

FARMBROOK HOMEOWNERS' ASSOCIATION, INC.

PARKING RULES AND REGULATIONS

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PARKING RULES AND REGULATIONS
FOR
FARMBROOK HOMEOWNERS' ASSOCIATION, INC.

A resolution pertaining to adoption of a policy regarding parking:

I. PREAMBLE

WHEREAS, Article VII, Section 1 of the By-Laws grants the Board of Directors all powers for the conduct of the affairs of the Association which are granted by law and the documents of the Farmbrook Homeowners Association, the; and

WHEREAS, Article VII, Section 2(a) of the By-Laws delegates to the Board of Directors the duty to cause the Common Area (as used herein the term "common area" shall mean all property owned by the Association, including common parking areas as defined in the Declaration, Article I, Section (6) to be maintained; and

WHEREAS, Article II, Section 1(d) of the Declaration of Covenants, Conditions, and Restrictions and Article VIII, Section (a) grants the Association the right to establish uniform rules and regulations pertaining to the use of the Common Area; and

WHEREAS, Article VIII of the Declaration describes certain parking use restrictions; and

WHEREAS, the Board of Directors has found it necessary to establish a parking policy in order to ensure equitable parking arrangements as well as safe and attractive parking areas; and

WHEREAS, it is the intent of the Board to establish a standard policy regarding parking rules and regulations within the community

NOW THEREFORE, BE IT RESOLVED THAT the Board of Directors in an open meeting held August of 1994, voted unanimously, after notice and hearing to all members, to adopt the following Parking Rules and Regulations:

II. DEFINITIONS

As used in this resolution, the following words have these meanings:

1. **ABANDONED VEHICLES**: Shall mean any vehicle / vehicles that:
 - (i) Have remained on the premises of Farmbrook for more than twenty-four (24) hours without the consent of the Board; or
 - (ii) Has remained on the premises of Farmbrook for more than twenty-four (24) hours and is not displaying currently valid registration plates; or
 - (iii) Any vehicle that meets the definition of "abandoned vehicle" under the Code of Maryland.
2. **AUTHORIZED VEHICLE**: Shall mean any vehicle that is permitted to occupy parking spaces(s) at Farmbrook.
3. **BOARD**: Shall mean the Board of Directors, officers and agents of Farmbrook.
4. **BOAT**: Any vessel designed for navigation on water, no matter what the size.
5. **PASSENGER VAN**: Shall mean any passenger vehicle designed to carry ten or more passengers with omnibus, commercial, or bus license.
6. **CAMPER**: Any vehicle drawn by a car, truck, or other vehicle used as temporary or permanent dwelling.
7. **CAMPER TRUCK**: Any self-propelled camper.

8. **COMMERCIAL VEHICLE:** Shall mean any vehicle with excessive advertising, signs, or other marking. Such term does not include police or other governmental agency cars or other vehicles that display names of firms on sides of vehicles that otherwise would be considered a personal nonbusiness vehicle.
9. **FLAT-BED:** A vehicle where the cargo box (on a pickup truck) or the rear portion (on an automobile or van) has been replaced by a deck and may have sideboards or stake-type side rails.
10. **HANDICAPPED:** Shall mean the holder of a valid handicapped or disabled person state registration.
11. **JUNK VEHICLE:** Any vehicle that is incapable of passing current Maryland State Motor Vehicle Administration inspection, or one that does not display proof of current registration plates, regardless of condition.
12. **HOUSE TRAILER:** Same as Camper.
13. **MOPED:** A small motorcycle-like vehicle.
14. **MOTORCYCLE:** A vehicle with two (2) wheels in tandem, propelled by an internal combustion engine and sometimes having a sidecar with a third wheel.
15. **MOTOR HOME:** Shall mean any self-propelled vehicle designed for and constructed primarily to provide temporary living quarters for recreational, camping, or travel use.
16. **OCCUPANT:** Occupant refers to the owner(s) of any town home or single-family unit, to where tenants or renters, and to any children, who are occupying a town home.
17. **OVERSIZED VEHICLE:** Shall mean any vehicle with tires that extend six (6) inches beyond the body OR a vehicle that extends the width of one parking space to the painted lines OR a vehicle that extends beyond the length of the normal parking space OR one that, because of its length, limits the view of the adjoining spaces.
18. **PARKING:** Shall mean the temporary stopping and placement of a vehicle on one fixed location. Temporary contemplates a frequency of use of the vehicle that is generally operated by the owner. Temporary does not contemplate storage, which is a long-term placement of a vehicle on one location. Long term would be considered thirty (30) days or more.
19. **PARKING SPACE:** Shall mean the physical area within the space marked and numbered upon the pavement as a single parking space for a vehicle.
20. **RECREATIONAL VEHICLE:** Shall mean any vehicle intended primarily for recreational purposes. Includes off-road vehicles, racing vehicles, campers, boats, motor homes, house trailers, etc.
21. **STORAGE:** Means the long-term placement of a vehicle in one location (or 9 days from one location to another to avoid the meaning of the term storage), and is not parking. Whether a vehicle is stored - within the meaning of this definition - shall depend on the facts and circumstances of each case. A vehicle shall be deemed to be stored with the meaning of this definition where such vehicle has remained in one location (or moved about from one location to another to avoid the meaning of the term storage) for a period of more than (30) days.
22. **TAXICAB:** Shall mean any vehicle conspicuously marked as a taxi, cab, or for hire and has non-passenger license plates.
23. **TRAILER:** Shall mean any vehicle that is not self-propelled and designed to be pulled or towed by a motor vehicle.
24. **TRUCK:** Any vehicle having a load capacity greater than 3/4 ton, having more than four (4) wheels, OR having more than two (2) axles. Pickup trucks with four (4) wheels, less than 4,000 pounds, shall not be considered a truck for the purposes of this definition.
25. **UNAUTHORIZED VEHICLE:** Shall mean any vehicle that is not authorized.
26. **VAN:** A covered truck-like vehicle having a cab and aft section covered by a continuous roof.
27. **VEHICLE:** Shall mean any self-propelled device on a highway used for the transportation of persons or property upon a highway, and licensed by the state.

III. POLICY

1. PARKING RIGHTS (Declaration, Art II, Section 5)

- (a) "Ownership of each townhouse lot shall entitle the owner (or owners) thereof to the use of not more than two (2) automobile parking spaces, which shall be as near and convenient to said Lot as reasonably possible, together with the right of ingress and egress in and upon said parking area?
- (b) If the Association deems it necessary, at its option, permanently assign one (1) parking space for each Lot as long as it is done uniformly.

2. PROHIBITED PARKING (Declaration, Art VIII, Section (d))

"No boats, boat trailers, vehicles of capacity of one (1) ton or more, or unlicensed vehicles may be parked on townhouse courts, private driveways, front yards, or Common Parking Areas under the jurisdiction of the Homeowners Association for more than twenty-four (24) hours.

- (b) A designated recreational vehicle parking area shall be available for the use of townhouse residents on a space-availability basis.
- (c) The Association shall have the right to establish a fee to be charged to those townhouse lot owners who utilize said Parking Area to cover the cost of operating and maintaining the same.

3. PARKING OF RECREATIONAL VEHICLES: Single family Homes

The parking of boats, trailers, campers and recreational vehicles along the side yard or rear yard of single family detached residences is permitted provided these vehicles shall not be parked forward of the front foundation wall.

4. VEHICLE REGISTRATION REQUIRED

Vehicles not currently registered and not displaying a current registration plate and/or inoperable vehicles shall be prohibited from the townhouse courts, private driveways, lawns, and common areas under the jurisdiction of the Homeowners Association.

5. VEHICLE MAINTENANCE/REPAIRS

- (a) With the exception of minor maintenance (motor oil changes, minor tuneups), the repair or maintenance of vehicles (drive train repair, and body repair) shall not be performed in the townhouse courts, private driveways, lawns, and Common Areas under jurisdiction of the Homeowners' Association.
- (b) Any vehicle leaking gasoline, oil, or other automotive fluid shall be prohibited from the townhouse courts, private driveways, lawns, and common areas under the jurisdiction of the Homeowners' Association.
- (c) Repairs for any damages to property of the Homeowners' Association resulting from the above activities shall be the expense of the homeowner who causes same or permits same.

6. MOTORCYCLES

- (a) Motorcycles are prohibited from parking on sidewalks, front or side lawns, or between parallel parked cars.
- (b) Motorcycle kickstands must be placed on an object in order to prevent damage to the asphalt.

7. TOWING

A. Any vehicle parked in the Common Area, which violates any of the prohibitions described herein, shall be subject to towing at the sole cost and expense of the vehicle owner.

B. The Board of Directors authorizes the property manager for the Association, as its agent, to provide notice to the owner's of the vehicle(s) of the parking violation. If the violation is not resolved, the agent is further authorized to have the vehicle(s) towed on behalf of the Association.

(1) TWENTY-FOUR HOUR NOTICE:

Vehicles will be tagged with a **NOTICE TO TOW** sticker giving twenty-four (24) hours to correct a parking violation or when towing of the vehicle will occur. The conditions for the twenty-four hour Notice to Tow include, but are not limited to:

(a) Those vehicles as described under, III. POLICY, Section 2. PROHIBITED PARKING, (a), and Section 5., VEHICLE REGISTRATION REQUIRED.

(b) All other trailers not described under III. POLICY, Section 2. PROHIBITED PARKING, (a).

(2) IMMEDIATE TOWING:

The following violations will constitute immediate towing:

(a) Vehicles that are an immediate health and safety hazard to the community (as determined by the Managing Agent or Board of Directors) shall be subject to immediate towing without notice.

(b) Parking that blocks sidewalks or other parking spaces.

(c) Parking in townhouse courts shall be restricted to only those areas marked with parking lines. Parking outside of parking lines is subject to immediate towing.

(d) Parking beyond the lines (double parking), and parking along curbs.

(e) Parking in the RV Lot without a permit

(f) Parking in a "NO PARKING" or restricted, i.e., Fire Zone – NO PARKING, area.

(g) Parking in another townhouse homeowner's "RESERVED" parking space.

(h) Parking along a yellow curb.