

**CLARKSBURG RIDGE HOMEOWNERS ASSOCIATION, INC.**

**SECOND AMENDED AND RESTATED PARKING RESOLUTION**

**WHEREAS**, Article 3, Section 3.1.(f) and Article 9, Section 9.5 of the Clarksburg Ridge Homeowners Association, Inc.'s ("Association") Declaration of Covenants, Conditions and Restrictions ("Declaration"), and Article 7, Section 7.1(a) of the Association's Bylaws empower the Board of Directors to adopt rules and regulations regarding the use of the Association's Common Areas;

**WHEREAS**, Article 9, Section 9.3(a) of the Association's Declaration empowers the Board of Directors to regulate parking on the Common Areas;

**WHEREAS**, Article 9, Section 9.3(b) of the Association's Declaration prohibits vehicles from being parked in such a manner that interferes with the access to other parking areas;

**WHEREAS**, Article 16, Section 16.6 of the Association's Bylaws provides for the right to levy fines as the personal obligation of any Owner in violation of the Association's governing documents, and that any such fine shall be collectable as any other Assessment;

**WHEREAS**, vehicles are currently being parked in such a manner as to block other vehicles and which prevent vehicular access to the common areas, especially in the common alleyways; and

**WHEREAS**, the Board of Directors has deemed it necessary and proper to create and enforce a parking policy.

**NOW THEREFORE**, the Board of Directors hereby adopts the following Parking Resolution:

1. **Definitions:**

**"Junk Vehicle"** is defined as a motor vehicle with one or more of the following:

- Apparently inoperable;
- Flat tire(s);
- Leakage of fuel, oil or other fluids;
- Extensive damage (such damage includes a broken window or windshield, missing wheels, tires, motor or transmission); or
- Invalid license plates and/or registration.

**"Reserved Parking Spaces"** is defined as those parking spaces which have been assigned to a Lot by the Board of Directors.

**“Unauthorized Vehicle”** is defined, consistent with Article 9, Section 9.2(d) of the Declaration, as a Junk Vehicle, commercial vehicle (including vans used for commercial use and vehicles displaying commercial signage), truck (as defined by the Maryland Department of Motor Vehicles and/or by common usage and practice except for light pick-up trucks of three-quarter (3/4) ton capacity or less used for non-commercial purposes), unlicensed or inoperable motor vehicle (which shall include, without limitation, any vehicle which would not pass applicable state inspection criteria), trailer, camp truck, house trailer, recreational vehicle, boat or other similar vehicles, machinery or equipment of any kind or character (except for such equipment and machinery as may be reasonable, customary and usual in connection with the use and maintenance of any dwelling and except for such equipment and machinery as the Association may require in connection with the maintenance and operation of the Common Area).

2. First-Come, First-Served Parking. Common Area parking spaces shall be deemed unassigned and designated for general use, to be used on a “first-come, first-served” basis. The Board reserves the right to make certain spaces reserved, if future circumstances merit such a reserved parking system.
3. Commercial Vehicles. Commercial Vehicles are generally prohibited from the Common Areas. Consistent with Article 9, Section 9.2(d) of the Declaration the Board, in its discretion, designates that an exception is hereby created for commercial vehicles that are for the purpose of installing, repairing, or servicing utilities and other services consistent and commensurate with home ownership. Any such Commercial Vehicle(s), including, but not limited to, Comcast, Verizon plumbing, locksmith and other commercial service vehicles are permitted to park on the Common Area for no more than 4 hours. If an Owner anticipates that more than 4 hours will be needed for the commercial vehicle to be present and to complete a project, the Owner may seek Board approval for an extension of the 4 hour limit.
4. Improperly Parked Motor Vehicles. Generally, the parking of any motor vehicle may not interfere with passage, by foot or vehicle, on any Common Area. Motor vehicles parked on an apron may not protrude onto the Common Area, including the alleyways and sidewalks. Any vehicle found to be improperly parked will be towed at the vehicle owner’s expense, in accordance with State and County law.

Any Owner observing an improperly parked motor vehicle may immediately alert the Management Agent, who will contact the towing company to have the motor vehicle towed.

5. Junk Vehicles and Unauthorized Vehicles. No Junk Vehicles or Unauthorized Vehicles shall be parked on the Common Areas at anytime.
6. Procedure for Towing of Unauthorized Vehicles. The Association has retained the services of a towing company. Any Junk Vehicle, Unauthorized Vehicle or motor

vehicle parked improperly is subject to tow at the motor vehicle owner's expense upon twenty-four (24) hours' proper notice, pursuant to State and County law.

7. Vehicle Care and Maintenance. No extraordinary repair or maintenance of motor vehicles may be performed on Common Areas or on Lots. Extraordinary repair and maintenance of motor vehicles does not include rotating tires, changing spark plugs, adding (but not changing fluids), and any other minor repair or maintenance act.
8. Additional Conditions Subject to Vehicle Towing. Any motor vehicle exhibiting any of the following conditions is subject to towing at the motor vehicle owner's expense, upon proper notice, pursuant to State and County law:
  - Parking or standing in a fire lane or limiting access to a fire hydrant;
  - Presenting an immediate hazard to the community, including, but not limited to, leaking hazardous fluids;
  - Malfunctioning audible alarms that are sounding off for an extended period of time; or
  - Parking, operating or standing on any unpaved portions of the Common Areas, on any paved portion of the Common Areas not intended for use as a parking space, on any portion of any Lot, or blocking access to one or more parking spaces, sidewalks or roadways.
9. Valid Registration. All motor vehicles parked on or operated in the Common Areas shall display valid, current registration and license plates in accordance with State and County laws. Any motor vehicle failing to display valid registration and license plates is subject to tow from the Common Areas at the motor vehicle owner's expense, upon the expiration of seventy-two hours (72) after a notice of the violation is placed on the motor vehicle.
10. Owners of Lots are responsible for motor vehicles belonging to his/her tenants and guests while within the Association's property.
11. Fines. In addition to all other enforcement options available to the Association, any violation of this Resolution may result in fines assessed to the responsible Owner, pursuant to Article 16, Section 16.6 of the Association's Bylaws.
12. Nothing in this Parking Resolution shall be construed to limit the Association's or the Board of Director's authority to take any other enforcement action authorized in the Declaration for a violation of this Resolution.
13. Unless otherwise defined in this Second Amended and Restated Parking Resolution, all capitalized terms shall have the meaning set forth in the Declaration.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

By: \_\_\_\_\_

Name:

Title:

By: \_\_\_\_\_

Name:

Title: