

**RESOLUTION OF THE BOARD  
OF TRUSTEES  
OF ASHBURN FARM ASSOCIATION**

**Policies and Procedures Relative to Parking and Towing of Vehicles**

WHEREAS, Article VI, Section 1 of the Association's Declaration empowers the Board of Trustees to adopt and publish rules and regulations governing the use of the Common Area and facilities, and the regulation of parking, and to establish penalties for the infraction thereof;

WHEREAS, the Board of Directors deems it necessary and in the best interests of the Association to establish rules and regulations for the parking of vehicles on the Common Areas; and

NOW, THEREFORE, BE IT RESOLVED THAT the following policy and procedures shall be adopted relative to the parking of vehicles on the Common Area:

**I. GENERAL GUIDELINES**

- A. All vehicles must be parked only in area (reserved/open parking spaces, driveways, streets, garages, etc.) designated for such purpose and in full conformity with all applicable laws. At no time may residential lawns, yards, open green space, pipe stems, general turf areas, etc. be used for parking, storage, or other recurring use to support vehicles of any type. Enforcement of this provision shall be as provided for under the Enforcement & Towing section.
- B. Assigned parking in Ashburn Farm townhome neighborhoods is determined by Section and Block. See the attachments for specific parking space assignments and policies for each Section and Block.
- C. Parking spaces marked "Open" are available for use by neighborhood residents and/or their visitors. Residents are encouraged to park additional vehicles on public streets where curbside parking is permitted. A vehicle may not be parked in an "Open" space for more than forty-eight (48) consecutive hours. A vehicle must vacate a parking space for more than one (1) hour to cease one forty-eight (48) hour period and to start a new one. The purpose of the 480hour Rule is to prohibit the "garaging" of vehicles in these spaces. Vehicles left in an "Open" space for more than 48 consecutive hours shall be considered "stored" and will be subject to towing at the owner's expense. All spaces that are not assigned shall be considered "Open" including those spaces without stenciled "Open" designation. (See Enforcement & Towing Section). Vehicle must be parked in between the lines of the "Open" spaces.
- D. Vehicles must be parked so as to not to obstruct other parking spaces, sidewalks, or ingress and egress areas, or impede mail delivery or pickup.
- E. Vehicles may not be parked in such a way as to constitute nuisance including but not limiting to vehicles parked diagonally or occupying two "Open" parking spaces.
- F. Vehicles may be parked only in designated parking spaces. Vehicles may not park in "No Parking" areas or Fire lane areas as posted or designated.
- G. Assigned parking spaces will be marked with townhome lot numbers or some other designation.
- H. No signs, initials, numbers, storage containers or other additions or alterations to parking spaces may be painted, displayed, or erected by a homeowner without prior written approval from the Board of Trustees.

**II. ENFORCEMENT AND TOWING**

Any vehicle parked which does not conform to the stipulations of this Parking Enforcement Policy, will be subject to towing at the sole expense and risk of the owner of the offending vehicle.

**A. CONDITIONS FOR TOWING**

The Ashburn Farm Board of Trustees or the Ashburn Farm Association Community Manager may initiate towing on any prohibited vehicle, or vehicle in violation of the provisions of this Parking Enforcement Policy. The Ashburn Farm Board of Trustees or the Ashburn Farm Association Community Manager shall

be responsible for the towing of vehicles violating any rules contained herein. Open Space storage of vehicles, inoperative vehicles, commercial vehicles, or any vehicle in violation if the parking rules shall be subject to the "48-hour notice to tow". Vehicles violating the forty-eight (48) hour rule for the first time will be subject to towing forty-eight (48) hours from the hour such notice vehicle has had a towing notice placed on it. Vehicles violating the forty-eight (48) hour rule for the second time or any subsequent time will be subject to immediate towing. Unauthorized vehicles parked in reserved spaces, or designated "No Parking" areas are subject to immediate towing as described below (see "Towing without Notice").

#### B. 48-HOUR TOWING NOTICE

- 1) Any "Commercial", "Recreational", or "Inoperable" vehicle, as defined in this policy, in violation of the rules and shall be subject to towing under the following provisions.

Posting a "48-hour" notice on the vehicle stating:

- Make, Model and year (if known), and color of the vehicle.
  - License number of vehicle, the state licensed to and expiration date
  - Date vehicle will be towed
  - Date and Time of citation
  - Tow Company's name and phone number.
- 2) After posting the "48-hour" notice, AFA will send a copy of the citation to the contracted tow company for the purpose of towing the vehicle after the 48-hour grace period and any continuing violations of such vehicle.
  - 3) Any repeat violations will result in towing without notice.

#### C. RESIDENT'S RIGHT TO TOW OUT OF ASSIGNED SPACED

- 1) Any resident on a street with reserved parking who finds an unauthorized vehicle in his/her reserved parking space may initiate immediate towing of the unauthorized vehicle, however, residents are strongly encouraged to solve any problems with the owner of the offending vehicle, if possible, prior to implementing towing of the same.
- 2) The following procedures are to be used when initiating a tow: Only residents with reserved spaces may call an authorized towing company to remove an offending vehicle from their reserved space. The initiator of the tow must be present when the towing company arrives and must provide the towing company with a driver's license. The driver's License will enable the towing company to verify the initiators address to ensure that it corresponds to the reserved parking spaces assigned to a particular townhome. The initiator of the tow must sign an impound slip authorizing the tow.

#### D. TOWING WITHOUT NOTICE

For the safety of all residents, the following vehicles in violation will be towed without notice:

- 1) Any vehicle parked in a Fire Lane
- 2) Any vehicle parked in a "No Parking" area.
- 3) Any vehicle parked in a way to limit egress or ingress.
- 4) Any vehicle double-parked.
- 5) Any vehicle parked in front of or blocking mailbox access as to impede delivery or pickup.
- 6) Any vehicle, including those owned by non-resident contractors, parked on the walking trails or any common area not designated for parking.
- 7) Any vehicle parked in a manner that blocks any handicap ramps.
- 8) Any vehicle with repeat violations.

#### E. ASSOCIATION LIABILITIES

Nothing in this Parking Enforcement Policy shall be construed to hold the Ashburn Farm Association, Board of Trustees, Committee Members, Neighborhood Board Members, or Ashburn Farm Association Employees responsible for damage to vehicles or loss of property from vehicles, which are parked in Ashburn Farm Townhome Community.

### III. ADDITIONAL PARKING REGULATIONS

A. No portion of the property subjected hereto shall be used for the repair of motor vehicles, the storage of inoperable motor vehicles or vehicle parts. Parking of all commercial and recreational vehicles and related equipment, other than on a temporary (no longer than 48-hours) and non-recurring basis, shall be in garages or in areas approved by the Association for such parking. There shall be no parking of commercial and recreational vehicles anywhere within public view; parking of commercial and recreational vehicles shall be restricted entirely to garages. If a truck mounted camper is to be an owner's primary means of transportation, it shall not be considered a recreational vehicle, provided it meets the following conditions: (a) the vehicle is moved on a daily basis; (b) it is parked within a garage or driveway; and (c) if the camper is removed, the camper shall be stored in an area that would not be visible from any surrounding property.

B. Definitions of Vehicles Types

1. Commercial Vehicles: (48-HOUR NOTICE)

- (a) Any vehicle that displays advertising lettered thereon except small window decals.
- (b) Personally owned vanpool vans will be permitted one (1) sign covering a maximum area of 216 square inches on the rear of the vehicle.
- (c) Any vehicle with externally located or easily visible commercial equipment or materials. Commercial equipment shall include, but not limited to: ladders, compressors, generators, landscaping equipment, pumps, building trade tools, emergency light bars, and beacons.
- (d) Any stake body, box body, or other utility body mounted to a cab-chassis.
- (e) Any commercially licensed vehicle with dual rear axles.
- (f) Any public or private school vehicle, church vehicle, or organization vehicle.
- (g) Any vehicle licensed "for hire" including but limited to taxi cabs, limousines, shuttles.
- (h) Any trailers, tractors, or tractor-trailers, dump trucks, one-ton trucks.
- (i) Any farm implement or construction equipment.
- (j) Government vehicles assigned to official who must respond to an emergency call will not be considered commercial vehicles, (Only Sheriff, Police, and Fire Department vehicles will be permitted.)
- (k) Any vehicles in excess of 15,000 lbs., or as stipulated by Loudoun County vehicle definition for a commercial vehicle.

2. Recreation Vehicles: (48-HOUR NOTICE)

- (a) Any boat or boat trailer.
- (b) Any vehicle whose external configuration conforms to the generally accepted definition of a motor home.
- (c) Any truck camper or truck cap that is either wider or longer than the pickup truck bed on which it is mounted. Truck caps may also be known as tops, toppers, shells, slip-ons or by various other names.
- (d) Any park trailer, travel trailer, regardless of interior configuration.
- (e) Any fold-down camping trailer.
- (f) Any snowmobile, all terrain vehicles, dune buggy, trail bike, go-kart, Jet Ski, or other self propelled vehicle not licensed for operation on a public street.
- (g) Any motorized vehicle not legal for operation on the roadways of Virginia.

3. Inoperable Vehicles: (48-HOUR NOTICE)

- (a) Any vehicle which is partially disassembled by removal of tires and/or wheels, engine or other essential parts required for operation or is otherwise not in operable condition. This will include vehicles placed on jacks or with flat tires.
- (b) Any vehicle not bearing a current state registration plate.
- (c) Any vehicle not bearing a current County or City registration sticker as required by the local jurisdiction.
- (d) Any vehicle not bearing a current inspection sticker, if required.
- (e) Any vehicle components or automotive equipment or accessories not installed in or on an operable vehicle.
- (f) Any vehicle that cannot lawfully be driven on Virginia roads.

The effective date of this Resolution shall be October 15, 2003.

The Board of Directors duly adopted this Resolution this 7<sup>th</sup> day of October, 2003.

ASHBURN FARM ASSOCIATION

By: \_\_\_\_\_  
Laura Salman, President