

**COUNTRYSIDE PROPRIETARY
ADMINISTRATIVE RESOLUTION NO 234
AS AMENDED April 2, 2014
COMMERCIAL, RECREATIONAL, JUNKED AND ABANDONED VEHICLES,
EQUIPMENT AND/OR OTHER MACHINERY**

WHEREAS, Article III, Section 3(c) (1) of the Declaration of Covenants and Restrictions charges the Board of Directors of the Proprietary with the power and duty to maintain and manage the real Property, as defined in Article I, Section 2 of the Declaration to include all land encumbered by the Declaration; and

WHEREAS, Article III, Section 3 further grants the Board certain enforcement powers to insure member compliance with the Covenants and Restrictions; and

WHEREAS, Article VI, Section 6(d) of the Covenants and Restrictions explicitly prohibits the presence of junk vehicles, trailers, campers, camp trucks, house trailers, boats or other similar machinery or equipment upon the Property, except as specifically authorized by the Board; and

WHEREAS, equitable and consistent rules and enforcement procedures are established in order to preserve and maintain a safe and attractive community appearance, and

WHEREAS, the Board desires to rescind Administrative Resolution No. 209 and hereby substitutes Administrative Resolution No. 234 in its place.

NOW THEREFORE, BE IT RESOLVED that Administrative Resolution No. 209 be, and hereby is, rescinded, and that the following rules and regulations be adopted by the Board governing the presence of commercial, recreational, junked and abandoned vehicles, other machinery and/or equipment located upon the Property.

Commercial, Recreational, Junked and Abandoned Vehicles, Other Machinery & Equipment

I. DEFINITIONS

A. "Commercial Vehicle" shall mean any and all vehicles as defined by Loudoun County Codified ordinances as a commercial vehicle, any vehicle or vehicle combination used, designed or maintained for transportation of persons for hire, compensation, profit, or designed or used primarily for the transportation of property for gain or profit or any vehicle bearing commercial signs, advertising or visible commercial equipment, including taxi cabs, private or public school buses or vehicles with commercial license plates.

B. "Recreational Vehicle" shall mean any vehicle used primarily for personal pleasure by an individual. To qualify as a recreational vehicle, the vehicle may not be used in connection with any business endeavor. Recreational Vehicle shall include, but not necessarily be limited to, travel trailers, pick-up campers, motorized dwellings (e.g., R.V.'s), tent trailers,

boat and boat trailers, houseboats, and the like and cases or boxes used for transporting such recreational equipment, whether occupied by such equipment or not.

C. Trailers shall mean any conveyance that may be attached to and towed by a motor vehicle via a hitch or other means. Any non motorized vehicle designed to be towed.

D. "Junk Vehicle" shall mean any motor vehicle which is inoperable, or which, for a period of three (3) days or longer, has been partially or totally disassembled by the removal of tires and/or wheels, the engine or other essential parts required for operation of the vehicle or any other condition prohibiting the operation of the vehicle, and/or for which there is no valid license plate, County sticker and or inspection sticker, if required. For purposes of this Resolution, covered vehicles (i.e. vehicles covered so as to obscure the vehicles' windshield and/or license plates) shall be considered in violation unless the vehicle owner shall, within twenty-four hours of a request made by a Proprietary representative, produce proof of valid state license, inspection sticker, and County sticker, or grant written permission for Proprietary staff to remove the cover for purposes of inspection.

E. "Abandoned Vehicle" shall mean a motor vehicle that has remained on private property without the consent of the Proprietary for more than three (3) days. It shall be presumed that a motor vehicle is abandoned if it lacks a current license plate and sticker and a valid state inspection sticker and has been in a specific location for three (3) days without being moved. For purposes of this Resolution, covered vehicles (i.e. vehicles covered so as to obscure the vehicles' windshield and/or license plates) shall be considered in violation unless the vehicle owner shall, within twenty-four hours of a request made by a Proprietary representative, produce proof of valid state license, inspection sticker, and County sticker, or grant written permission for Proprietary staff to remove the cover for purposes of inspection.

F. "Other Machinery or Equipment" shall refer to those objects as specifically referenced in Article VI, Section 6(d) of the Covenants and Restrictions, which includes boats or other similar machinery or equipment of any kind or character located upon the Property.

G. "Motor Vehicle" shall mean any passenger vehicle, truck, van or motorcycle.

H. "Authorizing Body" shall mean the Board of Directors.

I. "Designated Agent" shall mean the person or party assigned the responsibility for enacting and/or enforcing the rules and regulations, Covenants, etc., as duly charged by the Board of Directors.

J. "Garageman" shall mean any operator of a parking place, motor vehicle storage facility, or establishment for the servicing, repair or maintenance of motor vehicles.

II. GENERAL

A. Restricted Vehicles. The types of vehicles listed in subsection 1 through 8 below (collectively the “Restricted Vehicles”) may not be parked or stored in open view on residential lots, common area parking spaces, or on common areas within the CountrySide Proprietary boundaries, except in such areas, if any, that may be designated by the Board of Directors. Any such vehicle-Restricted Vehicle may be stored in a garage out of open view. Any such vehicle-Restricted Vehicle owned by guests of residents may be parked in open view for a temporary period not to exceed five (5) days with prior approval from the Board of Directors or the Proprietary staff.

- (1) Any and all trailers
- (2) Any motor home or self-contained camper; or fifth wheel vehicle.
- (3) Any pop-up camper/tent or similar recreational oriented portable vehicle or transportable facility or conveyance.
- (4) Any other vehicle not defined above which is not normally or regularly used for daily transportation, including dune buggies, non-operational automobile collections or other automotive equipment not licensed for use on the highways and roads of Virginia.
- (5) Any and all vehicles as defined by Loudoun County ordinances as a commercial vehicle.
- (6) Any vehicle or combination used, designed or maintained for transportation of persons for hire, compensation, profit or designed or used primarily for the transportation of property for gain or profit or any vehicle bearing commercial signs or advertising including taxicabs, private or public school buses, church buses or any vehicle with commercial equipment including but not limited to snow plows and spreaders.
- (7) Any junk vehicle as defined in Section I.
- (8) Any abandoned vehicle as defined in Section I.

B. Police and Sheriff's Department vehicles are not considered commercial vehicles and are not subject to commercial vehicle prohibitions.

III. RULES AND REGULATIONS

A. As contained provided in Article VI, Section 6(d) of the Covenants and Restrictions, no junk vehicles, trailer, camper, camp truck, house trailer, boat or other similar machinery or equipment of any kind or character (except for such equipment and machinery as may be reasonable, customary and usual in connection with the use and maintenance of any dwelling) and except for such equipment and machinery as the Association may require in connection with the maintenance and operation of the common areas and community facilities shall be kept upon The Property nor (except for bona fide emergencies) shall the repair or extraordinary maintenance of automobiles or other vehicles be carried out thereon. The Association may, in the discretions of the Architectural Control Committee, provide and maintain a suitable area designed for the parking of such vehicle or the like.

B. At no time shall a motor vehicle be parked on a sidewalk or any part of the lawn area of a private lot or common area.

IV. ENFORCEMENT OF POLICY AND PROCEDURES

A. Authorizing Agents and/or Appointed Designates

1. Common Areas

As defined in Article III, Section 3 of the Covenants & Restrictions, the Board of Directors is vested with powers to enforce or effectuate the Governing Documents and *to establish rules and regulations for the use of the property*, which includes common areas, private streets and lots, and parking areas servicing community facilities of enforcement with regard to violations of existing Covenants and/or adopted rules for use of the common areas, which includes private streets and parking areas servicing community facilities.

2. Private Lots

As defined in Article VI, Section 11 of the Covenants and Restrictions, the Design Review Committee and/or its appointed designate(s) are granted full powers of enforcement upon any private lot.

B. Enforcement Action

1. Private Common Property Owned by the Proprietary

As defined in Article VI, Section 11 of the Covenants & Restrictions recorded for the Proprietary, upon reasonable belief that there is on common property owned by the Proprietary, one or more junked and/or abandoned vehicles, equipment or other machinery, the Board of Directors and/or its authorized representative shall undertake the following action(s) in accordance with enforcement powers granted in Article III, Sections 3

- (a) In the case of a junked or abandoned vehicle for which there is no valid license plate, inspection sticker or County sticker, the sheriff's department should be contacted for enforcement. In the event the sheriff's department refuses or is otherwise unable to remove said vehicle; the procedures detailed below will be followed.
- (b) In cases of Restricted Vehicles as defined under Section II A, a violation notice shall be placed on the driver's side window, provided one exists, of the Restricted Vehicle, inoperable vehicle, equipment or other machinery, allowing the owner four (4) days to correct the violation by removing the vehicle, equipment or other machinery. Should this violation not be corrected within the allotted time, a second violation notice shall be placed on the vehicle, equipment or other machinery alerting the owner of this Final Warning. Such notice shall clearly state that the vehicle, equipment or other machinery will be towed without further notice, at the owner's sole risk and expense, if not removed within four (4) days from the date the notice was placed upon the subject vehicle, other machinery or equipment. All vehicles that are stored in open view in common area parking spaces, or on common areas which are in violation of the provisions of this resolution, may be subject to towing.
- (c) The designated agent shall have the authority to issue a warning notice to vehicles which are in violation of this Administrative Resolution. The notice shall be placed on the vehicle.
- (d) Vehicles stored in common area parking spaces, or in common areas, are subject to being towed at the owner's risk and expense, four (4) days from the date the Final Warning Notice was placed upon the subject vehicle, other machinery or equipment.
- (e) Towing Enforcement. In the event the inoperable Restricted vehicle, equipment or other machinery is not removed within the time frame stipulated in the final notice, such vehicle, equipment or other machinery will be towed by a local garageman, as defined above, without further notice. All associated costs of towing shall be at the sole expense of the vehicle's owner of record.

(f) All requirements of applicable Virginia law with respect to towing of vehicles will be followed.

2. Private Lots

Upon reasonable belief that there is on a private lot any Restricted Vehicle, one or more junked and/or abandoned vehicles, equipment or other machinery, the Design Review Committee (DRC) and/or its authorized representative shall undertake the following action(s) in accordance with enforcement powers granted in Article VI of the Covenants: Violation Notice. The Design Review Committee shall forward a notice to the owner of the lot, describing the Restricted Vehicle and/or the equipment or other machinery, advising that the vehicle, equipment or other machinery must be removed or placed in a garage, if one exists, within fifteen (15) days from the date of notice.

3. Legal Action

In the event the owner of the lot fails to comply with the corrective action requested above, the DRC shall follow the violation process and may refer such violation to the Board of Directors for legal action.

V. COMPLIANCE WITH RULES & REGULATIONS

All owners, their tenants, invitees, visitors, guests and/or agents shall observe and comply with the above procedures and any and all additional rules and regulations as may be promulgated by the Proprietary from time to time with respect to the Property.

ATTEST:

PRESIDENT:

Dave Barrie

Date

SECRETARY:

Don Brock

Date