

LAFAYETTE VILLAGE COMMUNITY ASSOCIATION

PARKING REGULATIONS

Adopted April 9, 2012

Revised August 10, 2015

Revised July 11, 2016

The Declaration of Covenants and Bylaws of the Association, to which all members of the Association subscribe when becoming property owners, charge the Board of Directors and Committees with adopting and enforcing reasonable rules governing the use of the Common Area and facilities. **As all curbside parking spaces are Association common area and not homeowner deeded property**, Covenants Article VI, Section 9 specifically authorizes the Board of Directors to regulate parking in the community including assigning parking spaces to individual homeowner lots. [SEE ALSO **AUTHORITY & HISTORICAL NOTES** at end of this Rules document]

These parking rules are applicable to non-owner residents as well as homeowners. [added 1-23-1997]

General:

1. By parking on the Association's 12 private townhouse streets (association streets), each owner and resident agrees to abide by these Parking Rules as in effect and as revised from time to time. [added 12-6-1987]
2. Residential speed limits on Lafayette Village Drive, Trammell Road and Merrimac Trail are 25 MPH by Virginia law, and 15 MPH on the Association's 12 private townhouse streets. [original 1985 provision]

Assigned Spaces:

3. Parking on association streets is restricted with all spaces being assigned to a particular townhouse unit or designated as guest/visitor parking. [added 12-6-1987]
4. Parking space assignments have been made by the Board with the goal of assigning at least one space as close to the homeowner's unit as reasonably possible, with any second assigned space also being as secondarily close as reasonably possible taking into consideration the proximity of surrounding townhouse units and the designs and shapes of the Association streets. [added 12-6-1987]
5. The Board of Directors maintains a master list of assigned parking spaces for individual units [added 12-6-1987] that is posted on the LVCA website. **[added March 2012]** Homeowners are free to make individual changes in assigned parking spaces with their affected neighbors for so long as both own their townhouse units, and with the express written consent of both owners and the Board of Directors. Any of these changes are private individual arrangements, and will terminate upon the sale by one of the homeowners of either townhouse unit, or by further modifications of these Parking Rules. [added 12-6-1987, from COVENANTS VI Sec.9 & BDM 8-10-2009 p4; **COVENANTS written consent clarity added March 2012]**
6. Towing by individual homeowners from assigned spaces is done by the owner of the unit assigned to the spaces. [added 12-6-1987]
7. To enforce the assigned parking space rules, the individual homeowner of the unit assigned a space may use, among other remedies, the right to tow any vehicle improperly parked in his or her assigned space. The individual homeowner is responsible for making any towing arrangements directly with such towing company as he/she may choose. The Association suggests that any towing be done in a reasonable manner and the vehicle towed to a secure lot. The homeowner agrees to indemnify, hold harmless, and defend the Association, its Board and agents against any claims, liabilities and expenses (including attorney's fees) for such homeowner's improper towing of vehicles. [added 12-6-1987]
8. Individual homeowner assigned parking space privileges are subject to revoking for owner account delinquencies either due to unpaid quarterly assessments or to unresolved Architectural Control violations; and written explanations of such delinquencies are provided to the individual space assignee homeowner before any parking space privilege is revoked and enforced by towing as needed. **[added March 2012]** per BDM 4-13-2009 pp5-6]

Guest/Visitor Spaces:

9. Residents will NOT use guest/visitor parking. [added 11-1-2001]

10. Unassigned spaces are for the sole use of guests/visitors, and are designated as such. [added 12-6-1987] An individual will not be deemed a guest if the individual parks his or her vehicle in a guest space for a period in excess of forty-eight (48) hours or in excess of 2 consecutive nights. [added 1-23-1997] Furthermore, a guest is not to monopolize the use of any guest space, and no guest will be allowed to use the space for more than 48 hours continuously or on a regular basis. [added July 2002] Any resident or guest vehicle in violation of the above rules may be subject to one warning and will then be subject to towing without further notice. [added 11-1-2001]

11. Visitor parking spaces are overseen by a resident parking captain on each street that has such spaces. Guided by Board adopted Rules and also with the discretion to provide an extended day Parking Pass for extenuating circumstances, parking captains respond to an abuse of a visitor parking space by leaving **at least one warning** notice that includes an email address & phone number of issuing parking captain. The captain is responsible for contacting any Board member should the vehicle need to be towed, with a record kept of the date, time, visitor space number, make, model and license plate of the vehicle both when a warning is given and also prior to towing. [added March 2012]

11(a). During normal pool operating hours, the pool parking lot is restricted to pool attendees. Any resident or guest vehicle in violation of this rule may be may be issued one warning in the form of a parking ticket and then will be subject to towing without further notice. [added August 2015]

11(b). When the pool is closed, the pool parking lot can be used for overnight resident parking and for visitor parking subject to the guidelines in paragraph 10 of these parking regulations. In no case, is the pool parking lot to be used for long-term (more than two days) parking. Any Board member or the chair of the Pool and Recreation Committee may serve as the parking captain for the pool parking lot and may enforce the regulations in this paragraph. [added August 2015]

11(c). Gardeners may use the pool parking lot at any time when actually gardening. [added August 2015]

General Parking & Other:

12. Parking on public streets, such as Lafayette Village Drive and Trammel Road, is available to townhome residents who require more than the 2 assigned spaces. Additional vehicles are not to park on Association property, including association streets and any parking lots. [original 1985 provision]

13. Parking is prohibited at street entrances, at fire hydrants, on sidewalks, on grassy areas, or in any manner that may impede or block the normal flow of traffic; and parallel parking on the private townhouse streets is prohibited. [original 1985 provision] Due to the width of Association streets, parking at street entrances and parallel parking are a violation of the Fairfax County Fire Code. [added 12-6-1987] All parking infractions that are illegal on Fairfax County public streets are **deemed illegal** parking on the Association's private streets and are subject to towing **without warning** as authorized by any Board member. [added March 2012]

13(a). Homeowners or residents are responsible for ensuring they and their guests adhere to the parking prohibitions in paragraph 13 above. Homeowners or residents who violate paragraph 13 or who allow their guests to violate paragraph 13 may be cited by the Association for a rules violation. Upon a repeat violation of paragraph 13, the Association will schedule a hearing in front of the Board for the homeowner and/or resident which could result in the suspension of the homeowner's parking privileges for up to 60 days. [added July 2016]

14. Towing by the Association may be authorized only with the approval of a/any Board member. [original 1985 provision; later Rules reduced 2 concurring Board members to 1 authorizing towing.]

15. The parking of commercial vehicles on private property and on the private townhouse streets of Lafayette Village is prohibited. A commercial vehicle is defined as a vehicle which displays advertisement lettering, or a vehicle which is licensed as a "for hire" vehicle, [BDM 3-21 1991, 5-1991 NL p1 & 6-1991 NL p1] or a vehicle being used for a clearly commercial or business purpose. [BDM 6-3-1993 & June/July 1993 NL p1] Temporary parking by commercial vehicles which are performing work or providing services in the community are exempt from this prohibition. Vehicles in violation of the regulation are subject to towing without previous warning. [BDM 3-21 1991, NL 5-1991 p1 & NL 6-1991 p1]

16. Junk or abandoned vehicles, trailers, campers, camp trucks, house trailers, boats or similar vehicles may not be kept on any private townhouse street or on Association property. [original 1985 provision] Any vehicle owned by a homeowner or tenant prior to May 1, 1994 and regularly parked on Association Property for the preceding 5 months that is not in compliance with these rules because of the size or type of vehicle will be allowed to remain parked [BDM 8-23-1994 effective 10-1-1994, NL Sept/Oct 1994 p1] in a properly assigned space or at the pool parking lot so long as the vehicle is not sold, remains legally registered to operate on Virginia public streets, and is registered with the Association's management company and approved by the Board of Directors. [added 11-1-2001]

17. Extraordinary maintenance or repair of automobiles or other vehicles is prohibited on any private townhouse street or on any Association property, as are noisy vehicles or the racing of engines. [original 1985 provision, & COVENANTS VI Sec.6(d)] Extraordinary maintenance **exceeds a single day's** work, i.e. extends overnight into a 2nd day. **[added March 2012]**

18. The Association, the Board of Directors and Committees bear no responsibility for any vehicles or for their safety or security on any private Association streets. [original 1985 provision]

19. The Board of Directors reserves the right to modify or replace these Rules as warranted including parking space assignments or parking provisions, and to temporarily suspend these Rules as necessitated by emergency or other unusual circumstances - and will communicate all such changes to affected homeowners. [original 1985 provision, reduced wording **Mar. 2012]**

AUTHORITY & HISTORICAL NOTES

The LVCA's Declaration of Covenants, Conditions & Restrictions, Article VI, Section 9 - Parking; & Bylaws Article VII - Powers & Duties of the Board of Directors - authorize the LVCA Board and Committees to adopt & publish these Parking Rules. These Rules are revised and updated to provide a more certain parking program to lessen difficulties with reasonable parking accommodations. The Rules are based on the Builder's parking capacity site plan's providing private street parking for only 2 cars per townhome unit & 1 car per garage townhome unit.

HISTORICAL NOTES

BDM = Board of Directors Meeting Minutes

NL = LVCA Newsletter

2016: July: revised to specify enforcement of paragraph 13.

2015: August: revised rules to clarify pool parking restrictions.

2012: March: revised RULES, with PTF recommendations, such as parking captains, written notices and historical notes.

2011: August-December: Board appointed Parking Issues Task Force (PTF) chaired by Grounds Chair with 5 Byrds Nest & 1 Butterfield members.

November: BOD 11-14-2011, Task Force resolution directed its content adding to current (July 2002) Parking Rules; PTF's recompiling included 1st annotating of Rules sources & histories.

December: BOD 12-12-2011 exhaustively reviewed July 2002 Rules for accuracy & currency.

PTF's considerations included 36 Visitor parking spaces: 14 (39%) Byrds Nest, 5 (14%) Butterfield-Mt.Airey island, 1 Butterfield "south end", 1 Yorktown Village, & 15 (42%) Pool Parking lot (thus Byrds Nest, Butterfield-Mt.Airey island & Pool lot combine for 34 of 36 total visitor spaces.) PTF also embraced increasing numbers of residents' owned vehicles in conjunction with ongoing security & safety issues, & inherent challenge of consistent Rules enforcements incl. impact on Association-friendly management. PTF's appointing also driven by 8-2011 proposal for leasing vacant parking spaces, & in view of 3rd such BOD proposal/approval subsequently withdrawn or abandoned, PTF recommended leasing be dismissed as too administratively cumbersome to be effectual. [Aug. 2011, BDM 8-8-2011 p4; Sept. 2009 for over-1-year vacant homes, BDM 9-14-2009; & Dec. 2005 thru July 2006 auctioning then raffling visitor spaces, BDMs 12-2005 thru 7-2006]

2010: January: Lafayette Village Drive designated a Fairfax County "community parking district" that legally prohibits various recreational vehicles from parking there. [BDM 12-14-2009 p1 & FCCode 82-5B-1]

2009: March: Board authorized Fairfax County Police to ticket, tow &/or enforce all vehicle laws on one particular problem street for a period of 6 months. [BDM 3-9-2009 p2 beginning 2-19-2009 per Bylaws Article VI Section 6]

2008: July-August: Armstrong Mgmt. agent mailed residents-wide reminder of parking space assignments, with incorrect older assignments included; followed shortly by corrective mailing with current assignments.

2007: June: Fairfax County Police offer to enforce County Code vehicle provisions on our private streets incl. ticketing for expired registrations, non-working vehicles, etc., was declined per NL

notice responses & BOD vote 6-11-2007. [BDMs 6-11-2007 p4 & 5-14-2007 p3; NL May/June 2007 p3]

2005: November: Intense 14 day monitoring of 5 Butterfield/Mt. Airey visitor spaces found 85% use by core 11 repeat abusers.

2002: July: revised recompiled 15 RULES print
August: 3 new visitor spaces were added to Butterfield/Mt. Airey parking island when rebuilt due to erosion; island's new 9 total spaces became 5 Visitors and 4 assigned.
[NL Aug/Sept 2002 p6 with photo]

2001: November: revised recompiled 15 RULES dated 11-1-2001

1997: January: revised recompiled Rules dated 1-23-1997 [full text print in NL Feb 1997]

1994: August: Board approved generally prohibiting oversized vehicles parking, with grandfathered provisions for vehicles already in the community for more than 5 months (5-1-1994) prior to 10-1-1994 effective date. [BDM 8-23-1994, NL Sept/Oct 1994 p1]

1993: June: Board modified restriction on commercial vehicles parking to include "vehicles being used for a clearly commercial or business purpose" effective 9-1-1993. [BDM 6-3-1993, NL June/July 1993 p1]

1991: March: Board approved prohibiting commercial vehicles parking on common property & private townhome streets, with temporary excusing such vehicles providing current work/services, effective 5-1-1991 & subject to towing without previous warning. [BDM 3-21-1991; NL May 1991 p1 & NL June 1991 p1]

1989: 2-23-1989 - *only history date with no corresponding recorded history*

1987: December: revised recompiled 14 RULES print; Board approved 12-6-1987, mailed residents-wide 12-7-1987 with effective date 12-15-1987: 1st parking space assignments to individual homeowner lots, replacing dashboard display passes; based on newer 1987 survey results over prior 1984 survey; quickly revised assignments to more optimally & uniformly accommodate at least 1 space to front door adjacency

1985: November 1985: 1st compiled 16 RULES print mailed residents-wide;
Builder's parking capacity site plan's providing private street parking for only 2 cars per townhome unit & 1 car per garage townhome unit was basis for initial parking rules & procedures issued accordingly with orange laminated 8.5" x 3.5" windshield/ dashboard permits, also from 1984 results of homeowners survey of community interests; permits designated Lot #s. [BDM 11-29-1984 p3]