

# **WHITTIER PARK HOMEOWNERS ASSOCIATION, INC.**

## **POLICY RESOLUTION No 2019-2**

### **Rules and Regulations Relating to Vehicle Parking**

***(This Resolution amends and supersedes Policy Resolution No.4 in its entirety)***

WHEREAS, Article VII, Section 7.1 of the Bylaws for Whittier Park Homeowners Association, Inc. ("Bylaws") provides that the affairs of the Association shall be managed by a Board of Directors, and

WHEREAS, Article VII, Section 7.1 (a) of the Bylaws empowers the Board of Directors to adopt and amend any reasonable Rules and Regulations not inconsistent with the Association Documents, and

WHEREAS, Article VI, Section I (f) of the Declaration for Whittier Park ("Declaration") defines the type and nature of vehicles that may be parked in Whittier Park parking areas, and

WHEREAS, there is a need to establish orderly and judicious Rules and Regulations regarding parking, as well as remedies for violations of such rules;

NOW THEREFORE BE IT RESOLVED that the following Parking Rules and Regulations be, and hereby are, adopted by the Board:

### **I. PARKING RIGHTS**

1. The Whittier Park Homeowners Association, Inc. parking areas are for the exclusive use of Association members, members' guests, and members' lessees.
2. Parking upon the Common Areas and private alleys may be regulated or prohibited by the Board of Directors. No parking shall be permitted along the private alleys within Common Areas. No vehicle shall be parked on a parking pad, in a driveway, in a garage, or elsewhere on the Property in a manner which unreasonably interferes with access to or along, or encroached upon, the private alleys or pedestrian walkways or emergency vehicle ingress/egress easements within the Property. No vehicle shall park across the entrance to any driveway or parking pad. All garages shall be used for passenger vehicle parking and storage only. The driveways and parking pads, if any, included on a Lot shall be used for passenger vehicle parking only.
3. Except in connection with the construction activities of the Developer, no commercial vehicle, truck, boat, recreational vehicle or trailer, whether owned by the Owner or any other person, shall be permitted to remain on or be parked on the Common Areas overnight. No junk or derelict vehicle on which current registration plates are not displayed shall be kept on any portion of the Property.

All vehicles must be kept in proper operating condition so as to not be a hazard or a nuisance by noise, exhaust, emission, appearance or otherwise.

## **II. NOTICE**

The Board or Managing Agent shall make a reasonable attempt to give notice to the owner of an offending vehicle in a manner generally consistent with attachment Exhibit A. Reasonable notice shall consist of placing notice on the vehicle. If such vehicle is not removed or the violation corrected within 72 hours of issuance of the notice, the Board may have the offending vehicle towed at the expense and risk of the vehicle owner. Any vehicle previously noticed for a violation of the same regulation, shall be subject to towing WITHOUT NOTICE for any second offense of the same regulation.

The Board, the Managing Agent, or designees of the Board shall have authority to tow offending vehicles. Any vehicle improperly parked in private alleys, blocking traffic or access to a resident's garage, may be towed, WITHOUT NOTICE, upon request of the affected Lot owner or resident. The Board, the Managing Agent, or designees will notify Falls Church City Police at 703-248-5053 with the license plate number and description of the offending vehicle after it is towed. The complaining Lot owner or resident may be required to be present at the site of the vehicle at the time the tow truck arrives, or the Board will not authorize towing of the vehicle.

## **III. PARKING SPACES**

No signs, initials, numbers, storage containers or any other additions or alterations to parking spaces may be painted, displayed or erected by any resident. This restriction does not apply to a uniform numbering or letter system that may be applied to all parking spaces by the Association, and does not apply to the ability of the Board to authorize a handicapped parking space upon appropriate request of a homeowner, which designation is to be at the homeowner's expense.

## **IV. ASSOCIATION NOT RESPONSIBLE**

Nothing in this Resolution shall be construed to hold the Homeowners Association, Board of Directors, or their Agents responsible for damage to vehicles or loss of property from vehicles parked upon the Property or towed therefrom.

## **V. ENFORCEMENT OF THE REGULATIONS**

In addition to the towing provisions above, violations of the Regulations are subject to appropriate action by the Board including, but not limited to, the initiation of legal action by the Board of Directors. Should any legal action be required, all legal fees and costs shall be assessed and attributed to the Lot owner responsible for the offense. Lot owners shall be responsible for the offenses of their tenants and their guests.

The foregoing Resolution is hereby adopted on this 5th day of November, 2019 without meeting, by all members of the Board of Directors.

The Whittier Park Homeowners Association, Inc

By: Chris Miceli  
Chris Miceli

By: Kelly Miceli  
Kelly Miceli

By: Reid Sassman  
Reid Sassman

Members, Board of Directors