

CEDAR COVE CLUSTER ASSOCIATION, INC.

PARKING POLICY

WHEREAS, Article VI of the Bylaws of Cedar Cove Cluster Association (“Cluster”) provides that the Board of Directors (“Board”) shall manage the affairs of Cedar Cove Cluster Association;

WHEREAS, Article VII, Section VII.2(b)(1) of the Reston Deed of Dedication (January 2006), provides that the Cluster Board may, after Notice, pursuant to Deed Section I.1(bb)(2), and hearing, to establish reasonable rules of use, including parking rules;

WHEREAS, Section 55-513 of the Virginia Property Owners’ Association Act (“Act”) provides the Board with the power to establish, adopt and enforce rules and regulations and to suspend the use of facilities and services; and

WHEREAS, the Board desires to adopt a parking policy for the Cluster which addresses (1) procedures for parking vehicles within Cedar Cove Cluster (2) restrictions on the types of vehicles which may be parked within Cedar Cove Cluster and (3) procedures for enforcing the parking policy.

NOW, THEREFORE, BE IT RESOLVED THAT the Board hereby adopts the following parking policy for the Cluster:

I. DEFINITIONS:

- A. **Common Area:** All real property and improvements thereon owned or leased by the Cluster for the common use and enjoyment of the Owners.
- B. **Owner:** The record holder(s) of fee simple title to, or life estate in, any lot.
- C. **Resident:** A lot owner or tenant residing within Cedar Cove Cluster subdivision.
- D. **Tenant:** Any person residing on a lot and who pays rent or other compensation to the Owner of that lot.
- E. **Visitor:** Any individual other than a “Resident”.

II. GENERAL POLICIES

- A. All parking on Cedar Cove Cluster streets and in common parking areas is available on a first-come, first-served, space available, basis to Residents and their families, guests and tenants. Residents and their families, guests and tenants are encouraged to use driveways and garages as the primary parking location.
- B. Vehicle owners must obey all applicable traffic laws when operating vehicles on the Common Area.

- C. On-street parking is restricted to only one side of each Cluster owned street, as determined by the Board and indicated by signage and curb markings.

III. RESTRICTIONS

- A. Vehicle owners shall not park vehicles next to or within restricted parking areas, including, but not limited to, one side of the street that is marked as a no parking area, fire lanes, fire hydrants, mailboxes, driveways or other parking areas designated as restricted by the Board.
- B. Where parking is limited to one side of the street, vehicles must be parked in the direction of traffic flow.
- C. No commercial vehicles, taxicabs, limousines, recreational vehicles, motor homes, boats or trailers may be parked overnight or stored on Cluster streets and common parking areas. The parking or storing of such vehicles in a Resident's garage or on the private driveway is permitted.
- D. No vehicle shall be parked anywhere except on a paved surface designed for parking.
- E. No vehicle shall be parked on any area designated for pedestrian use.
- F. No vehicle shall be parked in such a way that the vehicle restricts or impacts pedestrian walkways.
- G. No vehicle shall be parked in such a manner and area that obstructs the safe, free-flow of moving vehicular traffic or obstructs the movement of other vehicles.

IV. ENFORCEMENT

The Board of Directors, or the Board's designee, shall be authorized to enforce all provisions and restrictions of this Parking Policy and accomplish enforcement in a manner that is consistent and equitable to all residents, guests and visitors.

Any motor vehicle, trailer, semi-trailer, camper, boat, truck, personal van, recreational vehicles, or other vehicle of any description that is parked in violation of Section II of the General Provisions or Section III of the Restrictions shall be deemed to be parked without permission of the Cluster and subject to enforcement as provided by the Enforcement Procedures of this Policy, in accordance with the provisions of Chapter 12, Section 46.2-1231 of the Code of Virginia (1950), as amended, which provides for the removal by towing of any motor vehicle or other vehicle that is so parked without permission. Any vehicle parked in any Common Area without permission is subject to being towed and stored off the property at the owner's expense and risk. The Board of Directors is

authorized to have such vehicles towed as the action of last resort described in the Enforcement Procedures.

Enforcement Procedures.

The Board of Directors shall issue written notice of a violation to any vehicle parked in violation of state or local laws or this Policy. The notice shall contain (1) the time date and location of the violation; (2) nature of violation; (3) descriptive vehicle data, such as make (including year if known), model, state license number, and resident, guest or visitor information (if known); and (4) Except as noted below a deadline of at least 24 hours to remove the vehicle. The notice shall also contain a specific warning that the vehicle is subject to immediate removal by towing by authority of Section 46.2-1231 of the Code of Virginia (1950), as amended. Copies of such notification shall be maintained by the Board.

If the vehicle has not been moved by the deadline defined in the notice (which shall be 24 hours for a first offense, except as noted below, and less for subsequent/repeat offenses), the Board of Directors, upon agreement of any two Board members, without the need of a formal Board meeting, may remove the vehicle, at the vehicle owner's risk and expense.

Notice of violation is not necessary in the following cases, and vehicles may be towed by the Board of Directors without notice:

1. The vehicle is parked along a yellow curb or otherwise designated fire lane.
2. The vehicle is parked as to prohibit the free movement of another vehicle or restricts the passage of pedestrians or pedestrian walkways.
3. The vehicle does not display current license plates, valid and current local and/or state registration stickers.

Towing expenses and fees shall be determined by the Cluster's designated towing company.

