

# SENECA FOREST COMMUNITY ASSOCIATION, INC.

## POLICY RESOLUTION #6 MOTOR VEHICLE AND PARKING REGULATIONS

Approved: 11/7/88  
Effective Date: 1/1/89  
Revised: 7/21/97  
Revised: 1/23/03  
Revised: 5/19/04

WHEREAS, Seneca Forest Community Association, Inc. ("Association") is incorporated in the State of Maryland; and

WHEREAS, Article V, Section 3 of the Bylaws assigns responsibility for the administration of the Association to the Board of Directors ("Board"); and

WHEREAS, under the recorded Declaration of Covenants, the Association is responsible for the maintenance and control of roads and parking areas within the community; and

WHEREAS, Article V, Section 3(d) of the Bylaws provide that the Board may adopt rules governing the use of the common areas and community facilities; and

WHEREAS, Article VII, Section 13 of the Declaration provides that the Board may from time to time adopt and promulgate regulations with respect to parking and traffic control upon the common areas; and

WHEREAS, Article IV, Section 1 and 2 of the Declaration entitles each homeowner to the use of at least one vehicular parking space situated upon the common areas; and

NOW THEREFORE, the Board of Directors hereby adopts Resolution #6, known as:

### "MOTOR VEHICLE AND PARKING REGULATIONS"

#### Article I

#### Definitions

For the purpose of this resolution, the following words and phrases shall have the meanings respectively ascribed to them:

1. Abandoned Vehicle: Any vehicle that is inoperative (based on State of Maryland guidelines), or does not bear current and valid license plates.

2. Commercial Vehicle: (i) any vehicle equipped and used primarily for a commercial purpose, and/or (ii) any vehicle which is normally equipped with openly exposed machinery, tools, building materials and the like, (covered items may not extend higher than any portion of the vehicle), and/or (iii) any vehicle displaying commercial logos, lettering, graphics or advertising, and/or (iv) any motor vehicle and any trailer or semi-trailer designed or used for carrying or hauling freight or merchandise. A toolbox ('crossover box') directly behind and parallel to the cab of a pickup truck is permitted. Additionally, toolboxes mounted to the side rails are permitted provided they do not extend more than 4 inches above the side rails. Such definition does not include police vehicles.
3. Fire Lane: Any area of a public or private roadway or common area designated by official signs or markings in which parking is prohibited in order to allow the free access of emergency vehicles.
4. Handicap Parking: Any area designated by official signs or appropriate markings for use by vehicles displaying handicap license plates or permits.
5. Approved Motor Vehicles: Approved motor vehicles permitted to be parked in Seneca Forest are defined as:
  - a. conventional passenger vehicles and pick-up trucks;
  - b. motorcycles;
  - c. vehicles with an overall height of less than seven and a half (7 1/2) feet;
6. Official Traffic Control Devices: All signs, signals, markings, or other devices placed or erected by public authorities or by authority of the Board of Directors for the purpose of regulating the movement or parking of motor vehicles.
7. Stored Vehicle: Any vehicle that remains stationary (or unmoved) in an unmarked parking space for a period exceeding 48 hours.

Vehicles cited as "stored vehicles" three times in any 6 month period, from the date of the first citation, are subject to immediate removal without further notice.

## Article II

### Parking Regulations

The Board of Directors for Seneca Forest Homeowners Association have determined it is necessary to adopt certain parking regulations in order to ensure that the provisions of Article VII, Section 7 (d) of the Declaration of Covenants are enforced for the health, safety, and welfare of the community.

1. Parking of abandoned, stored, or unregistered motor vehicles  
No abandoned, stored, unregistered, or unlicensed vehicle shall be parked in Seneca Forest.

2. Commercial vehicle parking prohibited  
No commercial vehicle shall be parked in common areas or driveways within Seneca Forest, except when such vehicle is actually engaged in loading or unloading of passengers, merchandise or materials or making service or repairs to any property in Seneca Forest.
3. Boats and trailers prohibited  
No boat or trailer shall be parked anywhere in Seneca Forest, unless stored in a residential garage.
4. Parking in handicap spaces  
No vehicle shall be parked in a designated handicap parking space unless displaying a valid handicap license plate or permit.
5. Repairing of vehicles  
Except for minor emergency repairs or minor routine maintenance, maintenance or repair of vehicles, including the drainage of any vehicle fluids or oils, shall not be permitted in Seneca Forest.
6. Driving over curbs, sidewalks, or unpaved common areas  
No vehicle shall be driven or parked on any curb, sidewalk, or unpaved common area except when necessary for authorized public utility companies, governmental agencies, or private companies to make necessary repairs or to provide necessary services.
7. Obstructing parking spaces, walkways, or driveways  
No vehicle shall be parked in such a way as to cross into another parking space or obstruct access or egress of any other parking space, sidewalk, walkway, driveway, designated fire lane, or any other portion of the common area. Vehicles are not to be parked so that any portion of the vehicle is more than 2 feet over a sidewalk or 2 feet past the length of the parking stall line.
8. Parking of vehicles on unpaved surfaces  
No vehicle shall be parked on unpaved surfaces in the common areas or on any private property.
9. Official Traffic Control Devices  
No vehicle shall be parked in violation of any Official Traffic Control Devices. No signs, numbers, or other marks or symbols shall be displayed on the street, curb, sidewalk, or private property except as approved or required by the Board of Directors or by any governmental agency or public utility company.
10. Out of State Tags  
In accordance with Maryland Law, residents have sixty (60) days to register vehicles with the State (with a few exceptions). Vehicles displaying out of state tags for more than sixty (60) days will be reported to the State for enforcement.

11. Motorcycles

Motorcycles may be parked parallel to the curb in the owner's numbered reserved space without a parking permit. Motorcycles parked alone (or with other motorcycles) in any marked space must display a valid parking permit.

12. Permit Parking

- a. The Board has developed, through an independent contractor, unbiased parking assignments which allows parking as near as possible to the homeowner's unit.
- b. It is each homeowner's responsibility to advise their tenants and/or guests of the parking Rules and Regulations and the penalties for infractions.
- c. Each town home unit, except garage units (who shall utilize their driveway) shall be assigned one numbered reserved parking space. Each non-garage home will also have access to any one available parking space marked "permit only".
- d. Each unit owner shall be provided with two (2) permits for their assigned parking space.

The assigned parking space number shall be printed on the permits and on the appropriate parking space. The vehicular permit shall be placed in the designated location and must be displayed at all times when parked in the unit's Reserved parking space. If a unit owner/tenant parks a covered vehicle then the decal number must be painted on the cover with no less than 4 inch numbers.

- e. The Board will contract with a towing company to provide towing services for the Association. The selected towing company shall be provided with a current listing of assigned "Reserved" parking space numbers.
- f. If any vehicle is parked in another unit's assigned parking space, or if any vehicle is in a "Reserved" or "Permit Only" space without displaying a valid parking permit, the Association shall have the right to abate such violation by having the vehicle removed without notice. The cost thereof will be assessed against the vehicle owner.
- g. Homeowners/tenants are responsible for notifying the towing company of unauthorized parking in their spaces during the hours of 5:00 p.m. to 9:00 a.m., Monday through Friday and on Saturdays and Sundays. During normal working hours of THE MANAGEMENT GROUP, the homeowners/tenants shall report violations to them.
- h. Violators will be responsible for any and all fees associated with the towing of any vehicle illegally parked, in accordance with Montgomery County Law pertaining to the towing of unauthorized vehicles; the Board shall post appropriate signs informing all residents/guests of Reserved parking and towing procedures.

- i. Homeowner/resident shall ask their guests to park in the unmarked spaces.
- j. Unmarked spaces may be used by residents/visitors to the community but out of consideration of your neighbors, the Board requests residents consider overflow parking areas be utilized by visitors.

### Article III

#### Enforcement

This article shall apply to the administration and enforcement of the provisions set forth in this resolution.

#### Property Management Authority

1. Step 1 -- The property manager, or such other person as may be designated by the Board, shall attach a written notice of violation to any vehicle parked in violation of any provision of these rules. The notice shall contain 1) time and date of the violation, 2) location and nature of violation, and 3) descriptive vehicle data, including make, year (if known), model, state license number, and identity of vehicle owner (if known). The notice shall also contain a specific warning that the vehicle is subject to removal by towing pursuant to these rules.

Step 2 -- After attaching the notice to the vehicle in violation, the person who attached the notice shall make a reasonable attempt to locate the owner or operator of the vehicle to personally notify such owner/operator that the vehicle will be towed at such owner's expense and risk.

Step 3 -- If such reasonable efforts to locate and identify the owner/operator of the vehicle are unsuccessful and the violation has not been corrected within 48 hours, the property manager, or other person designated by the Board of Directors, shall have the vehicle removed by towing.

2. These steps are not applicable in the case of a vehicle parked on sidewalks or unpaved common areas or parked so as to obstruct an entrance or exit, or the free movement of other vehicles. The vehicle so parked will be subject to immediate removal by towing. However, the property manager shall make reasonable efforts to notify the owner/operator of the vehicle as soon as possible thereafter.
3. When a vehicle is towed from the property pursuant to these rules, the property manager shall notify the police.
4. Vehicles blocking fire lanes will be subject to enforcement action in accordance with state and local law.
5. In addition to towing of a vehicle, violations of these rules may be handled in the same manner as violations of any other rules of the Association.

6. Any attempt by any owner or resident to copy, abuse or misuse any parking permit will result in the immediate imposition of sanctions including but not limited to the following:
  - a. Immediate tow (regardless of the location of the vehicle) of any vehicle that has a sticker or other notice that is not the originally verified issued sticker. All other vehicles from the same resident, even with proper stickers shall also now be subject to immediate tow.
  - b. The immediate suspension and revocation of all assigned parking spaces and parking sticker for the premises where the owner/occupant lives or resides.
  - c. The imposition of monetary fines, reimbursement or other sanctions as deemed necessary by the Board of Directors upon a vehicle owner who copies or misuses the permit of another owner.