

LORTON VALLEY HOMEOWNERS ASSOCIATION, INC.
POLICY RESOLUTION NO. 08-1

(Enforcement of Prohibition on Certain Types of Vehicles)

WHEREAS, the Declaration prohibits residents from parking certain types of vehicles within the Common Areas or Lots of the community and provides the Board with the power to tow any such vehicles from the community.

NOW, THEREFORE, BE IT RESOLVED THAT the Board adopts the following policy of enforcement:

I. PROHIBITED VEHICLES

Residents may not park the following types of vehicles anywhere within the community: boats, trailers, buses, campers, motor homes, recreational vehicles, utility trailers, commercial vehicles, wrecked or junk cars, vehicles without proper and current inspection and registration, and oversized vehicles.

All owners must ensure that their family members, tenants, guests, and/or contractors comply with these rules and regulations.

II. DEFINITIONS

It is the position of the Board that the terms used above are self-explanatory and reasonably clear; however, in light of the fact that the most frequent source of complaint to the Board of Directors involves commercial vehicles, the Board offers the following clarifications:

The term "commercial vehicle" shall apply to the following vehicles:

1. Any vehicle in which the driver is ordinarily hired for transport, such as taxis, limousines, passenger vans, hearses or buses; or
2. Any vehicle with uncovered exterior logos, signs, letters, numbers, advertising; or
3. Any unmarked vehicle with commercial paraphernalia or equipment attached, strapped, or affixed to the exterior of the vehicle, including, but not limited to, storage containers, racks, ladders, pipes; or
4. Any unmarked vehicle with an excessive amount of commercial equipment or supplies within the interior of the vehicle which is readily visible through the windows of the vehicle, including, but not limited to, pesticide, paint buckets, propane, containers, cabling, uncovered tools or supplies; or
5. Any unmarked vehicle, which because of its irregular height, length, shape, or weight, is not a conventional passenger car and is more suited for a commercial purpose; or

6. Any van designed for the transport of furniture, goods, equipment, or animals; or
7. Any vehicle principally designed for agricultural, industrial, or construction uses.

III. ENFORCEMENT

A. The Board of Directors shall have the authority to have any vehicle not in compliance with the provisions of this Resolution removed from Lorton Valley by towing. All costs and risks of towing and impoundment shall be the sole responsibility of the vehicle's owner. Forty-eight (48) hours notice shall be provided prior to towing, unless exigent circumstances warrant.

B. If such vehicle is owned by a member of the Association, the Association may also initiate an enforcement action against the member subject to the provisions of Section 55-513 of the Virginia Code and the Declaration for Lorton Valley, including the imposition of monetary sanctions for infractions of this resolution and the suspension of parking privileges.

C. Subsequent violations committed within any consecutive 3-month period shall subject the violating vehicle to immediate towing without notification and may result in the suspension of parking privileges.

D. Any requests from residents for enforcement of this parking policy by the Association against another resident must be directed to the Board in writing.

E. The Association reserves the right to exercise all other powers and remedies provided by the Association's governing documents or the laws of Virginia and Fairfax County. Nothing contained herein shall preclude the Board of Directors from seeking injunctive relief or any other remedy available to it in a court of equity or law.

F. If the Association must enforce this resolution through any form of legal action, the offending owner shall be responsible for all expenses and/or attorneys' fees incurred by the Association in enforcing the provisions of this Resolution.

The effective date of this Resolution shall be August 25, 2008.

**LORTON VALLEY HOMEOWNERS
ASSOCIATION, INC.**

By: 

President