

RESOLUTION
PARKING POLICIES, RULES AND REGULATIONS AND
ENFORCEMENT

OCTOBER, 2006

BOWLING BROOK FARMS ASSOCIATION, INC.

WHEREAS, the Board of Directors has the power under sections 5.1.3 and 5.3.3 of the Declaration of Covenants, Easements, Charges, and Liens, and section 3.8.1 of the Bowling Brook Farms Association, Inc. By-Laws, to use a portion of the Common areas for parking, and to establish reasonable rules and regulations governing the use of the Commons in general, and

WHEREAS, the 2005 Resolution titled Adoption of Parking Rules, Regulations and Enforcement allows the Board of Directors to develop parking policies on a court-by-court basis and to make reasonable rules and regulations with regard to the establishment, changes and/or enforcement of the adopted parking policies, and

NOW, THEREFORE BE IT RESOLVED THAT the Board of Directors adopts the following rules and regulations for parking in the areas of the Commons which are improved as automotive vehicle parking spaces:

I. DEFINITIONS

Words and phrases used in this resolution and parking rules shall have the meaning as defined in the Association Bylaws, Covenants, Easements and Liens. Otherwise words and phrases shall have their usual meanings, except as defined below:

Association: The Bowling Brook Farms Association, Inc.

Association Agent: Any person, including but not limited to the Community Manager or one of his/her employees, designated by a Board of Directors resolution to act as an agent of the Association in enforcing this resolution as described in sections IV and V.

Community Manager
Property Manager The company or person contracted by the Association to manage the Commons as provided for by the section 5.4 of the Declaration of Covenants, Easements, Charges and Liens. Also any employee of the company or person

contracted by the Association to manage the Commons who said company or person has designated to act as his/her/its representative in managing the Association Commons.

- Commercial vehicle:* Any vehicle with visible lettering, advertising, or markings on it identifying it as a business vehicle; any vehicle that is recognizably used by the vehicle owner or driver in his or her work, including but not limited to ladders on a pick up truck, lumber in a truck bed, painting tools, equipment and supplies, etc.; any vehicle with more than a ¾-ton payload, or which exceeds eighteen (18) feet in length. Police squad cars, and trucks, vans or other vehicles owned by the Association, the Community Manager, the Manager's employees, and any contractors hired by the Association or its Community Manager to perform work or maintenance in the Association Commons shall not be considered commercial vehicles.
- Court:* A Court shall be defined by the street name. For example, all houses having an address in Breamore Court, shall be considered for the purposes of this resolution and parking rules to belong to "Breamore Court".
- Non-Commercial Vehicle:* Any vehicle that is not a commercial or recreational vehicle as defined in this resolution.
- Recreational Vehicle:* Any boat, boat trailer, all-terrain-vehicle (ATV), camper, recreational bus, house trailer, trailer, tractor trailer, other truck (other than a non-commercial van or "pick-up" truck, or any similar item.
- Stored Vehicle:* Any vehicle parked in an Association parking space continuously for more than 14 days. The continuity of parking required by this definition is not broken if the vehicle is simply moved from one parking space to an adjacent one without first leaving the Association Commons and dedicated streets.
- Towing Company* The towing company contracted by the Association to provide vehicle towing services for the Association.

II. ADOPTION OF COURT PARKING POLICIES:

The procedure for adoption of a court parking policy shall consist of the following:

- A. Owners of a Court may submit to the Traffic/Safety Committee a petition signed by no less than 51% of the Owners in the Court indicating their requested court parking policy (i.e. reserved space(s), permit parking, etc.). After a petition making such request is made to and affirmed by the Traffic/Safety Committee, the Board of Directors at its next open meeting shall receive the signatures on the petition and consider the Owners request if no less than 51% of the Owners on the Court have signed it. To regulate the costs and time associated with instituting parking policies any Court may not make a request to terminate an approved parking policy less than two years after the enforcement of the parking policy has commenced. Similarly if the Owners in a Court petition the Board of Directors to terminate and approved parking policy in their Court, they may not make a request to start an approved parking policy again less than two years after their request to terminate the parking policy was granted by the Board of Directors.
- B. For the purpose of counting 51% of the Owners in a Court, all Owners of any unit on the Court shall be counted as one. A valid signature by any of the Owners of a unit shall be sufficient for that unit to be counted in achieving the 51% number of signatures required. Signatures by visitors, renters, guests, or other persons not holding title to the unit will be considered invalid and will not be counted towards achieving the threshold of 51% signatures required.
- C. After the Board of Directors resolves at an open meeting to approve a parking policy in a Court, the Board of Directors shall authorize management to take necessary steps to implement the approved policy (i.e. order signs, permits, pavement markings, etc.).

III. PARKING RULES

These parking rules shall apply to all parking spaces in the Commons without exception unless such exception is noted.

- A. No (a) partially demolished, in disrepair, or unsightly vehicles, offensive to the Community, (b) house trailer, trailer, tractor trailer or other truck (other than a non-commercial van or "pick-up" truck), boat, boat trailer, camper, recreational bus or any similar item, or (c) (unless current and valid license plates are affixed thereto) automobile, shall be temporarily or permanently parked or stored in the open on any Lot or on any street or parking area within, or other portion of, the Commons, except as specified in IIIH.

- B. Repair or extraordinary maintenance of automobiles or other vehicles shall not be carried out on the Commons (except for bona-fide emergencies).
- C. Parking spaces which are not marked or otherwise subject to a court parking policy shall be available on a "first-come-first-served" basis for visitors, guests, additional cars, etc.
- D. Continuous parking of a non-driven vehicle in one or more spaces for more than fourteen (14) consecutive days is prohibited unless prior arrangements have been made with the Community Manager. The continuity of parking is not broken if the vehicle is simply moved from one parking space to an adjacent one without first leaving the Association Commons and dedicated streets. Vehicles in violation of this rule will be considered "stored" vehicles and subject to sanctions as imposed by the Board of Directors.
- E. All vehicles which extend more than 18 feet from the curb when not extending over the sidewalk or exceed the width of one marked parking space are prohibited.
- F. All vehicles with expired registration plates are prohibited.
- G. Bicycles, tricycles and other toys shall not be permitted in any parking spaces, at any time.
- H. Commercial or Recreational Vehicles – Temporary parking, not to exceed two years, of commercial or recreational vehicles or trailers, here in referred to as “commercial”, in Association parking spaces or driveways, is allowed only after Board approval of the temporary exemption. Commercial vehicle parking exceptions are only temporary, not to exceed two years from the date of approval of the temporary exemption.
 - a. A particular commercial vehicle may be issued a two-year exemption by the Board of Directors. The homeowner must submit a letter to the Board of Directors requesting exemption and include the following:
 - 1. A picture of the vehicle
 - 2. Vehicle Identification Number (VIN)
 - 3. Make/Model
 - 4. License plate number (Maryland Tags)
 - 5. A certificate of insurance for the company for which the vehicle is used, showing coverage in compliance with State laws.

- b. The Board will review the temporary exemption on a case-by-case basis and take into account the following:
 - 1. Does the vehicle meet the commercial vehicle definition as stated in this resolution under Section I?
 - 2. Is there a parking shortage for non-commercial vehicles on the court where the request is being made?
 - 3. Comments or complaints from other owners on the court will also be considered.
- c. If the commercial vehicle is approved by the Board as a temporary exemption to park in the commons the approval letter will be maintained by the Management Agent.
- I. Handicap Parking – The Board of Directors may reserve Association parking spaces as it deems necessary to be used by handicapped residents who carry valid Maryland handicap tags. The reservation of such parking spaces for handicap parking shall be reviewed bi-annually by the Board of Directors or its designated agent to determine if the need still exists to have a parking space reserved for handicap parking.
- J. Damage to common area by motorized vehicles- Any damage to any common area experienced as a result of an action or occurrence on any lot/home, or as a result of any action taken by an owner, tenant, guest, or invitee on any common area shall be repaired by the Association at the expense of the owner of the home whose residents, guests, or invitees caused such damage. The owner of the home must be given written notice seven days before the repairs are undertaken to allow said homeowners a chance to correct the damage themselves; except in any emergency situation deemed by the Board of Directors in which case immediate repairs can be undertaken by the Association and billed to the owner.

IV. ENFORCEMENT OF PARKING RULES

- A. Except as specified below, all violations of the parking rules of section III shall be handled in accordance with the rules enforcement resolution adopted by the Board of Directors on 11/27/99, or any other rules enforcement resolutions that may be adopted by the Board of Directors in the future.
- B. Vehicles specifically prohibited from parking in Association parking spaces or any driveways, including but not limited to commercial and recreational vehicles parked without Architectural Committee approval, vehicles with expired registration plates, vehicles longer than eighteen (18) feet, and vehicles wider than one parking space, may be towed from any Association

parking space after following this procedure: securely attach in a conspicuous place of the vehicle a notice informing the owner of the vehicle of the violation, and the date the notice was attached; the notice shall inform the owner of the vehicle that the violation shall be corrected or the vehicle removed within not less than 48 hours after the notice is attached. Subsequent to this notification the vehicle may be towed by the towing company contracted by the Association with the authorization of the Community Manager or other Association Agent any time it is found parked in any Association parking space provided that the 48 hours specified in the warning have elapsed, but no later than 12 months after the date the warning was first posted on the vehicle. Both the warning notice and towing slip shall contain the make, model, color, year of the vehicle (if known), and vehicle identification number (VIN). In addition, the towing slip shall contain the address the vehicle was towed from, the time the vehicle was towed, and the storage site where the vehicle will be stored.

- C. Enforcement action against unauthorized vehicles parked in a reserved parking space designated by the Board of Directors shall be:
1. Unauthorized vehicles parked in a reserved parking space shall be subject to towing without warning at the vehicle owner's expense.
 2. When an unauthorized vehicle is identified as parking in a reserved parking space, the vehicle may be towed after the express authorization of the Community Manager or any other Agent of the Association as authorized by the Board of Directors. The owner of a residence to which the parking space is assigned is considered an Agent to authorize towing out of the parking space number assigned to that same residence with the following conditions:
 - a) Owner must present the tow truck operator with their Bowling Brook Towing Authorization document and valid personal photo identification and sign the towing ticket.
 - b) Towing may only be authorized from the parking space assigned to that home.
 - c) Towing must be done in accordance with the County Towing Laws.
 - d) The Association, Board of Directors, its officers, its employees, and its agents will be indemnified and held harmless from all legal actions, charges, damages and costs associated with the towing.

RESOLUTION ADOPTED BY THE BOARD OF DIRECTORS ON _____.

President

Secretary

90.res.parking.2006