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APPROVED PARKING POLICY

TO: THE BROWNSTONES AT PARK POTOMAC HOA HOMEOWNERS

FROM: SHIREEN AMBUSH, PCAM, CPM
PROPERTY MANAGER

DATE: SEPTEMBER 21, 2020

Notice is hereby given that the Brownstones at Park Potomac HOA Board of Directors voted to adopt a new parking policy which was previously mailed to all homeowners. The final, approved policy is enclosed for your records.

Also enclosed is an application form for the new resident parking permits and visitor parking passes described in Section 3 of the approved policy.

The Brownstones Declaration of Covenants, as amended, stipulates that storage of any additional items in a garage may not interfere with the ability to park the number of vehicles for which the garage is designed. Consistent with this provision, the approved Parking Policy states that "Garages are to be used primarily for the parking of vehicles and shall serve as the primary parking area for residents' vehicles." To implement these provisions, all applications for resident and visitor parking permits must be accompanied by a photograph of the inside of the garage showing that it is capable of accommodating two (2) vehicles, or for MPDU homeowners, of the inside of the garage showing that it is capable of accommodating one (1) vehicle. Please note that no permits will be issued without a completed application and garage photo. (If you need technical assistance in providing this photograph, please contact me.)

A vehicle parked in violation of the restrictions set out in paragraph 5(b) of the enclosed parking policy will be subject to two warning notices, at least 24 hours apart. After a second warning, a vehicle in violation will be subject to towing, except that owners of vehicles with valid Brownstones resident parking permits will instead be subject to a fine of \$100.00. Please note that any vehicle in violation of the restrictions in paragraph 5(a) will be subject to towing.

County regulations require the posting of signs sized 24" x 30" along our private streets, setting out parking restrictions, violations for which vehicles are subject to towing and other required information. Attached for your advance information is a copy of this sign. We plan to install these signs during November, and to implement the enclosed policy with a 60-day non-enforcement period (see paragraph 11 of the policy) on or about December 1, 2020.



We thank you for your support on the proposed policy which we feel will be in the best interest of all owners of the community. As always, if you should have any questions, please feel free to contact me directly at the above letterhead number or via email at sambush@abarisrealty.com

On behalf of the Board, I thank you for your attention to this matter and hope you are staying safe and well!

THE BROWNSTONES AT PARK POTOMAC

**RESERVED PARKING FOR BROWNSTONES
RESIDENTS AND VISITORS**

PARKING BY OTHERS IS STRICTLY PROHIBITED

**BROWNSTONES RESIDENT PARKING PERMIT
OR VISITOR PARKING PASS REQUIRED**

TOWING AT VEHICLE OWNER'S RISK AND EXPENSE ENFORCED FOR:

VEHICLES WITHOUT A VALID RESIDENT PARKING PERMIT OR VISITOR PARKING PASS, PARKING IN FIRE LANES INCLUDING ALLEYS OR BLOCKING A FIRE HYDRANT, PARKING IN POSTED HANDICAPPED SPACES WITHOUT A VALID HANDICAPPED TAG DISPLAYED, PARKING IN PAINTED CURB SPACES OR BLOCKING A WHEELCHAIR RAMP, PARKING IN POSTED NO PARKING ZONES, BLOCKING A SIDEWALK OR PARKED FOR LONGER THAN 15 DAYS CONTINUOUSLY IN A SINGLE SPACE, JUNK, TARP-COVERED, UNLICENSED OR INOPERABLE VEHICLES, TRUCKS, VANS, BOATS, TRAILERS, RVS & MOTORHOMES.

TOWING ENFORCED 24 HOURS PER DAY, 7 DAYS A WEEK

IF TOWED CALL HENRY'S WRECKER SERVICE

301-869-4800

8321 BEEHCRAFT AVE GAITHERSBURG, MD 20879

**MAX IMPOUND FEE OF \$500.00 AND MAXIMUM STORAGE FEE OF \$85.00
(PER 24 HOUR PERIOD)**

COUNTY & STATE LAW REQUIRES THAT THE VEHICLE BE AVAILABLE FOR RECLAMATION 24 HOURS A DAY 7 DAYS A WEEK

**THE BROWNSTONES AT PARK POTOMAC
HOMEOWNERS ASSOCIATION, INC.**

**APPROVED PARKING POLICY
Adopted August 18, 2020
Recitals**

WHEREAS, pursuant to Article III, Section 3(c)(ii) of the Declaration, the Board of Directors has the power and obligation to establish such reasonable rules and regulations as may be necessary to govern the use of the Property within The Brownstones at Park Potomac Homeowners Association ("B@PP");

WHEREAS, pursuant to Article VI, Section 1(b) of the Declaration, all garages are to be used for the purpose of parking and storing of vehicles;

WHEREAS, pursuant to Article VI, Section 2(f)(ii) of the Declaration, only vehicles the size and dimension of which fit fully within the garage of a Living Unit are allowed on the Property, and no trucks, boats, recreational vehicles, motor homes, camp trucks or trailers are permitted to remain on the Property or in the garages of a Living Unit;

WHEREAS, pursuant to Article VI, Section 2(f)(i) of the Declaration, vehicles shall not be parked in a driveway or elsewhere on the Property in a manner which interferes with access to or encroaches upon the private streets, alleyways, other driveways, sidewalks, or emergency vehicle ingress/egress;

WHEREAS, the Board of Directors deems it advisable to create parking rules for enforcement of the provisions set forth in the Brownstones Declaration of Covenants, the Memorandum of Understanding between the Brownstones at Park Potomac, the Perry Apartments and Park Potomac Place Condominiums, and the orderly administration of parking on private roads and the shared private road throughout the property of The Brownstones at Park Potomac Homeowners Association, Inc. (The property of B@PP includes parking on Ansin Circle Drive (not including the side of Ansin Circle Drive fronting the Perry Apartments or Park Potomac Condominiums), Lindsay Hill Terrace, Linda View Lane and Pearson Knoll Place but not including Cadbury Avenue); and

WHEREAS, the Board of Directors deems it advisable to replace the existing parking policy to more effectively deter and discourage people from violating the policy while simultaneously minimizing towing enforcement;

NOW THEREFORE, the following rules and procedures are adopted by the Board of Directors:

- 1. Garages.** Garages are to be used primarily for the parking of vehicles and shall serve as the primary parking area for residents' vehicles. Those residents who have a one car garage are to park their second vehicle in tandem behind the first so as not to project into the alleyway. Garages may be used for storage of vehicles and other items, provided that the storage of additional items do not interfere with the ability to park the number of vehicles for which the garage is designed. (See First Amendment to the Governing Documents (Article VI(1)(b)). Only vehicles of a size which would allow for such vehicle to be parked within the owner's garage **with the garage door closed** are permitted on the property. (See Declaration of Covenants, Article VI(f)(ii). Sanctions such as loss of Parking Permits and fines are authorized as needed to accomplish these ends.
- 2. Parking in Garages and on Private Streets.** Residents are requested to park the number of vehicles for which their garage was designed in their garage before parking any vehicle on the private streets. When parked on private streets, vehicles may be parked only in marked parking spaces.
- 3. Parking Permits & Passes.**

 - a. Issuance of Permits:** New Resident Parking Permits and Visitor Parking Passes will be issued; only these permits and passes will be valid when this policy is implemented. On request, Parking Permits may be issued to residents who (1) are in good standing with the HOA financially, and (2) upon request, provide photographic proof that their garages will accommodate the number of vehicles for which their garage is designed per paragraph 1 above. Resident Parking Permits will only be issued for cars that are duly registered at the address of the homeowner or as otherwise approved by the Board.
 - b. Resident Parking Permits.** Only vehicles allowed on the Property (see paragraphs 1 above and 5 below) are eligible for Resident Parking Permits. For each Resident Parking Permit requested, homeowners must provide (1) the names of household members who drive and are domiciled in the residence and (2) a copy of the vehicle registration including make, model, color, year, name of owner and tag number of each vehicle for which a Resident Parking Permit is requested.
 - c.** Resident Parking Permits shall be displayed on the driver's side front windshield of the vehicle for which the permit was issued. Included in the definition of residents are tenants. Up to four vehicles (including garage parked vehicles) per household may be issued Resident Parking Permits, based on the number of vehicles owned by the residents. Residents may request additional Resident Parking Permits from Management for good cause shown. The community has a limited number of street parking spaces. The issuance of a Resident Parking Permit is no guarantee that a resident will be able to find a space to park his or her vehicle.

- d. **Visitor Parking Passes.** Residents holding a Resident Parking Permit will be eligible for issuance of Visitor Parking Passes. A total of six (6) Visitor Parking Passes will be issued for each residence. All regular Visitor Parking Passes will be numbered hangtags registered to the address of the resident. Residents may print additional One Day Visitor Passes from the B@PP website. Such One Day Visitor Passes shall contain the date of the visit, the name of the resident hosting the visitor, and shall be signed by the resident. Issuing residents are responsible for their visitors' compliance with B@PP parking rules. The issuance of any visitor pass is no guarantee that the visitor will be able to find space to park his or her vehicle.
- e. **Parking by Visitors:** A visitor is defined as a guest of a resident of B@PP. No visitor's vehicle may be parked on the private streets at any time for more than three (3) hours without a valid Visitor Parking Pass.
- f. **Revocation of Parking Permits and Visitor Passes.** If residents or their visitors receive warnings for three violations in a 12-month period, residents' Parking Permits and/or Visitor Parking Passes may be revoked following notice and the opportunity for a hearing in accordance with Article VI, Section 3(c) of the Declaration. Management will notify the residents of the reasons for possible revocation of their Resident Parking Permits and/or Visitor Parking Passes and request future compliance with this policy. The resident may appeal a revocation to the Board.

4. Prohibited Vehicles.

- a. No truck, boat, recreational vehicle, motor home, camp truck or trailer, whether owned by a resident or any other person, shall be permitted to remain on the Property, including, without limitation, the Common Areas or garages in residences, or to be parked in driveways. Only vehicles of a size and dimension which would allow for such vehicle to be parked within the garage of such residence *with the garage door closed* shall be permitted to remain on the Property. For the purpose of the foregoing sentence, neither a sports utility vehicle nor a pick-up truck is deemed to be a truck. No junk or derelict vehicle shall be kept on any portion of the Property. The repair (except for bona fide emergencies) or extraordinary maintenance of automobiles or other vehicles shall not be carried out at any place on the Property. Nothing shall be stored upon any of the streets, alleyways or walkways, nor shall the same be permitted to accumulate trash or debris.
- b. Vans and trucks, including pickup trucks used in commerce, and any vehicle with business signage are prohibited. However, service vehicles, equipment, or machinery used in periodic repair or maintenance of residences (including cleaning services) or landscaping are excepted while work is active and in progress during standard business hours. These vehicles must be parked in marked parking spaces.

5. Violations.

- a. **Parking Violations Enforced by County Police.** County Police enforce the following parking violations on private streets: blocking a fire hydrant, blocking or parking in a fire lane, including all alleys, and parking in a handicapped space without a valid handicapped permit displayed. These violations will be reported to County Police for immediate enforcement. If County enforcement is delayed for more than 24 hours, these violations will be subject to immediate towing authorized by B@PP. This rule applies to all vehicles regardless of whether they have a Resident Parking Permit, a Visitor Parking Pass, or are a service vehicle.
 - b. **Other Parking Violations.** For the violations listed below, vehicles with Brownstones Resident Parking Permits are subject to warning protocols and fines as described below. All other vehicles are subject to warning protocols and towing at the vehicle owner's risk and expense.
 1. Any vehicle parked without a valid Resident Parking Permit or Visitor Parking Pass, unless the driver of the vehicle is visiting a resident of B@PP, in which case such vehicle shall be afforded a three (3) hour grace period before being subject to warnings and towing;
 2. Any vehicle blocking a sidewalk, including any vehicle parked in a driveway that blocks a sidewalk;
 3. Any prohibited vehicle per paragraph 4 above;
 4. Any vehicle parked at a painted curb or blocking a wheelchair access ramp;
 5. Any vehicle parked in violation of a posted No Parking sign;
 6. Any vehicle with a Resident Parking Permit or Visitor Parking Pass parked for longer than fifteen (15) days continuously in a single space.
6. **Warning Protocols.** For Other Parking Violations specified in paragraph 5(b) above, violators shall be given two (2) warnings prior to being fined or towed. Such warnings will be placed on the windshield of the violator's vehicle. A second warning notice shall be placed on the vehicle a minimum of 24 hours after the initial warning notice, except for vehicles parked for more than 15 days in a single space, in which case a second warning notice shall be placed a minimum of 5 days after the initial warning notice.
7. **Fines and Towing.** A minimum of 24 hours following a second warning, a vehicle is subject to towing or fines upon observation of a third violation. Except for County-enforced parking violations per paragraph 5(a) above, no vehicles displaying a Resident Parking Permit shall be towed. For Other Parking Violations per paragraph 5(b) above, residents shall be subject to fines as determined by B@PP; vehicles without a valid

Resident Parking Permit shall be subject to towing. All towing shall be conducted in compliance with applicable law. Towing contractors shall only be permitted to tow cars after the contractor is notified in accordance with the towing contract.

- 8. Waivers.** The Board as it deems appropriate may grant a temporary and limited waiver of any provision of these rules.
- 9. Appeals.** A resident may appeal in writing to Management for enforcement actions believed to be in error and for serious hardship. The resident must provide evidence of an enforcement error or hardship and be prepared to meet with the Board. All appeals will be handled on an individual basis.
- 10. Conflicting Policies.** In the event of a conflict between this parking policy and the Declaration and Bylaws of the community, the Declaration and Bylaws shall govern.
- 11. Implementation.** After adoption by the Board of Directors, this policy will be distributed to all residents, required signage will be posted, and a time period will be established for residents to register and obtain new Resident Parking Permits and Visitor Parking Passes. Enforcement of this policy shall begin sixty (60) days after the end date of the registration period. At that time, only the new Resident Parking Permits and Visitor Parking Passes will be valid for use.
- 12. Parking Committee.** Any future changes to this Parking Policy are subject to the re-engagement and input of a Parking Committee comprised of residents of B@PP appointed by the Board. The Parking Committee will meet at least annually to review implementation of the policy and recommend any changes need to address community needs.
- 13. Effective Date.** Upon adoption by the Board, this policy supersedes and replaces the Approved Parking Policy previously adopted on December 16, 2014.

**BROWNSTONES AT PARK POTOMAC HOA
PARKING PERMIT REGISTRATION APPLICATION**

Please complete this form and submit it along with a copy of the vehicle registration(s) to:

Shireen Ambush
Abaris Realty, Inc.
7811 Montrose Road,
Suite 110
Potomac, MD 20854

301-468-8919 Phone
301-468-0983 Fax

sambush@abarisrealty.com

Name of Applicant: _____

Address: _____

Home Phone: _____ Work Phone: _____

E-Mail Address: _____

Please Note: If you are renting a unit, a copy of the current lease must be enclosed along with this form. Owners must request permits for tenants. Permits will only be issued to homeowners.

| Vehicle #1 | Vehicle #2 | Vehicle #3 |
|--------------|--------------|--------------|
| Make: _____ | Make: _____ | Make: _____ |
| Model: _____ | Model: _____ | Model: _____ |
| Year: _____ | Year: _____ | Year: _____ |
| Color: _____ | Color: _____ | Color: _____ |
| Tag#: _____ | Tag#: _____ | Tag#: _____ |
| State: _____ | State: _____ | State: _____ |

Vehicle #4

Make: _____

Model: _____

Year: _____

Color: _____

Tag#: _____

State: _____

Please Note: Be sure to submit a copy of the vehicle registration for each resident vehicle along with the completed application.

List names of permanent household members who drive: _____

I, hereby certify that a) my garage is able to accommodate two standard-sized vehicles or b) for MPDU homeowners, that my garage is able to accommodate one standard- sized vehicle and **I hereby submit a photo showing that the garage is so configured**, c) that I have received and will abide by the Parking Policy dated August 18, 2020 of the Brownstones at Park Potomac and and d) that the information on this form is true and accurate.

Homeowner Signature

Date

FOR OFFICIAL USE ONLY

Resident Parking Permit Numbers Issued:

Permit #1 _____

Permit #2 _____

Permit #3 _____

Permit #4 _____

Visitor Hangtag Permit Numbers Issued:

Visitor Permit #1 _____

Visitor Permit #2 _____

Visitor Permit #3 _____

Visitor Permit #4 _____

Visitor Permit #5 _____

Visitor Permit #6 _____