vehicles that block access into or out of any parking space. Vehicles that block access into, out of, or

through any common property court or drive are subject to immediate tow. Vehicles that are parked to take up more than one space are subject to immediate tow.

- b. The inside curb (areas marked on the curb) of the islands on Snead bay and Hyson bay are no parking zones. Vehicles parked in these locations are subject to immediate tow as well as action under Section 13 below.

**11. Oversize Vehicles.** Vehicles longer than 18 feet are prohibited and are subject to immediate tow by the Association. Vehicles may not park in such a manner to obstruct or impair pedestrian walkways (i.e. at least 2 feet of the sidewalk must be clear). Vehicles must fit within the white parking lines and must allow egress for occupants of adjoining vehicles; otherwise these vehicles are subject to immediate tow by the Association.

**12. Unattended Vehicles on Jacks or Blocked Up.** Vehicles that are blocked up are prohibited and are subject to immediate tow by the Association. Vehicles that are on jacks for more than 4 hours (vehicle owners must be present at all times when a vehicle is on jacks) are prohibited and are subject to immediate tow by the Association.

### **13. Violations of the Common Property Parking Rules**

The Association, in addition to or instead of towing, may also take action as described in the Pinewood Greens Homeowners Association Suspension Policy.

### **14. Towing by Residents of Pinewood Greens**

- a. Any homeowner or his/her authorized agent may arrange for towing of any unauthorized vehicle parked in their Reserved parking space. No homeowner may tow from a non-reserved parking space or any curbside parking area on common property.
- b. Any homeowner or his/her agent may arrange for towing of any vehicle that blocks the entrance or exit to their reserved parking space.
- c. Any homeowner or his/her authorized agent may arrange for towing of any vehicle that blocks the exit of their vehicle from a non-reserved parking space, provided that a picture of the blocking vehicle and the blocked vehicle is taken and provided to the Association. The owner of the blocked vehicle must sign the tow company's documentation. All current provisions of the Commonwealth of Virginia (Title 46.2, Chapter 12) and Fairfax County Code (Section 82-5-32) towing code must be followed.
- d. In these three cases above, the homeowner or his agent may call the tow company directly. The cost of the tow is the responsibility of the vehicle owner. The homeowner or his agent must provide a valid driver's license or other identification with the individual's Pinewood Greens address to the tow company. The homeowner or his agent is responsible for signing the tow company's documentation. All current provisions of the Commonwealth of Virginia (Title 46.2, Chapter 12) and Fairfax County Code (Section 82-5-32) towing code must be followed.
- e. Residents shall notify the Association of all cars they have towed within 24 hours.

### **15. Commercial Storage Boxes**

- a. Commercial storage boxes (such as PODS, Store to Door, or Box Cart) are allowed only in a resident's reserved parking space, if the resident is actively in the process of

moving and up to a maximum of 5 days. Only commercial temporary storage boxes such as those listed above are allowed. Other structures or forms of storage are not allowed.

- b. The storage box must not extend beyond the end of the parking space. The storage box must be 7 feet or less in width. The box must not block or impair entrance to or exit from neighboring vehicles. The box must be centered in the reserved parking space.
- c. At least 14 days prior to the delivery of any temporary storage box, the resident must request permission by filling out a request form available in the Association office. No storage boxes are allowed until the request is submitted and approved. The permission form must be displayed on the temporary storage box while the box is located in the reserved parking space.
- d. While such storage boxes can be stored for a total of up to 5 days during the moving process, the Association strongly recommends that the boxes be present for overnight stays only, while the resident is actively filling or emptying the box.
- e. The Association assumes no liability for damage, loss, or injury that may result from such storage boxes. The homeowner is responsible for any damage to common property that may result from the delivery, storage, or removal of the storage box. The Association cannot assume any responsibility for damage to the box itself or the items stored in the box.
- f. No storage boxes are allowed in non-reserved spaces or in common property curbside parking spaces.
- g. Commercial storage boxes present in violation of these rules are subject to immediate tow without notice by the Association at the owner's expense as well as further action as provided in Section 13.

#### **16. Dumpsters (including dumpster bags)**

- a. Dumpsters are allowed only in a resident's reserved parking space, up to a maximum of 5 days.
- b. The dumpster must not extend beyond the end of the parking space. The dumpster must be 7 feet or less in width. The box must not block or impair entrance to or exit from neighboring vehicles. The dumpster must be centered in the reserved parking space.
- c. At least 14 days prior to the delivery of any dumpster, the resident must request permission by filling out a request form available in the Association office. No dumpsters are allowed until the request is submitted and approved. The permission form must be displayed on the dumpster while the box is located in the reserved parking space.
- d. The dumpster must be kept covered at all times (except when being filled) and the cover must be securely attached to the dumpster.
- e. The Association assumes no liability for damage, loss, or injury that may result from such dumpsters. The homeowner is responsible for any damage to common property that may result from the delivery, storage, or removal of the dumpster. The Association cannot assume any responsibility for damage to the dumpster itself.

- f. No dumpsters are allowed in non-reserved spaces or in common property curbside parking spaces.
- h. Dumpsters present in violation of these rules are subject to immediate tow without notice by the Association at the owner's expense as well as further action as provided in Section 13.

**17. Miscellaneous Parking Regulations**

- a. Parking is not permitted on sidewalks, grassy surfaces, or on any unpaved areas.
- b. Common property parking areas may never be used for storage of personal (non-vehicular) property (for exceptions, see 15 and 16 above).
- c. If a motorcycle is parking in a striped parking space and is parked parallel to the curb in order that another vehicle may also be parked in the space, the combined length of the two vehicles may not exceed 18 feet.

**18. Owner's Responsibility for Tenants, Guests, and all other Residents of the Home.**

- a. Owners are responsible for notifying all resident family members, other residents in the owner's home, tenants, guests, or other invitees of Pinewood Greens Common Property Parking Rules.
- b. If an owner's resident family members, other residents of the owner's home, tenants, guests, or other invitees violate any of the Common Property Parking Rules, a violation letter (as required) will be mailed to the owner at the address on record with the Association as well as to the applicable resident, tenant, or guest (if address is known).

The owner is responsible for any possible action taken pursuant to the governing documents or rules and regulations adopted pursuant thereto.