

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

MOTOR VEHICLES AND PARKING

Amended May 6, 2020

Section 10, of Article VII, of the Newberry Station Association, Inc., (Association) “Amended and Restated Declaration of Covenants, Conditions, and Restrictions” (Declaration), authorizes the Board of Directors (Board), to adopt and promulgate “rules for the use of the common areas and community facilities or “house rules” or other community rules and regulations not inconsistent with the provisions of this Declaration.” Among the fundamental purposes of such rules is to (1) assure that members of the Association have equitable enjoyment of the common areas and access to those areas, including roadways and parking spaces, and (2) to assure efficient preservation of the values and amenities of the community.

For instance, it would not be fair and equitable to allow any one member to hoard parking spaces by parking dozens of vehicles belonging to the member and the member’s guests, thus depriving other members of access to parking spaces near their dwellings or, when the parking spaces are especially crowded, to parking spaces anywhere in the Property. Thus the Board’s rules, among other things, control the number of vehicles that any one member may park in the common areas by limiting the parking spaces that any one member (and the member’s guests) may occupy.

Therefore, pursuant to its authority under the Association By-Laws and Article VII, Section 10, of the Board of Directors of the Newberry Station Homeowners Association, Inc., the Board of Directors (Board) at its meeting of May 6, 2020, has adopted and promulgated the following rules regarding the operation, use, and parking of motor vehicles on Association property.



Brandon Farlander
 President
 Newberry Station Homeowners Association

A. Prohibited Vehicles 1

B. House Rules for Parking 3

C. House Rules for Maintenance 4

D. House Rules for Operation..... 5

E. Enforcement 6

A. Prohibited Vehicles.

1. The following vehicles may NOT be kept on any part of the street parking lots or any other common area 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, moving, or delivery.
- As the Association may require in connection with the maintenance and operation of the common areas and community facilities.
- Owned and operated by a public agency in the discharge of its duties

a. Boats, campers, camp trucks, 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 Declaration, 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 which bears or displays indicators that the vehicle is designed or used for commercial purposes, regardless of capacity, or is licensed as a “for hire” vehicle. Such vehicles are subject to towing pursuant to Va. State Code, Chap. 8, Sec. 46.1-551.

b. 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.

c. 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.

d. Inoperative (junk) motor vehicles. 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.

2. The following vehicles may not be parked on driveways in Shannons Landing Way, being prohibited under Article 10 of the Fairfax County Zoning Ordinance, which regulates commercial vehicles on residential lots.

- a. Vehicles that are greater than 21 feet long or 8.5 feet wide or 8 feet high, including appurtenances.
- b. Towing and recovery vehicles.
- c. Vehicles carrying commercial freight in plain view.

- d. Trailers used for transporting equipment, whether attached or unattached to another vehicle.
- e. Vehicles with three (3) or more axles.
- f. Solid waste collection vehicles, tractors and/or trailers of trucks, dump trucks, cement mixer trucks, construction equipment, or similar such vehicles or equipment .
- g. Food Trucks.
- h. Inoperative (junk) motor vehicles.
- i. With respect to any other commercial vehicle, parking more than one such vehicle in the driveway or parking in the driveway any vehicle not owned and/or operated by the occupant of the residence.

Again, the exception would be for vehicles necessary for reasonable and necessary repairs or maintenance to the dwelling, moving, or delivery.

Any resident may report the parking of prohibited vehicles on driveways to the Fairfax County Department of Code Compliance.

The Architectural and Environmental Control Committee (AECC) may impose additional restrictions on the use of driveways, which would be documented in the Association's Architectural and Environmental Regulations" (AER).

B. House Rules For Parking

1. The Board has set a limit of two (2) parking spaces for every townhouse lot that borders Hamilton Court, Stationhouse Court, and Trestle Ct. and has marked those spaces with a number identifying that townhouse lot. Absent express direction from the Board, no individual may:

- (a) Alter numbers painted upon parking spaces or surrounding areas, or
- (b) Paint numbers on overflow spaces to exceed the limit of two parking spaces per townhouse lot.

However, the Board at all times and without prior consent of any lot owner may authorize and permit vehicles to enter any parking space in the common area for such purposes as restriping and repaving the parking lots, removing limbs that overhang the parking areas, removing snow, performing other grounds keeping functions, and towing improperly parked vehicles; and may deny parking spaces to lot owners under the conditions established in Article IV Section 1(d) of the Declaration.

2. All lined parking spaces (both parallel and pull-in) over and above the two set aside per townhouse lot are overflow parking spaces, excluding spaces that are designated fire lanes or safety/handicapped zones.

3. Residents and guests of residents may park vehicles only in the parking spaces linked to their townhouse unit and/or in overflow parking spaces. Non-residents may not park overnight in overflow parking spaces.

4. No-one may hoard a parking space in the overflow area by parking the same vehicle in that space for ten (10) or more days or switching cars to that space. If hoarding is reported to and verified by the Association's Management Agent or a Board member, the Agent or Board member shall place a violation notice on the vehicle requiring the owner of the vehicle to move it. If the vehicle is not moved by the tenth day, either the Management Agent or Board member has the authority to call the towing company to have the vehicle towed. If a resident is going to be absent for more than two weeks and must leave a car in an overflow parking space, that resident should notify management to avoid possible towing.

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/handicapped zones, as designated by yellow curbs or yellow stripes, is strictly prohibited. Parking or driving is not allowed at 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.

Vehicles parked in violation of the rules of this section are subject to towing pursuant to Virginia State Code, Chap. 8, Section 46.1-551.

C. House Rules For 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.

Vehicles in violation of these rules are subject to towing pursuant to Virginia State Code, Chap. 8, Section 46.1-551.

D. House Rules For 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.

In keeping with Fairfax County Code 82-1-3(b) and (c), Fairfax County Code 82-1-6, and Fairfax County Code, Chapter 82 Article 5 as they relate to motor vehicles and traffic, the Board has granted permission to the Fairfax County Police Department to enforce these rules on Association property.

E. Enforcement

1. The Board has authorized contracts with one or more towing services to:
 - (a) Remove, without notice, at the request of a resident and regardless of time of day, any vehicle that is parked without authorization in a space designated for the resident's townhouse lot.
 - (b) Remove, without notice, any and all vehicles that are double parked or parked in fire lanes and safety/handicapped zones.
 - (c) Remove, after notice, any prohibited vehicle or any vehicle parked or maintained in violation of any other regulations herein. The contract with the towing service shall stipulate that such removals may occur only after the a representative of the towing service has placed a notice of violation on the vehicle, with a copy to the Association's Management Agent of the notice. The notice shall state the violation, request correction within seventy two (72) hours, and warn that the vehicle will be towed at the owner's expense if the violation is not corrected within that time.
2. The Board from time to time will publicize:
 - (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 Board may request towing:
 - (a) When a vehicle is an immediate threat to public safety, or
 - (b) The vehicle is prohibited or parked or maintained in violation of any regulations herein, but only after the towing service has provided the notice required by Section E1c of this policy.