

Waterford Place Homeowners Association, Inc.

Administrative Resolution to Update Waterford Place Homeowners Association, Inc. Community Parking Rules and Regulations

January 16, 2024

WHEREAS the Waterford Place Homeowners Association, Inc. (“the Association”) is a Maryland corporation duly organized and existing under the laws of Montgomery County in the State of Maryland; and

WHEREAS Article V, Section 1 of the By-Laws for the Association states that the affairs of the Association shall be managed by the Association’s Board of Directors (“Board”); and,

WHEREAS Article VIII, Section 1(c) of the By-Laws and Article VII, Section 11 of the Declaration of Covenants, Conditions, and Restrictions (hereinafter referred to as “Declaration”) give the Board the powers and duties necessary to conduct the affairs of the Association, and to make such rules and regulations as the Board deem in the best interests of the Association; and

WHEREAS the Association is responsible for governing and maintenance of Waterford Place (“Property”); and

WHEREAS Article VIII, Section 1(a) of the Association’s By-Laws empowers the Association’s Board to “adopt and publish rules and regulations governing the use of the Common Area and facilities, and the personal conduct of the members and their guests thereon, and to establish penalties for the infraction thereof”; and,

WHEREAS Article IV, Section 4 of the Association’s Declaration states: “The Board of Directors of the Association shall have the authority and power to establish rules and regulations concerning parking on any of the Common Areas, including, without limitation, the designation of assigned parking spaces for use by specific Lot owners, the imposition of reasonable fines, and provisions for involuntary removal of any vehicle violating the provisions of this Declaration or such rules.”; and

WHEREAS the Association recognizes that today’s reality is that for almost two decades, the Association’s Lot/Unit Owners/Members’ and residents’ parking needs have far exceeded the design plans, scope, and expectations the developers had in mind in the late 1980s and early 1990s when the Waterford Place Homeowners Association (Waterford Place) community was first designed and developed; and

WHEREAS the Association recognizes that the majority of the households in the Association’s community own and/or utilize more than one motorized vehicle; and

WHEREAS the Association recognizes that not all households with more than one motorized vehicle and a garage/driveway park all their motorized vehicles on their Lots utilizing both the driveway and garage for parking their vehicles, as the developers initially assumed and expected when planning and designing the Waterford Place community; and

WHEREAS the Association has documented incidents of motorized vehicles not belonging to the Association’s Lot/Unit Owners/Members or residents, guests, or visitors being parked in the Association’s Common Areas, parking lots/spaces; and

WHEREAS the Association has documented incidents of motorized vehicles belonging to recent/new Lot/Unit Owners/Members and residents in the Waterford Place community having their vehicles towed due to their

motorized vehicles' registration information not matching their new Waterford Place residential address and the motorized vehicle being considered belonging to a nonresident of the community; and

WHEREAS there is a need to establish updated and orderly procedures to enforce the Declaration, Articles of Incorporation, By-Laws, or any rule or regulation promulgated by the Association; and

WHEREAS, for the health, safety, welfare, and comfort and convenience of all residents, the Board wishes to establish rules enforcement, policies, and procedures so that it may fairly and consistently enforce the Governing Documents of the Association;

NOW, THEREFORE BE IT RESOLVED that the Board, acting in the best interest of the Association, duly adopts the following rules and enforcement policies for Waterford Place Homeowners Association, Inc., which shall be binding upon all owners and their grantees, lessees, tenants, occupants, successors, heirs and assigns who currently, or in the future, may possess an interest in the Property, and which shall supersede any previously adopted rules on the same subject matter.

The failure of the Association's Board or other governing body to enforce a provision of this policy, the Declaration, or By-Laws on any occasion is not a waiver of the right to enforce the provision on any other occasion.

I. BACKGROUND

Waterford Place Homeowners Association, Inc. is governed by a Board of Directors initially appointed by the developer and subsequently elected by the membership. Board members/directors are unpaid volunteers who serve their community.

Directors are responsible for enforcing their Governing Documents per Montgomery County and Maryland state laws, adopting budgets, maintaining Common Areas, and overseeing all aspects of their community. Therefore, even with the professional assistance of a licensed community association manager and association attorney, directors must be familiar with applicable laws, accounting rules, and the articles, By-Laws, and Governing Documents for their community.

Article IV, Property Rights; Section 4. Parking Rights of the Waterford Place Homeowners Association, Inc.'s Declaration of Covenants, Conditions, and Restrictions (CC&R) states the following:

Ownership of each Lot shall entitle the Owner or Owners thereof to the use of not more than two (2) automobile parking spaces, at least one (1) of which shall be as near and convenient to said Lot as reasonably possible, together with the right of ingress and egress in, from and upon said parking area.

For those Lots which are improved with a garage and driveway, the preceding requirements shall be deemed satisfied by such garage and driveway, and the owners of those Lots, so improved, shall not be entitled to use two (2) additional parking spaces within the Association's common areas.

The Board of Directors of the Association shall have the authority and power to establish rules and regulations concerning parking on any common areas, including, without limitation, the designation of assigned parking spaces for use by specific Lot owners, the imposition of reasonable fines, and provisions for involuntary removal of any vehicle violating the provisions of this Declaration or such rules.

On April 26, 2006, at the Waterford Place Homeowners Association, Inc. Board of Directors meeting, the Board adopted the “Parking Space Assignment Rules and Regulations.” This document accomplished two things: (1) it put on paper and made official the parking assignments adopted in 2005 when the owner of each townhouse without a garage and driveway was assigned one parking spot near their townhouse Unit; (2) it clarified the Waterford Place community’s parking regulations.

Now, more than seventeen years later, in 2023, the Waterford Place Homeowners Association, Inc. Board of Directors has drafted an Administrative Resolution to update the Parking Rules and Regulations for the Waterford Place community, considering today’s realities which directly challenge the developers’ original assumptions and expectations when planning and designing the Waterford Place community.

II. PURPOSE

This Administrative Resolution was approved by the Board of Directors of the Waterford Place Homeowners Association, Inc. (the ‘Association’) at its regularly scheduled Board of Directors meeting on September 25, 2023.

This Administrative Resolution aims to establish an updated Parking Rules and Regulations policy for the Association to help manage authorized residential parking and address the Lot/Unit Owners/Members’ and residents’ parking needs, which have far exceeded the design plans, scope, and expectations, the developers had in mind in the late 1980s and early 1990s when the Waterford Place Homeowners Association community was first designed and developed.

Available parking inside the Waterford Place community and on adjacent streets outside the Waterford Place community is minimal to non-existent. Most households in the Waterford Place community own or utilize two or more motorized vehicles (drivers/vehicle operators) associated with those households, meaning more motorized vehicles than initially anticipated now use the limited parking spaces available in the Waterford Place community parking lots.

The majority of Units in the Waterford Place community have garages and driveways; however, many, if not the majority, of those households do not utilize both spaces by parking one motorized vehicle in the garage and the other in the driveway (as specified in Article IV, Property Rights; Section 4. Parking Rights of the Waterford Place Homeowners Association, Inc.’s Declaration of Covenants, Conditions, and Restrictions.)

The parking policy is also being updated and adopted to help deter and eliminate the frequency of nonresidents from nearby neighboring communities and apartment complexes parking their motorized vehicles inside the Waterford Place community, thereby reducing the available parking for Waterford Place Lot/Unit Owners, residents, and guests/visitors.

Finally, this parking policy is also being updated and adopted to help remove or significantly reduce the potential for another new-to-Waterford Place community resident or Lot/Unit Owner experiencing the misfortune of having their motorized vehicle towed from the Common Area parking lot in part because the vehicle’s registration did not currently match a “Waters Row Terrace, Germantown, MD” address, and due to some of the community residents and the Management Agent’s unfamiliarity with the motorized vehicle and/or new-to-Waterford Place community resident authorized to utilize the community parking spaces.

III. DEFINITIONS

- A. Owner – refers to the record owner, whether one or more persons or entities, of the fee simple title to any Lot on the Property.
- B. Member – refers to someone who owns a Lot/Unit or Lots/Units in the Association development, which gives them voting rights and Common Area privileges. A member can be a resident or nonresident.
- C. Resident – refers to someone who lives in the Association development community, and the domicile in the community is the person’s permanent place of residence in which the person intends to remain indefinitely or to which the person intends to return. Other factors include the amount of time the person spends living in the Association community, the address on their driver’s license or government-issued identification documents, and where they are registered to vote, if applicable.
- D. Visitor/Guest – refers to someone you invite to your house.
- E. Lot/Property - refers to all real Property (described in Article II of the Declarations of Covenants, Conditions, and Restrictions for Waterford Place Homeowners Association, Inc.).

IV. POLICY PROVISIONS

A. OBJECTIVES

1. Regulate Common Area parking and assign Common Area parking spaces within the Association’s community.
2. Promote the safety and welfare of the Association’s residents while preserving and protecting property values within the Association.
3. Establish reasonable rules and regulations for the assignment of parking spaces to those Units without garages or driveways to meet the intent of Article IV, Section 4, entitling each Lot/Unit Owner to one parking space as near and convenient to the Owner’s Lot/Unit as possible.
4. Ensure that each of the 14 Lots/Units without a garage/driveway has one (1) numbered and assigned parking spot reserved for their use.
5. Prevent the parking of any unauthorized vehicle within the Association’s community.
6. Limit and ensure the fair and equitable distribution of available parking spaces.
7. Identify and provide parking permits for all properly registered motorized vehicles.

B. TOWING GUIDELINES

1. All towing must comply with the requirements of [Chapter 30C of the Montgomery County Code](#) and the [Maryland Code, Transportation Article, Title 21, Subtitle 10A](#), as amended (collectively, the “Towing Law”), and the Towing Law shall govern in the event of a conflict between the provisions of this Resolution and the provisions of the Towing Law.
2. See the “Enforcement Procedures” section below for Towing Violations.

C. PARKING GENERAL GUIDELINES

1. Parking on the Association’s Property, which includes parking in the marked parking lanes (reserved and unreserved), is restricted to Lot/Unit Owners, legal residents, legal tenants residing in rental units, guests/visitors of Association residents, and approved commercial vehicles performing official business/services for the Association and/or the Association residents.
2. All vehicles parked within the Waterford Place community must be currently and legally registered with the Maryland Motor Vehicle Administration and in operable condition for Maryland Highways.

NOTE: *In general, only members of Congress, diplomats, military personnel, and students enrolled in*

an accredited school, college, or university of this state or a bordering state are exempt from Maryland registration. If any vehicle for which you are requesting a parking permit is not registered in the State of Maryland, please explain the WPHOA Parking Permit Request Form.

3. Unlicensed, unregistered, inoperable, or abandoned vehicles are strictly prohibited. Violators will be cited with a sticker and towed after seventy-two (72) hours. This rule applies even if the vehicle is registered for a parking permit with the Association.
4. It is the responsibility of each Lot/Unit Owner (and their tenant(s) or licensee(s)) and residents to comply with these rules and regulations fully. Lot/Unit Owners (and their tenant(s) or licensee(s)) and residents will be responsible for communicating and properly instructing all tenants, licensees, visitors, guests, family members, tradesmen, callers, and others who may have legitimate reasons to access or cause to be on the Property, regarding the operation and effect of these rules and regulations.
5. Lot/Unit Owners who lease, license, or rent their Units to others agree that they are ultimately responsible for the actions of said tenants. The Lot/Unit Owner must include and attach a copy of these rules and regulations to all leases. Any assignment made under this section to such tenants will only be effective during the lease or license term and must be renewed upon renewal or execution of a new lease or license. No assignment will be effective until the Lot/Unit Owner files a confirmed copy of said lease or license with the Board of Directors or its Management Agent (Community Association Manager). A tenant violating these rules and regulations shall be deemed a default under such lease or license.
6. The Board of Directors shall be authorized, in the manner and to the extent permitted by law and the Governing Documents of the Association, to enforce these rules and regulations and may call upon the service of municipal law enforcement agencies to assist in achieving compliance or may use the services of a qualified towing service to remove any vehicles which may be in violation. Such action is to be taken only after the Board, or any member of the Board, or its Management Agent (Community Association Manager) has made reasonable efforts to notify the owner of the vehicle and the Lot/Unit Owner responsible, if any, of the violation. And that enforcement action will be taken, as permitted by these rules and regulations, and CC&R, including, but not limited to, the relevant provisions of [*Chapter 30C of the Montgomery County Code*](#) and the [*Maryland Code, Transportation Article, Title 21, Subtitle 10A*](#), as amended (collectively, the “Towing Law”). However, the need for such prior notice shall not prevent immediate action by the Board (or two of its members) to take proper enforcement measures to remove vehicles from the general Common Areas if the vehicle is threatening the safety of the residents of the Association or is blocking or improperly impeding access to any portion of the general common elements of the Association community. See the “Enforcement Procedures” section below for additional information.

D. PROHIBITED PARKING AREAS

Parking is prohibited in the following areas inside the Association community:

1. **Street Ingress/Egress Traffic Area:** In the roadway of Waters Row Terrace
2. **Access Areas:** On community sidewalks, in front of bike paths, walkways, and private driveways, within 30 feet of a STOP sign, within 20 feet of a crosswalk at an intersection, or within 15 feet of a fire hydrant. Parked vehicles should not restrict access to streets or pedestrian traffic.
3. **No Parking Areas:** Along the curbs or in the areas painted yellow, and all areas which are designated by signage as “Fire Lane/No Parking Anytime.” (*Exceptions are allowed for official utility services vehicles (electric, gas, water, sewage, phone, internet) conducting official business on the Property, contracted tree, lawn, and landscaping services conducting business on the Property, and emergency vehicles (fire, police, ambulance, EMT.)*)

4. **Other Community Property:** No motor vehicles will be permitted to park or operate on grass areas/green spaces, landscaped areas, sidewalks, community asphalt paths, or bike paths within the Association community, except for emergency or maintenance vehicles. These restrictions apply to all motor vehicles, including “off-road” vehicles (as defined in [Maryland Criminal Law Code, § 6-405](#)).
5. **Reserved Parking Spaces:** Parking is prohibited in reserved/assigned parking spaces with identifying markings (“Reserved” along with the identifying Unit numbers) by a vehicle not explicitly authorized by the Lot/Unit Owner to which that reserved parking space is assigned.
6. **Snow/Weather Emergencies Restricted Areas:** Parking is prohibited in Waterford Place Common Area parking spaces signed “*No Parking During Snow Emergency*” when snow events are anticipated and/or occur in our area. Parking in those signed spaces during snow emergencies, snow removal, and/or snow/wintry weather events is prohibited. Vehicles parked in those spaces during anticipated and actual snow events will be towed at the owners’ risk and expense. The parking spaces are intentionally reserved to assist the Association’s safe and effective snow removal from the Waters Row Terrace roadway. Towing rules and regulations will be enforced.

Vehicles parked in the prohibited parking areas listed above are subject to immediate towing without further notice and at the risk and expense of the vehicle owner.

E. ASSIGNED/RESERVED PARKING SPACES (14 UNITS/14 SPACES)

1. The Association Board of Directors shall assign to each townhouse Unit that does not have a garage or driveway the exclusive use of one (1) parking space on the general common elements of the Association. **Said assignment shall be considered a revocable license that shall not exceed one (1) year in length and shall be automatically renewed at the end of each one (1) year term unless revoked or reassigned by the Board of Directors.**
2. The space assigned shall be located as near to the Unit to which it is designated as reasonably possible. The Board of Directors may, at any time, for any reason, reassign any parking space assigned to a Lot/Unit Owner. An assigned parking space shall remain part of the general common elements of the Association and shall remain subject to all documents governing the general common elements of the Association.
3. The Board of Directors shall cause identifying markings to be applied to each assigned parking space to identify the Unit to which each parking space is assigned. Parking spaces that are not assigned shall remain unmarked and available for use on a first-come, first-served basis. At its discretion, the Board of Directors may cause identifying marks such as “Guest” or “Visitor” to be applied to such parking spaces, restricting the use of those marked parking spaces, or such parking spaces may be left unmarked and unrestricted.
4. Parking spaces reserved for the use of a specific Lot/Unit (indicated by the number painted on the parking space) are for the Lot’s/Unit’s sole use, regardless of whether or not it is in use by the Lot/Unit.
5. Anyone who parks in the reserved parking spaces not reserved for their Lot/Unit may be towed at the discretion of the Lot/Unit Owner (and their tenant(s) or licensee(s)) and residents of the Lot/Unit for whom the parking space is reserved and assigned.
6. The cost for the towing service will be charged to the vehicle owner (party) violating the parking rules and regulations.
7. The contact phone number of the contracted towing company is available on the signs posted at the front entrance to the Waterford Place community and in the Waterford Place parking lot areas on the northside and southside of Waters Row Terrace, the main roadway in the Association community.

8. Lot/Unit Owners (and their tenant(s) or licensee(s)) and residents with reserved parking spaces are responsible for requesting and arranging for towing unauthorized vehicles from the reserved parking space assigned to their specific Lot/Unit.
9. Tow Cards the contracted towing company provided have been distributed to each Lot/Unit Owner with an assigned parking space. **NOTE: If you are a legal tenant leasing a Unit, please get in touch with your landlord (Lot/Unit Owner or designee) to obtain the Tow Card for the reserved parking space assigned to your Lot/Unit.**
10. Lot/Unit Owner (and their tenant(s) or licensee(s)) and residents arranging for the removal of an unauthorized vehicle from their assigned, reserved parking space will be required to meet the tow company driver upon their arrival and show an official form of government-issued identification, including the Tow Card and a completed **Montgomery County MD Trespass Tow Authorization Form**, to the tow company driver.
11. The government-issued identification documentation must show and confirm that the individual requesting the tow services is a legal resident at the address of the Lot/Unit assigned to the reserved parking space.
12. Lot/Unit Owners (and their tenant(s) or licensee(s)) and residents should alert the towing company if a vehicle parked in violation has handicapped tags/decals/placards/permits.
13. Lot/Unit Owners (and their tenant(s) or licensee(s)) and residents are to use their assigned/ reserved parking space for parking their vehicles.

F. PARKING PERMITS (ALL UNITS)

WPHOA RESIDENT PARKING PERMIT *(click the link to go directly to the online form)*

1. Lot/Unit Owners (occupied), nonowner residents, and legal tenants/renters must complete the **WPHOA Parking Permit Request form** for each legally registered and licensed vehicle they own and park inside the Association community.
2. You may complete and submit your request(s) for a WPHOA Resident Parking Permit(s) online at the WPHOA official website (<https://www.waterfordplacehoa.org/>) or download the fillable PDF form and submit the completed form with the required documentation via email (parking@waterfordplacehoa.org) to request the WPHOA Resident Parking Permit(s)/hangtag(s). **NOTE: Each legally registered vehicle within a Waterford Place HOA residential household requires a separate request/submission.**
3. Upon receiving a completed WPHOA Parking Permit Request form and verifying the information provided, an official WPHOA Resident Parking Permit/hangtag will be issued for each validated request.
4. The WPHOA Resident Parking Permit/hangtag (to be installed on the vehicle's rearview mirror) must always be visible and displayed while the vehicle is within the Association's community.
5. Each Lot/Unit Owner (occupied), legal resident, and tenant/renter is responsible for retaining the assigned WPHOA Resident Parking Permit/hangtag.
6. A replacement WPHOA Resident Parking Permit/hangtag costs \$50.00 *for each replaced permit/hangtag.*
7. Lot/Unit Owners are responsible for contacting the Association's Community Management Agent (Community Association Manager) if a replacement WPHOA Resident Parking permit or replacement WPHOA Visitor Parking permit is needed.
8. All vehicles parked within the Association's community must be currently and legally registered with the Maryland Motor Vehicle Administration and in operable condition for Maryland Highways. **NOTE: In general, only members of Congress, diplomats, military personnel, and students enrolled in an accredited school, college, or university of this state or of a bordering state are exempt from Maryland**

registration. If any vehicle for which you are requesting a parking permit is not registered in the State of Maryland, please provide an explanation on the [WPHOA Resident Parking Permit Request Form](#).

9. Unlicensed, unregistered, inoperable, or abandoned vehicles are strictly prohibited. Violators will be cited with a sticker and towed after seventy-two (72) hours and towed at the owner's risk and expense. This rule applies even if the vehicle is registered for a parking permit with the Association.
10. A WPHOA Resident Parking Permit/hangtag will not be issued for any unlicensed, unregistered, inoperable, or abandoned vehicle in the Association community. No exceptions.

WPHOA VISITOR PARKING PERMIT *(click the link to go directly to the online form)*

1. Each Lot/Unit in the Association may obtain one (1) WPHOA Visitor Parking Permit/hangtag. **Only one WPHOA Visitor Parking Permit/hangtag per Lot/Unit is allowed. Only one WPHOA Visitor Parking Permit/hangtag will be issued for each Lot/Unit.**
2. You may complete and submit your request for a WPHOA Visitor Parking Permit online at the WPHOA official website (<https://www.waterfordplacehoa.org/>) or download the fillable PDF form and submit the completed form with the required documentation via email (parking@waterfordplacehoa.org) to request the WPHOA Visitor Parking Permit/hangtag. **NOTE: Only one WPHOA Visitor Parking Permit/hangtag will be issued for each Lot/Unit.**
3. All requests for a WPHOA Visitor Parking Permit/hangtag must be submitted by the legal WPHOA Lot/Unit Owner for the Waterford Place Unit address requesting the permit.
4. Each WPHOA Visitor Parking Permit/hangtag must be installed on the rearview mirror of the visitor's/guest's vehicle. It must always be visible and displayed while the visitor's/guest's vehicle is parked in the parking lot within the Association community.
5. Each Lot/Unit is responsible for retaining the assigned WPHOA Visitor Parking Permit/hangtag and retrieving it from their visitor(s)/guest(s).
6. A replacement WPHOA Visitor Parking Permit/hangtag costs \$50.00 *for each replaced permit/hangtag.*
7. Lot/Unit Owners are responsible for contacting the Association Community Management Agent (Community Association Manager) if a replacement WPHOA Resident Parking permit or WPHOA Visitor Parking permit is needed.
8. A WPHOA Visitor Parking Permit/hangtag can be used only for a given vehicle for eight (8) nights per month.

VISITOR PARKING

1. All overnight (defined as between 2:00 a.m. and 9:00 a.m.) visitors parked in the parking lot within the Association community must display the WPHOA Visitor Parking Permit/hangtag visible on the vehicle's rearview mirror.
2. Overnight visitors parked in the Association parking lot without the WPHOA Visitor Parking Permit/hangtag are subject to immediate towing without further notice and at the vehicle owner's risk and expense.

G. RULES AND REGULATIONS OF PARKING

1. Effective January 16, 2024, the Association's updated parking rules and regulations will be enforced.
2. The only valid WPHOA Resident Parking Permit/hangtag or the WPHOA Visitor Parking Permit/hangtag for the Waterford Place community is the permit/hangtag issued by the Community Management Agent (Community Association Manager) for the Association.

3. A WPHOA Resident Parking Permit/hangtag or the WPHOA Visitor Parking Permit/hangtag does not convey an absolute right to park in the Association Common Area parking lots. Unmarked, unsigned parking spaces are limited and available on a first-come, first-served basis.
4. Any vehicle parked overnight in the Association Common Area parking lots must display a valid WPHOA Resident Parking Permit/hangtag or the WPHOA Visitor Parking Permit/hangtag.
5. Parking and towing regulation signs posted at the front entrance and near the northside and southside parking lot areas on Waters Row Terrace summarize these rules and authorize only the Association Lot/Unit Owners, nonowner residents, legal tenants/renters, and guests/visitors to park their vehicles in the Association Common Area parking lots.
6. Lot/Unit Owners are responsible for contacting the Association Community Management Agent (Community Association Manager) if a replacement WPHOA Resident Parking permit/hangtag or WPHOA Visitor Parking permit/hangtag is needed.
7. The cost of a replacement permit for a lost, damaged, or stolen parking permit/hangtag (Resident or Visitor) is \$50.00 for each replaced permit/hangtag.
8. The issuance of a new parking permit/hangtag, whether it is lost, damaged, or stolen, will cancel the previous parking permit granted. Vehicles displaying a canceled or expired permit/hangtag will be towed at the owner's risk and expense without further notice.
9. Landlords (Lot/Unit Owners renting their Units) are responsible for collecting the WPHOA Resident Parking permit(s)/hangtag(s) and/or the WPHOA Visitor Parking permit/hangtag from departing tenant(s) and returning them to the Association Community Management Agent (Community Association Manager) for reissuing to a new tenant(s) when a new lease has been submitted with vehicle registration(s) to the Association Community Management Agent (Community Association Manager), to avoid replacement fees for the permit(s)/hangtag(s).
10. Service vehicles will be allowed to service the community without displaying a permit provided they are a contractor(s) hired to perform work in the Association community between the hours of 8:00 a.m. and 6:00 p.m., and their stay does not exceed 8 hours per day (except in the event of an emergency).
11. Vehicles parking in areas painted yellow or designated by signs as a fire lane are subject to immediate towing without further notice and at the vehicle owner's risk and expense. *(Exceptions are allowed for official utility services vehicles (electric, gas, water, sewage, phone, internet) conducting official business on the Property, contracted tree, lawn, and landscaping services conducting business on the Property, and emergency vehicles (fire, police, ambulance, EMT.)*
12. Vehicles double-parked (defined as perpendicular parking behind another vehicle, one vehicle parked and occupying two (2) single parking lanes/spaces, or vehicles parked beyond the apron of the driveway blocking the Common Area sidewalk) are considered in violation and are subject to immediate towing without further notice and at the vehicle owner's risk and expense.
13. Motorcycles, scooters, and bicycles may be parked on the Association Common Areas parking spaces; provided they are parked with a kickstand on the concrete curb apron parallel to the sidewalk/back curb. Motorcycles, scooters, and bicycles may not block/take up a complete parking space in the Association Common Area parking lots. Violators' motorcycles, scooters, or bicycles will be removed and may be towed without warning and at the vehicle owner's risk and expense.
14. Vehicles using the Association Common Areas parking spaces for overnight stays must display the Association-issued Visitor Parking Permit/hangtag on the rearview mirror and be visible. Such visitor vehicles are allowed overnight parking for a maximum of eight (8) nights per month.
15. If valid circumstances necessitate a visitor staying overnight for longer than the monthly allotment (e.g., an in-house nurse/caretaker, extended family stay), the Board of Directors may make accommodations, provided that the resident provides an adequate explanation in advance.

H. PROHIBITED VEHICLES

1. Except as hereinelsewhere provided, no junk vehicles, vehicles larger than a 3/4-ton truck and/or with more than two (2) axles and not to exceed four (4) wheels, house trailers, motor home, camper, a vehicle with commercial lettering and signs (not including vehicles of a governmental agency), 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 Area and community facilities) shall be kept upon the Property (including Common Areas, streets, driveways, Lots and parking spaces) nor (except in bona fide emergencies) shall the repair or extraordinary maintenance of automobiles or other vehicles be carried out thereon.
2. A motor vehicle is defined as a working and drivable (operable) passenger vehicle, legally registered, that does not exceed ½ ton or 20' in length and is used for passenger transport for a non-business or non-commercial purpose. Motor vehicle includes, but is not limited to, passenger vans, personal pick-up trucks, cars, motorcycles, MPVs (multi-purpose vehicle such as a mini-van), and SUVs (sport utility vehicle such as Toyota Highlander, Nissan Rogue, Lexus RX350, Ford Explorer, Jeep Wrangler, etc.).
3. Vehicles used for business purposes (aka “commercial vehicles”) are not permitted to park within the Association Property/community. This rule includes vehicles used for transporting people or things for business purposes and storage of materials or tools used to generate income in a business venture. Any vehicle displaying a commercial business logo, tag, sign, or advertisement (for example, a taxicab, light pick-up trucks, etc.), whether painted on or displaying removable tags/signs (magnetic or held by adhesive), is considered a commercial vehicle. Such commercial vehicles parked on the Property overnight are considered violations and are subject to towing without further notice and at the vehicle owner’s risk and expense.
4. No unlicensed or unregistered vehicle, vehicle with expired or missing tags, abandoned vehicle, or inoperable vehicle of any type shall be permitted on Association Property at any time and are subject to towing, **even if located within an assigned reserved space**.
5. No vehicle within the Association Common Areas parking lot shall display “for sale” signs.
6. All vehicles must be kept in proper operating condition to avoid being a hazard or nuisance by noise, exhaust, emission, appearance, or otherwise.
7. A motor vehicle that exceeds the ¾ ton limit or 20' in length, regardless of use, is not permitted to be parked on Association Property at any time. The Board of Directors reserves the right to tow any vehicle that exceeds the ¾ ton limit displaying a WPHOA Resident Parking permit/hangtag or WPHOA Visitor Parking permit/hangtag.
8. No recreational vehicles, campers, boats, trailers, or the like shall be permitted to be parked within Association Common Areas parking lots at any time.
9. Except for minor adjustments, vehicle repair and/or vehicle painting shall not be permitted at any time on the Association Common Areas. Drainage of any automotive fluid is strictly prohibited.

V. ENFORCEMENT

A. ENFORCEMENT PROCEDURES

1. The Association Board of Directors shall be responsible for enforcing these rules and regulations. Lot/Unit Owners, Legal Residents, or Legal Tenants (rental units) who observe a violation or wish to file a complaint should contact the Association Community Management Agent (Community Association Manager) and make such a complaint in writing. The Board of Directors and/or Management Agent

(Community Association Manager) acting on behalf of the Board of Directors may take appropriate and necessary action to remedy the violation.

2. **Towing Violations** *(subject to immediate towing at the vehicle’s owner’s risk and expense):*

(a) Vehicles threatening the safety of the Association residents.

(b) Vehicles blocking or improperly impeding access to any portion of the general Common Areas (entrance ingress/egress, roadway, sidewalks, parking spaces, driveways ingress/egress, etc.)

(c) Contracted Towing Company’s prior authorization list for parking restrictions/violations on Association Common Areas *(per Association Board of Directors agreement)*

Any vehicle with ‘For Sale’ Sign(s)	Any vehicle parked in a fire lane/No Parking zone	Any vehicle parked in a Handicapped space without a H/C tag or permit
Any vehicle taking up two parking spaces	Any vehicle parked in other than a marked parking space	Any vehicle double-parked, blocking another vehicle or trash dumpster
Any vehicle parked on the grass	Anytime management calls, emails, or faxes	Any vehicle with expired tags or no tags <i>(within local laws)</i>
Any unauthorized vehicle parked in a reserved parking area	Any Commercial vehicle parked on the Property according to By-Laws (CC&R)	Any walk-offs
Any inoperable vehicles (wrecked, flat tire(s), broken windows, etc.)	Call-in requests 24/7	

(d) Vehicles parking in assigned/reserved spaces that are not authorized by the Lot/Unit Owner, Legal Resident, or Legal Tenant (rental unit) of the Lot/Unit to which that space has been assigned.

3. The Association Board of Directors and/or Community Management Agent (Community Association Manager) acting on behalf of the Board of Directors may authorize immediate towing of vehicles only for Towing Violations of 2(a), 2(b), and 2(c) as permitted by [Sec. 30C-4\(c\)](#) and [Sec. 30C-10](#) of the [Montgomery County Code, Chapter 30C. Motor Vehicle Towing and Immobilization on Private Property](#).

4. The responsibility for towing of vehicles for violations of 2(d) will be that of the Lot/Unit Owner, Legal Resident, or Legal Tenant (rental unit) through the use of the following: (i) **Grant of Limited Agency and Disclaimer Letter**, (ii) **the official Tow Card provided by the contracted towing company**, and the (iii) **Montgomery County MD Trespass Tow Authorization Form**. These forms will be provided by the Association Management Agent (Community Association Manager) upon the request of the Lot/Unit Owners and are also available on the [WPHOA website](#) under “WPHOA Community Documents.” The Tow Cards were issued to the Lot/Unit Owners in May 2023.

NOTE: If a Lot/Unit is tenant-occupied, it is and will be the responsibility of the Lot/Unit Owner to provide this information, including the related Tow Card, and the Grant of Limited Agency and Disclaimer Letter to the tenant(s).

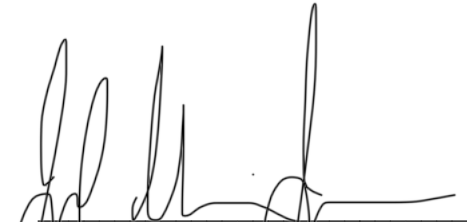
B. POLICY ENFORCEMENT

1. Violation of the Towing and Parking Rules and Regulations Policy shall be enforced as are other use restrictions for the Association Property.

VI. EFFECTIVE DATE OF RESOLUTION

This Resolution was approved on September 25, 2023, and adopted on January 16, 2024, at open Board of Directors meetings where a quorum was present. Accordingly, the Policy will become effective on January 16, 2024.

Notice of the Board's adoption shall be given to the membership within 15 days of today's date.

By: 

Association's President

Attest: **Jacquelyn Y. Roberts**

Association's Treasurer/Secretary

Digitally signed by Jacquelyn Y. Roberts
DN: cn=Jacquelyn Y. Roberts, o=Waterford
Place Homeowners Association, Inc.,
ou=Treasurer/Secretary, Board of Directors,
email=WPHOA.Jacquie@gmail.com, c=US
Date: 2024.01.17 19:40:29 -05'00'

Date: January 17, 2024

**WATERFORD PLACE HOMEOWNERS ASSOCIATION, INC.
RESOLUTION ACTION RECORD**

Resolution Type: ADMINISTRATIVE No. 2024-1

Pertaining to: Administrative Resolution to Update Waterford Place Homeowners Association, Inc. Community Parking Rules and Regulations

Duly adopted at a meeting of the Board of Directors held: JANUARY 16, 2024

Motion by: JAD IBRAHIM, JR. **Seconded by:** JACQUELYN ROBERTS

VOTE:

	YES	NO	ABSTAIN	ABSENT
<u>JAD IBRAHIM, JR.</u> President	<u>X</u>	_____	_____	_____
<u>ARIENNE BROWN</u> Vice President	<u>X</u>	_____	_____	_____
<u>JACQUELYN ROBERTS</u> Treasurer/Secretary	<u>X</u>	_____	_____	_____
<u>KENNETH BUCH</u> Member At Large	<u>X</u>	_____	_____	_____

ATTEST:

**Jacquelyn Y.
Roberts**

Digitally signed by Jacquelyn Y. Roberts
DN: cn=Jacquelyn Y. Roberts, o=Waterford Place
Homeowners Association, Inc., ou=Treasurer/
Secretary, Board of Directors,
email=WPHOA.Jacquie@gmail.com, c=US
Date: 2024.01.17 19:39:40 -05'00'

Association's Secretary

JANUARY 17, 2024
Date

FILE:Book of Resolutions: Resolution effective date: JANUARY 16, 2024