

Adopted: July 6, 2004
Effective: September 1, 2004

Clopper's Mill West Community Association

Vehicle Parking and Storage Violation Enforcement Procedures

WHEREAS, Article IV, Section 1(c) of the Declaration of Covenants of the Association of the Clopper's Mill West Community Association ("Association") grants the authority to the Board of Directors to adopt and publish rules and regulations governing the use of the Common Areas and Community Facilities and Private Streets and Roadways and the personal conduct of the members and their guests hereon, and to establish penalties for the infraction thereof; and

WHEREAS, Article IV, Section 5 of the Declaration of Covenants of the Association establishes the basic parking rights of the residents of the Association; and

WHEREAS, Article IV, Section 6 of the Declaration of Covenants of the Association establishes general parking rules and entitles the Board to establish supplemental rules concerning parking on any portion of the Common Areas, Private Streets and Roadways and Lots, including without limitation, reasonable fines and provisions of this Declaration and/or such rules; and

WHEREAS, Article VIII, Section 8, paragraph (d) of the Declaration of Covenants of the Association establishes the general prohibition of vehicle repair, junk vehicles and the specific prohibition of vehicles with lettering, vehicles over 1 ton and/or having more than two axles and not more than four tires, trailers, motor homes, campers, RV's, vehicles with commercial lettering ; and

WHEREAS, the Board, in order to ensure the efficient, proper and safe use of all parking areas, roadways, and other common property, wishes to adopt a comprehensive and detailed set of rules regulating the use of such areas.

NOW, THEREFORE, the Board of Directors for the Clopper's Mill West Community Association, Inc., hereby declares and adopts the following policy and procedures governing vehicle parking, storage and enforcement.

The following policy hereby supersedes any and all other policies which may have previously been enacted by any Board of Directors of and for the Association and which may have dealt with the parking, storage and enforcement of vehicles upon the common elements of the Association.

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The following rules regarding parking apply to the Private Roadways of the Town Home Section of the Clopper's Mill West Community Association, which comprises the following streets: Ansel Terrace, Smokewood Drive, Smokewood Terrace, Kilmarnock Terrace (town home section), Kilmarnock Way (town home side). This Procedure will be used for the removal of vehicles from the community property of the Association.

The owner, if readily identifiable, of any vehicle on which current registration plates are not properly displayed, junk vehicle, trailer, camper, camper-truck, home trailer, boat, boat trailer, stored vehicle or the like, any vehicle which poses a hazard, or any vehicle not parked properly in parking spaces which are located on common property, without the written permission of the Board, shall be notified by the Board through the use of a 48-hour warning sticker which shall be placed on said vehicle. All vehicles that are in violation of this procedure will be stickered with a violation notice. The notice shall indicate that the vehicle will be towed from the community at the owner's risk and expense after the allotted 48 hours has elapsed. In the case of parking in a marked fire lane or double parking on any community street, these vehicles shall be subject to an immediate tow.

Vehicles not removed within the 48-hour period shall be removed from the community. Towing and storage charges or damage incurred in the process, if any, shall be the responsibility of the owner of the vehicle. If the vehicle is determined to be owned by a tenant, the unit owner may be held responsible for towing and storage charges incurred by the Clopper's Mill West Community Association.

Any subsequent violation of the Parking Procedures, within 180 days on any initial violation involving the same vehicle, will result in immediate removal of said vehicle from the common area.

The following definitions shall apply:

Junk Vehicle: A junk vehicle is any vehicle that is incapable of passing current Maryland State Motor Vehicle Administration procedures or does not display current registration plates.

Truck: A truck with a load capacity greater than 1 ton and/or having more than two axles, or 4 tires.

Trailer: A trailer is any vehicle which is drawn by another vehicle having motive power.

Boat: Self-explanatory.

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Camper: A camper is any vehicle, which is drawn by another vehicle and used as a temporary or permanent dwelling.

Camper Truck: Self-explanatory camper.

House Trailer: Same as camper.

Vehicle on which current registration plates are not displayed: Self-explanatory.

Hazard: Any vehicle parked in an area that can impede access of emergency vehicles, or any vehicle parked in a designated no parking zone, or fire lane. In addition, any vehicle impeding the access of another vehicle while attempting to enter or leave the community.

Stored Vehicle: Any vehicle that remains stationary in the common parking areas or driveways for a period exceeding 30 days.

Commercial Vehicle: Any commercial vehicle displaying commercial advertising for business purposes.

Reserved Parking – Any vehicle parked in a townhouse space that is reserved for a particular unit that does not belong in that space is subject to an immediate tow. These vehicles do not need to be warned before towing. A homeowner who wishes to have a vehicle towed out of their reserved parking space merely needs to call and obtain authorization from the Management Company.

Enforcement – The community hired security patrol, if any, and towing company shall have the authority to sticker vehicles for any of the aforementioned violations. Only an agent of the management company, hired security patrol, towing company or designated Board of Directors shall have the authority to authorize a tow. Authorized person(s) and/or agents will be listed in the towing contract.