

ST. ALBANS GLENN CONDOMINIUM  
ADOPTED December 8, 1993  
POLICY RESOLUTION NO. 1993.1

ST. ABLANS GLENN CONDOMINIUM  
VEHICLE RULES AND REGULATIONS

WHEREAS, Article 8, Section 8.1 of the Bylaws for St. Albans Glenn Condominium provide that the Association shall have the right to promulgate rules and regulation reasonably and uniformly governing the operation, use, conduct, and treatment of the Common Elements by Unit Owners and/or guests, tenants, invitée, and licenses; and

WHEREAS, Article 12, Section 12.1 of the Declaration requires each Unit Owner and his family and his or their guests, employee, agents and lessees and their guests, employees, and agents shall comply strictly with the administrative rules and regulations adopted pursuant to the Bylaws; and

WHEREAS, the purpose of this Rule and Regulation Resolution addressing vehicle Parking is deemed necessary to assume the protection, enhancement, and preservation of the Association's residents rights and welfare to park of vehicles by unit owners, lessees, families, guests, employees and agents upon the common elements;

NOW THEREFORE, BE IT RESOLVED that the following Rules and Regulations be, and hereby are, adopted;

1. Definitions - As used in these Rules and Regulations the following words have these meanings:

a. Abandoned Vehicles - Shall mean any vehicle, or trailer that (i) has remained on the premises of St. Albans Glenn

Condominium Association for more than ten (10) days without the consent of the Board, regardless of whether it was brought onto the common elements with the consent of the owner or person in control of the private property; or (ii) has remained on the premises of the Association for more than ten (10) days and is not displaying a currently valid state license plate, a current city sticker or valid state inspection sticker.

b. Board - Shall mean the board of directors, officers, and agents of St. Albans Glenn Condominium Association.

c. Boat - Any vessel or water craft of every description used upon any waterway regardless of motor, sail, oar, paddle, steam, or otherwise.

d. Commercial Vehicle - Any vehicle in excess of twenty (20) feet in length and/or seven (7) feet in height; or in excess of one (1) ton payload weight; or any vehicle displaying signage for either a profit or non-profit organization.

e. Inoperable Vehicle - Any vehicle which is partially or totally dismantled, nonoperating, wrecked, junked, or discarded which remains upon the Association Common Property for longer than forty-eight (48) hours.

f. Parking - Shall mean the temporary stopping and placement of a vehicle in one fixed location. Temporary contemplates a frequency of use of the vehicle that is consistent with the residential use of a vehicle that is generally operated by the owner. Temporary does not contemplate storage, which is a long term placement of a vehicle in one location.

g. Parking Spaces - Shall mean the physical vertical boundaries between two parallel white lines marked upon the pavement as a parking space for vehicles. A parking space is designed and limited to one vehicle per space.

h. Resident - Shall mean any unit owner, or lessee of a unit owner.

i. Storage - Shall mean long term placement of a vehicle in one location, and not parking. Whether a vehicle is stored within the meaning of this definition shall depend upon the facts and circumstances of each case. In addition to the facts and circumstances of each case, a vehicle shall be deemed to be stored within the meaning of this definition where such vehicle has remained in one location for a period of more than ten (10) days.

j. Trailer - Shall mean every vehicle without motor power designed for carrying property or passengers wholly on its own structure and for being drawn by a motor vehicle.

k. Unattended Vehicle - Any vehicle left unmoved for more than ten (10) days upon any Association Common Property.

l. Vehicle - Shall mean any self propelled device in, on or by which any person or property is or may be transported on a highway, and which is licensed by any state.

m. Visitor - Shall mean any guest or invitee of a resident, or any other person authorized, permitted, or invited to St. Albans Glenn Condominium Association by the board.

## 2. PARKING RIGHTS

Unit Owners are entitled to use parking space(s) upon the Common areas for approved vehicle(s) only. An approved vehicle shall include any conventional passenger vehicle, motorcycle, van and truck of not more than one (1) ton payload weight. Vehicles should be parked so as not to obstruct the spaces for other vehicles. For violations of vehicle trespassing on the parking spaces, the violation is subject to being towed. The vehicle or other vehicle on which current registration and required permits and stickers are not displayed shall not be kept upon any of the Common Element parking area. No vehicles shall be parked with "For Sale" signs except for those attached to the interior sides of the window of their vehicles. All vehicles must be kept in proper operating condition so as not to be a hazard or a nuisance by noise, exhaust emission, appearance or otherwise. No vehicles other than those clearly identified as operated by or for a handicapped person shall be parked in spaces reserved for handicapped parking. The Board shall make a reasonable attempt to give notice to the Owners of offending vehicles. If such vehicle

is not removed, the Board may have the offending vehicle towed at the expense and risk of the Owner of said vehicle.

3. PARKING SPACES

No signs, initials, numbers, storage containers or any other additions or alterations to the Common Element parking spaces may be painted, displayed or erected by any owner without the prior written consent of the Board of Directors. This restriction does not apply to a uniform numbering or lettering system used by the Association.

4. ASSOCIATION NOT RESPONSIBLE

Nothing in this resolution shall be construed to hold the Association or the Board responsible for damage to vehicles or loss of property from vehicles parked on the Common Elements.

5. REPAIRS NOT ALLOWED

Except for minor adjustments, repairs to vehicles, as well as painting of vehicles, shall not be permitted at any time on the Common Elements. Drainage of any automotive fluids in the Common Elements is prohibited.

6. GUEST PARKING

A limited amount of common element parking spaces have been designated as guest parking. All guests are required to abide by all applicable rules and regulations promulgated by the Association in regards to parking.

7. ENFORCEMENT

a. This resolution may be enforced by any one or more of the following:

- i. Towing, pursuant to Sections 46.2-1215 and 46.2-1231 of the Code of Virginia and Section 21-422 of the City of Virginia Beach.
- ii. Assessment, pursuant to Section 55-79.80:2A of the Code of Virginia.
- iii. Any other remedy available to the Association pursuant to law including injunctive relief.

b. The removal or destruction of the signs due to vandalism or theft shall not prevent the enforcement of these regulations.

8. TOWING

a. Any vehicle towed shall be at the vehicle owners' risk, responsibility, and cost of retrieval and storing.

b. Vehicles may only be towed at the direction of, or under the authority of a Director, or Officer of the Association. The Director, or Officer of the Association shall forthwith cause to be given notice of the action to a local law enforcement officer.

c. If the owner of the vehicle to be towed is present and removes the offending vehicle before it is towed, the vehicle shall not be towed but the owner of the vehicle shall be liable for a reasonable fee, not to exceed \$25.00 in lieu of towing. Section 46.2-1231 of the Code of Virginia.

9. VIOLATIONS AND ENFORCEMENT MEANS

Any owner of a vehicle or vehicle on the St. Albans Glenn Condominium Association property in violation of these rules and regulations may, in addition to any other remedies available to the Association, be subject to the sanctions as set forth below.

a. Any vehicle parked other than in an assigned parking space or a space for which permission has been given to park will be towed at the violator's expense.

b. Any abandoned, inoperable, or unattended vehicle or boat placed anywhere upon the common elements, shall be towed at the violator's expense.

c. Any vehicle parked in violation of any rules or regulations other than those specified in Section 10 a or b above shall be towed at the violator's expense.

10. Any prior failure to enforce any violations shall not constitute a waiver against enforcing any subsequent violations. Any election to impose one sanction shall not be a bar to seeking any other sanction allowed under the Association documents or applicable law.

11. This Resolution is based upon the Virginia Condominium Act and any other applicable State and City of Virginia Beach Code, statutes and regulations; it shall be automatically amended to incorporate relevant change in those statutes. Should any provision hereof be decreed or ruled to be invalid, then such portion shall be deemed severable and the remaining provisions shall not be considered impaired or invalid.

12. This Resolution supersedes all other Rules and Regulations concerning vehicles, and may from time to time be amended by a majority vote of the Board of Directors.

13. Effective Date: This Policy Resolution shall become effective January 1, 1994. Book of Minutes December 8, 1994.

Approved by the Board of Directors

St. Albans Glenn Condominium Association

Attest: [Signature]  
Secretary

By: [Signature]  
President

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STATE OF VIRGINIA

CITY OF VIRGINIA BEACH, TO WIT:

The foregoing instrument was acknowledged before me this  
27<sup>th</sup> day of December, 1993.

Marcia K. Altshuler  
Notary Public

My commission expires: Aug 31, 1994

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RECORDED WITH  
CERTIFICATE ANNEXED  
93 DEC 29 AM 11:24

558.1-802 TAXES PAID \$  
VIRGINIA BEACH, VA.  
20.17