

*Newberry Station Homeowners Association, Inc.
8300 Ainsley Court, Lorton, Virginia 22079*

Motor Vehicles and Parking

Pursuant to its authority under the Association Bylaws and Article VII, Section 10, of the Newberry Station "Amended And Restated Declaration of Covenants, Condition, and Restrictions" (hereinafter referred to as the Covenants), the Board of Directors of NEWBERRY STATION HOMEOWNERS ASSOCIATION, INC., has adopted and promulgated the following regulations regarding the operation, use, and parking of motor vehicles on Association property. In the event of any conflict between these Parking Regulations and the Newberry Station Amended Covenants, the provisions of the Covenants shall control.

Lars Sweigart
President
Newberry Station Homeowner Association

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A. Prohibited Vehicles.....	1
B. Parking	2-3
C. Maintenance	4
D. Operation	5
E. Enforcement	6

A. Prohibited Vehicles.

The following vehicles may NOT be kept on any part of the property of Newberry Station except for such equipment and machinery:

- As may be necessary in connection with reasonable and necessary repairs or maintenance to any dwelling or upon the common areas.
- As the Association may require in connection with the maintenance and operation of the common areas and community facilities.

1. Boats, campers, camptrucks, commercial vehicles, farm vehicles, motor homes, trailers of any kind, or other similar machinery or equipment of any kind or character. The parking of such vehicles is prohibited under Fairfax County Code, Section 82-5-7 and/or the Covenants, Article VII, Section 7, ¶ d. Per the Fairfax County Zoning Ordinance (Chapter 112 of the County Code), a commercial vehicle is defined as any vehicle:

- (a) With a rated carrying capacity of 1500 pounds (3/4 ton) or more, or
- (b) Which displays advertising lettered thereon, or
- (c) Which is licensed as a "for hire" vehicle (taxicab, limousine, etc.).

Exempted from this definition is any vehicle operated by a public agency with a capacity of less than 3/4 ton.

2. Any vehicle visibly laden with supplies and equipment for construction, electrical work, plumbing, painting, and/or other such trades. This prohibition applies whether or not the vehicle has been lettered with a business name or logo. Such vehicles may be parked on Newberry Station roads only if the supplies and equipment are fully concealed from public view. If found in the Community, they will be subject to towing pursuant to Va. State Code, Chap. 8, Section 46.1-551.

3 Any vehicle that does not have license plates, valid license plate stickers (registration), or valid safety inspection stickers. Such vehicles are subject to towing pursuant to Va. State Code, Chap. 8, Sec. 46.1-551.

4. Inoperative (junk) motor vehicles, trailers and semi-trailers as defined in Chap. 110 of the Fairfax County Code. This includes wrecks and vehicles with multiple flat tires. Such vehicles are subject to towing pursuant to Fairfax County Code, Sec. 110-3-6 and Va. State Code, Chap. 8, Sec. 46.1-551.

B. Parking

1. Each townhouse unit is assigned two (2) parking spaces and is accorded a document known as Proof of Assignment. However, the assigning of parking spaces shall not be construed as permanent conveyance for ownership to individual townhouse units. ALL parking areas and spaces remain common property.
2. The Board of Directors shall provide for marking each assigned parking space with a number signifying the townhouse unit lot which the space is assigned. Absent express direction from the Board of Directors, no individual may:
 - a. Alter numbers painted upon parking spaces or surrounding area, or
 - b. Paint numbers on overflow spaces to increase the number of spaces assigned to any individual unit.
3. All lined parking spaces over and above the two allotted per unit are designated as overflow parking. Overflow parking and street parking are considered the common areas and therefore belong to all Newberry Station Homeowners. Parking spaces in the common areas are not to be considered the private property of individual homeowners.

Homeowner's, who have additional vehicles, may park in overflow parking or on the street sections that are not designated fire lanes or safety zones. Vehicles parked for ten (10) or more days in the same place or for which another vehicle is switched to prevent others from using the parking space shall be deemed hoarding the space and in violation of parking regulations. These actions will be deemed private or exclusive use of the common area. This is to include parking trailers, boats, or vehicles designated by law to be infrequently driven.

Only a homeowner (not the towing company or management agent) has the authority to report, to the management agent, this type of parking violation (i.e. hoarding a parking space for 10 days or more). Once a homeowner has filed a written complaint with the management agent, either the management agent or a member of the board has the authority to place a violation notice informing the owner to move the vehicle. If the vehicle is not moved by the tenth day, either the management agent or a member of the board has the authority to call the towing company to have the vehicle towed. If a homeowner is going to be absent for more than two weeks and will leave a car in the overflow or common area parking space, they are encouraged to notify management to avoid possible towing. Vehicles that will not be moved for an extended period of time may be parked on public roads.

4. Parking in a space that is assigned to a townhouse unit is strictly prohibited absent permission of the current resident.
5. Vehicles must not impede or block two-way traffic on any Newberry Station roads or entrances. No vehicle may be double-parked behind another vehicle at any time.

6. Parking in fire lanes or safety zones, as designated by yellow curbs or yellow stripes, is strictly prohibited.
7. Parking or driving is not allowed at any time on non-blacktop common grounds.
8. Vehicles must fit inside parking lanes (whether curb marked or full length) and must not protrude excessively into the street when parked.
9. Vehicles parked in violation of these rules will be subject to towing pursuant to Virginia State code, Chap. 8, Sections 46.1-551.

C. MAINTENANCE

1. All vehicles must be in operating condition and maintained so as not to be a hazard or nuisance by emission or noise.
2. Do-it-yourself car maintenance at Newberry Station is permitted only under the following conditions:
 - (a) All work must take place on paved surfaces and not on grassy areas, recreational areas, or other common grounds.
 - (b) Removing, replacing, rebuilding or restructuring of the car body, engine, transmission, drive train, differential or other major assemblies is strictly prohibited.
 - (c) During those periods of time when work is in progress, the vehicle must have all tires properly and firmly affixed, and these tires must be inflated and touching the ground. Jacks, jack stands or ramps are permitted only while actually changing tires, brakes, oil, etc. and not a moment longer. Other use of jacks, jack stands and ramps is prohibited. The use of cinder blocks or wooden blocks or boards is prohibited. For safety reasons, the vehicle must never be left unattended when up on jacks, jack stands or ramps.
 - (d) The area in which the work is done must not be fouled in any way. Homeowners will be billed for any clean-up or replacement costs necessitated by careless maintenance and repair work.
 - (e) Vehicles in violation of these rules will be subject to towing pursuant to Virginia State Code, Chap. 8, Section 46.1-551.

D. OPERATION

1. No motor vehicle shall be driven at speeds in excess of 15 miles per hour.
2. Drivers shall observe all stop and other traffic signs posted on the property.
3. No vehicle may be driven in a reckless and careless manner at any time or at any speed.

E. ENFORCEMENT

1. The Board of Directors has authorized contracts with one or more towing services to:
 - (a) Remove, at the request of a resident and regardless of time of day,
 - Any vehicle that is parked in the resident's reserved space without authorization and/or
 - Any vehicle that is doubled parked in such a manner that a resident is unable to get out of his/her parking space.
 - (b) Randomly patrol and remove any and all vehicles that are double parked or parked in fire lanes and safety zones.
 - (c) At the request of the President or Vice President of the Association, remove any prohibited vehicle or any vehicle parked or maintained in violation of any regulations herein.
2. The Board of Director from time to time will publicize in the Association newsletter or by posting on a community bulletin board:
 - (a) The name and telephone number of the firm or firms under contract to tow vehicles,
 - (b) Procedures for requesting that a vehicle be towed, and
 - (c) Procedures for retrieving a towed vehicle.
3. The President or Vice-President of the Association may only request towing:
 - (a) When a vehicle is an immediate threat to public safety, or
 - (b) After placing a notice of violation on the vehicle. The notice shall state the violation, request correction within five days, and warn that the vehicle will be towed at the owner's expense if the violation is not corrected within that time.

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