

HADLEY FARMS COMMUNITY ASSOCIATION, INC.

POLICY RESOLUTION NO. 1

PARKING & TOWING RESOLUTION

WHEREAS, Article IV, (a) of the Articles of Incorporation authorizes the Board of Directors to exercise all of the powers and privileges and to perform all of the duties and obligations as set forth in that certain Declaration of Covenants, Conditions and Restrictions; AND

WHEREAS, Article VII, Section 1 (a) of the By-Laws grants the Board of Directors the power to adopt and publish rules and regulations governing the use of the Common Area and facilities, and the personal conduct of the members and their guests thereon, and to establish penalties for the infraction thereof; AND

WHEREAS, Article II, Section 1 (e) of the Declaration of Covenants, Conditions and Restrictions grant the board the power to establish uniform rules and regulations pertaining to the use of the Common Area and the facilities thereon; AND

WHEREAS, Article II, Section 3 of the Declaration of Covenants, Conditions and Restrictions grants the Board of Directors the power to adopt and promulgate Rules and Regulations regarding the use of automobile parking and spaces in the event that Townhomes are constructed; AND

WHEREAS, to preserve the overall aesthetics of the community and for the benefit and protection of all Unit Owners, the Board deems it desirable to establish procedures for the parking and towing of vehicles consistent with principles of due process and the Governing Documents;

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT the Board of Directors adopts the following procedures governing the parking and towing of vehicles in the townhouse sections of Tygart and Elioak in Hadley Farms as well as the Common Area Parking Lot of the Community Center:

I. PARKING SPACE ASSIGNMENT

1. Each townhouse Unit Owner without a garage will be assigned two (2) parking spaces as near as possible to their home. A number corresponding to the address number shall be painted on the parking space to designate the owner of the space.
2. Unit Owners with garages will not be assigned any parking space as they shall use their garage and driveway to park their vehicles and the vehicles of their guest(s), residents and/or invitees.

3. Unit Owners are responsible for keeping their assigned parking space clear so curb markings designating the parking space are visible.
4. Spaces that are not marked shall be designated for guests, invitees, and visitors of Unit Owners and tenants.
5. Owners are responsible to ensure that their family members, employees, visitors, guests, tenants and agents observe and comply with all rules and regulations as may be adopted by the Board.

II. GENERAL RESTRICTIONS

1. Parking Spaces and Visitor Parking Spaces shall be used for parking passenger cars, including sport utility vehicles (SUV's) and vans, motorcycles, and for no other purposes.
2. Unit Owners, residents, tenants and guests may not park in the pool/clubhouse area overnight.
3. All vehicles must be parked in a space specifically designated for parking.
4. Vehicles parked on Hadley Farms Community Association property must display current license plates and a current registration sticker as applicable or required. In the event that the vehicle owner is waiting for updated stickers and registration to arrive from the Maryland MVA, a TEMPORARY REGISTRATION must be affixed to the rear windshield of the driver's side of the vehicle. TEMPORARY REGISTRATIONS are not transferrable and may not be used on a vehicle other than the one to which it was issued.
5. Only one motor vehicle is permitted per parking space.
6. No person shall park a vehicle in a parking space that does not belong to them without the permission of the owner or tenant.
7. No vehicle belonging to any Unit Owner, tenant, guest, invitee or household member of any Unit Owner or tenant shall be parked in a manner which unreasonably interferes with or impedes the ingress or egress of traffic within the boundaries of Hadley Farms Community Association, Inc.
8. No junk vehicle, derelict vehicle or inoperable vehicle may be parked within the boundaries of Hadley Farms. A vehicle shall be deemed to be junk, derelict or inoperable if it is missing any necessary parts, such as but not limited to, windshield, driver's seat, drive train, steering wheel or column, gas or brake pedal, tires, wheels, engines or the like that are necessary for the operation of the vehicle on public streets or which shall include without limitation, any vehicle which would not pass applicable state inspection criteria.
9. Storage containers, storage PODS, construction materials, dirt, mulch and the like are prohibited from being placed, left or stored in any parking space.

10. A commercial vehicle is defined as any motor vehicle which is used in the conduct of a business or service, and

- Has a rated carrying capacity of 1500 pounds or more, and/or
- Regardless of capacity, displays advertising, signs or lettering thereon or is licensed as “for hire” vehicle; and/or
- Regardless of capacity, holds exposed or visible tools or equipment on the vehicle including, but not limited to ladders, tool boxes, traffic cones, pipes, construction materials and tools. Racks on personal vehicles used for transporting recreational equipment are permitted.

Commercial vehicles shall only be permitted to be parked inside of Hadley Farms Community Association, Inc. while picking up or delivering passengers or merchandise or during the performance of a service within the community. Residents who maintain a home-based business office within Hadley Farms Community Association, Inc. or use a commercial vehicle in the conduct of their business shall not have any commercial vehicle associated with that business permitted to be parked at any time within Hadley Farms Community Association, Inc.

11. Trailers, motor homes, any slip-on camper, fifth wheel vehicle, automobile collections or automotive equipment not licensed for use on the highways of Maryland, private buses, public buses or church buses, tents, shacks, house trailers, recreational vehicles, boats or other water apparatuses, boat trailers, portable storage units, storage units, campers, go-karts, dune buggies, snow mobiles, mopeds, dirt bikes, all-terrain vehicles and other similar recreational or utility vehicles, whether licensed or not, shall not be parked in any limited common element parking space, visitor parking space or other area located within the boundaries of Hadley Farms Community Association, Inc.
12. No vehicle other than those displaying a valid handicapped hang tag or government issued handicapped license plate shall be parked in spaces reserved for handicapped parking.
13. Parking along any portion of the areas marked by fire lanes or by a yellow curb is strictly prohibited.
14. Vehicles may not park in an area marked “no parking”, double park, or park in any area which is not a designated parking space.
15. Vehicles may not obstruct the sidewalk or common areas.
16. Except in the case of a bona fide emergency, the performance of any repairs to vehicles, including but not limited to painting, drainage of fluids, is not permitted in any limited common element parking space, visitor parking space or other area located within the boundaries of Hadley Farms Community Association, Inc.

17. Vehicles with automobile covers, strictly made for the purpose of covering a vehicle (no tarps, plastic wrap or the like) must be properly secured and maintained at all times. This does not preclude any member of the Board of Directors, Managing Agent, and/or towing company contracted by the Board of Directors from inspecting the vehicle to ensure it complies with the license plate, inspection and registration requirements of this policy resolution, or to ensure compliance with any other requirements of this policy.
18. No signs, initials, numbers or any other additions or alterations to parking areas may be painted, displayed or erected by any resident.
19. Owners of vehicles are liable for all costs related to damages to the common areas including streets and parking areas caused by their vehicles and/or service or delivery vehicles delivering passengers, goods and/or merchandise. Such damages may be the result of negligent acts, repairs made on the vehicle, storage or use of any vehicle related fluids and/or leakage of substances from vehicles.

III. VISITOR PARKING

1. A visitor is defined as any person who maintains their primary residence outside of Hadley Farms Community Association, Inc., does not habitually park in the community more than five (5) days per week, and is in Hadley Farms with the consent of a Hadley Farms Community Association, Inc. homeowner, tenant or investor.
2. Visitor spaces shall not be used for vehicles owned or operated by Unit Owners or tenants.

IV. ASSOCIATION NOT RESPONSIBLE

1. Nothing in this resolution shall be construed to hold the Association, Board of Directors, and/or their Managing Agent responsible for damaged vehicles, stolen vehicles or loss of property from vehicles parked in limited common element parking spaces, visitor parking spaces or common areas.

V. ENFORCEMENT

1. Towing of vehicles is not considered an emergency. The Managing Agent will not return telephone calls made to the after-hours emergency telephone number for this purpose.
2. The Enforcement of the aforesaid regulations shall be on a "zero tolerance" basis and the Board of Directors and/or Managing Agent will not authorize the release of any vehicle from the towing contractor that is in violation of the rules and regulations of this parking policy.
3. Unit Owners and tenants are responsible for informing and ensuring that guests and invitees comply in all respects with the terms of this policy.

4. Vehicles parked in violation of these rules and regulations are subject to towing at the owner's risk and expense.
5. Vehicles will not be relocated into a visitor space or other location within the community, but will be towed and stored by the designated towing company.
6. Unit Owners and tenants are authorized to have vehicles towed only from their reserved parking spaces, in their driveways or blocking their driveway in the event that an unauthorized vehicle is parked in their limited common element parking space, parked in front of their garage, or that is parked in a manner that unreasonably interferes with or impedes vehicular access to your limited common element parking space and/or garage. The Unit Owners or tenant may initiate the towing process by contacting the designated towing company. The individual who initiates the towing process must be present when the towing company arrives, have proper ID (driver's license with proper address), show proof of ownership of the space (via a lease or deed) and be willing to sign the towing authorization form
7. The Board of Directors for Hadley Farms Community Association, Inc., Managing Agent or the Association's designated contractor shall have the authority to tow vehicles found to be in violation of this parking policy without notice and/or warning. A report of any towed vehicle will be submitted to Montgomery County Police per their requirements.

HADLEY FARMS COMMUNITY ASSOCIATION, INC.


RESOLUTION ACTION RECORDED

Resolution Type:
Parking & Towing Resolution
Resolution No.: _____

Duly adopted at a meeting of the Board of Directors held on November 26, 2013

Motion By: Lauria Seconded By: Ziaee

	Vote: Yes	No	Abstain	Absent
<u>Paul Lauria</u> President	X _____	_____	_____	_____
<u>Bill Jameson</u> Vice President	X _____	_____	_____	_____
<u>Afsaneh Ziaee</u> Treasurer	X _____	_____	_____	_____
<u>Jeff Westley</u> Secretary	X _____	_____	_____	_____
<u>Don Glab</u> Director	X _____	_____	_____	_____

ATTEST:  _____ Date: 11/26/13
Secretary

File:
Book of Minutes: _____, 2013
Resolution Effective: 11/26/13