

Fernbrook Home Owners' Association
Policy Resolution Number 1

Adopted by the Board on September 11, 2001

Parking and Vehicle Policy

WHEREAS, Article VII of the By-Laws of Fernbrook Homeowners Association (hereinafter "By-Laws") states the Board of Directors shall have power to "adopt and publish rules and regulations governing the use of the Common Areas and facilities and the personal conduct and the members thereon, and to establish penalties for the infraction thereof ", and

WHEREAS, the Declaration of Covenants, Conditions and Restrictions (hereinafter Covenants) establish certain prohibited and limited uses of the properties, both private and common, within Fernbrook and state, at Section 11:

Vehicles. Since the unregulated use of vehicles can destroy the appearance of a neighborhood, the following restrictions apply:

- (a) *No more than three (3) ungaraged vehicles will be permitted to be consistently parked on the premises, and these must be in the driveway or on a parking apron off the driveway. These vehicles will be restricted to licensed, operable automobiles, mini-vans and pick-up trucks not to exceed (3/4) ton in capacity.*

- (b) *No major vehicle maintenance or overhaul of ungaraged vehicles will be permitted if unsightly and requiring more than two (2) days.*

and

WHEREAS the Board of Directors deems it necessary and desirable to establish certain general Rules and Regulations in regard to parking and vehicles.

NOW, THEREFORE, BE IT RESOLVED THAT in order to assure equitable use of common areas and protect the appearance and attractiveness of the community, the following rules concerning parking and vehicles be adopted by the Board:

1. "Vehicles", defined in the Covenants as "licensed, operable automobiles, mini-vans and pick-up trucks not to exceed (3/4) ton in capacity", shall include any conventional passenger vehicle, including, full sized vans and sport utility vehicles (SUVs).

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2. That infrequent, overnight street parking of vehicles, not to exceed forty-eight (48) hours in length, conforms with restrictions set forth in the Covenants.
3. The following “vehicles” fall outside the limits of the Covenants and may therefore not be parked on the driveway or street: commercial vehicles, including, but not limited to vehicles adapted and marked for business use; delivery trucks or vans; trailers; buses; recreational vehicles (RVs); campers; boats; and recreational equipment (including, but not limited to jet-skis and snowmobiles). These vehicles may, however, be garaged on the premises.
4. That infrequent parking or storage on the premises of recreational vehicles, campers, boats, boat trailers, recreational equipment, or combinations thereof, for the purpose of cleaning and light maintenance, is authorized.
5. Violation of this policy will be subject to fines as allowed by the law of the Commonwealth of Virginia. The Board of Directors may assess charges against any member for any violation of the declaration or rules and regulations for which the member or his family members, tenants, guests, or other invitees are responsible. Before any such charges or suspension may be imposed, the member shall be given an opportunity to be heard and to appear before the Board of Directors or other tribunal specified by the documents. Notice of a hearing shall be hand delivered or mailed by registered or certified mail, return receipt requested, to the member at his or her address of record, at least fourteen days prior to the hearing. The amount of charges so assessed shall not be limited to the expense or damage to the Association caused by the violation, but shall not exceed fifty dollars for a single offense or ten dollars per day for any offense of a continuing nature and shall be treated as an assessment against the Member’s lot.

The Board of Directors shall reserve the right to grant exclusions based upon extenuating circumstances, which may, from time to time, be presented to the Board in writing, after said request has been filed through the Association Manager or a member of the Board of Directors.