

**GATESTONE HOMEOWNERS ASSOCIATION
VEHICLE RULES, REGULATIONS AND ENFORCEMENT PROCEDURES**

WHEREAS Article III, Section 3.1(e) of the Declaration for Gatestone Homeowners Association permits the Board of Directors to establish uniform rules and regulations pertaining to the use of the Common Area and any facilities thereon;

WHEREAS Article III Section 7.4 of the Declaration for Gatestone Homeowners Association outlines restrictions regarding parking within the community;

NOW THEREFORE, BE IT RESOLVED THAT the Board of Directors hereby declares and adopts the following rules, regulations and enforcement procedures for the use of vehicles upon, and the removal of vehicles from the Common areas of the Association. These rules, regulations and restrictions pertain to the use, operation, parking and maintenance of motor vehicles contained in the Association's Declaration and By-Laws.

1. PURPOSE AND INTENT

The Board of Directors finds that an increasing number of persons are parking vehicles in spaces not designated for parking in the community. Parking in non-designated spaces impedes homeowner safety by preventing safe entry and exit from their driveways, and it restricts access to the community by emergency vehicles such as ambulances and fire trucks. Moreover, non-residents occupy parking spaces meant to be used by Gatestone homeowners and their guests, which is a form of trespass upon private property. The purpose and intent of these rules is to protect the safety, and promote the use and enjoyment of the community's common areas by the homeowners, residents and visitors of Gatestone.

2. DEFINITIONS

For the purpose of these rules, the following definitions shall apply:

Junk Vehicle. A junk vehicle is any vehicle incapable of passing Maryland State Motor Vehicle Administration inspection procedures or does not display current registration plates, or has one or more missing or flat tires.

Passenger Van. A passenger van is a vehicle used to carry 10 or more passengers (excluding the driver).

Truck. A truck is a vehicle with a load capacity greater than $\frac{3}{4}$ ton and meeting either or both of the following conditions: (1) having more than two (2) axles, or (2) having wheels (not tires) with a diameter that exceeds 15 inches.

Trailer. A trailer is any vehicle that is drawn by another vehicle having more motive power.

Boat. Any watercraft of any type.

Commercial Vehicle. A commercial vehicle is one that displays *commercial signage*. *Commercial signage* may include a vehicle: (1) having signs, advertising or other commercial markings, or government markings, excluding police and emergency vehicles; (2) having equipment or supplies ordinarily used in a commercial enterprise stored in or on the vehicle in such a manner as to be in plain and public view of the casual observer or passers by; (3) flatbed trucks; or (4) having generally an unkempt or unsightly appearance resulting from its use on a commercial enterprise.

Camper or House Trailer. A camper or house trailer is any vehicle drawn by a car or truck and used as a temporary or permanent dwelling.

Camper Truck. A camper truck is any self-propelled camper, which includes recreational vehicles or trucks with camper bodies.

Parking Space or Common Parking Area. A parking space or common parking area is a location designated for parking by the Gatestone Site Plan. Such areas are identified by white pavement markings.

"T" Parking. A vehicle is "T" parked when it is parked across the foot of a driveway, and partially on the public sidewalk.

Parking Tag. Parking tags are notices placed on the rear view mirror, indicating that the vehicle is authorized to park in the designated parking spaces. The parking tags are the property of the Gatestone HOA, and issued to the homeowner to facilitate the use of designated parking spaces in the community. Two parking tags will be issued to each homeowner, and must be returned to the Gatestone HOA upon resale or transfer of the property. No parking tags will be issued to any homeowner who is in arrears on their HOA dues. The cost for replacement (for loss, or failure to return to the Gatestone HOA upon resale or transfer) is \$250 per tag.

3. RULES GOVERNING THE USE OF COMMON PARKING AREAS

A. Each homeowner has two or three parking spaces designated for their exclusive use and enjoyment. Two car garage townhomes have four parking spaces (two interior garage spaces and two driveway spaces), and one car garage townhomes have two parking spaces (one interior garage space, and one driveway space). MPDU owners have one designated parking space which is reserved for their use and enjoyment by reserved parking space.

B. Common parking areas are for the exclusive use and enjoyment of the Gatestone HOA residents and guests displaying valid parking tags issued by the Gatestone HOA.

Rules Regarding Immediate Towing

C. Any vehicle not bearing a valid Gatestone HOA parking tag, and parked on the Gatestone Common Parking Areas and designated parking spaces shall be presumed to be trespassing on private property, and *will be subject to immediate tow*.

D. Vehicles parked in areas that are not designated as a parking space (denoted by white pavement markings) *will be subject to immediate tow, whether or not the vehicle displays a valid parking tag*.

E. Any vehicle parked in an area not designated as a parking space, and that can impede the safe access of emergency vehicles to the Gatestone community *will be subject to immediate tow*.

F. Vehicles blocking other parked vehicles, or blocking homeowner access to their property *will be subject to immediate tow*.

G. Any vehicle standing or parked in a "No Parking Zone," or vehicles parked where the curb is painted yellow *will be subject to immediate tow*.

Other Situations Requiring Towing

H. Any vehicle on which current registration plates are not properly displayed, or any junk vehicle, passenger van, trailer, boat, boat trailer, commercial vehicle, camper, camper truck, house trailer, stored vehicle, multiple vehicle or the like, any vehicle not parked within the confines of a designated parking space and any vehicle in violation of any of the vehicle maintenance rules shall be subject to towing. The owner of a passenger van may appear before the Board to petition for an exception to the rules based on demonstrated need (e.g. a large van is needed to accommodate a family member with a mobility impairment). The Board will grant passenger van exceptions on a limited, case-by-case basis.

I. Parking in the designated parking areas shall not exceed twenty-four hours. Vehicles remaining in the general common parking area (including those vehicles parked in successive parking spaces) for an aggregate period exceeding twenty-four (24) hours will be subject to towing.

J. No repair or extraordinary maintenance of automobiles or other vehicles may be carried out or performed on the Common Area (except for bona fide emergencies). Unless the prior written approval of the Board of Directors is received, only the following routine maintenance of vehicles may be carried out or performed on the Common Area:

- (1) routine washing and waxing;
- (2) checking fluid levels and tire air pressure;
- (3) using jumper cables to start a vehicle;
- (4) adding water or antifreeze to the radiator of a vehicle;
- (5) adding (but not draining) oil to a vehicle providing no oil is spilled or leaked onto the Common Area

4. ENFORCEMENT PROCEDURES

- A. Any vehicle parked in violation of the rules governing the use of common parking areas, Paragraphs C, D, E, F, and G will be immediately towed by the Board of Directors or its Agent.
- B. Any vehicle parked in violation of the rules governing the use of common parking areas, Paragraphs H, I, and J will be tagged by the Board of Directors or its Agent by posting notification on the vehicle of intent to remove the vehicle within twenty-four (24) hours of the posting. Such notification shall state the nature of the violation, the vehicle description and location, and the intended date and time when the vehicle will be removed. Vehicles not removed within the specified time frame shall be towed from the community.
- C. Any towing and storage charges or damage incurred in the process, if any, shall be the sole responsibility of the owner of the vehicle. If the vehicle is determined to be owned by a tenant or guest, the unit owner and/or the tenant/guest may all be held responsible for any towing and storage charges incurred by the Association.
- D. After one (1) warning, upon reoccurrence, the vehicle may be towed without additional notification.

It is each homeowner's responsibility to advise their tenants and guests of the parking rules, regulations, enforcement procedures and the penalties for infractions. With respect to appeals, any homeowner who wishes to dispute a violation of towing must contact the Management Agent in writing within five (5) business days of the notice of the violation or towing to arrange a hearing before the Board of Directors at the next regularly scheduled Board of Directors meeting. Any exceptions to these rules must be approved in advance, and in writing by the Board of Directors.

If you notice a violation of these rules and regulations, please contact the Managing Agent to report the violation.

This document supersedes and replaces all previously approved vehicle rules, regulations and enforcement procedures, and may be suspended, revoked, or modified at any time by a majority vote of the Board of Directors at a regularly scheduled meeting.

Signed: _____

Title: _____

Date: _____