

**Section 5.4 on Vehicles, Parking and Towing, as of January 18, 2021, supersedes Sections 5-4, 5-5, 5-6 and 5-7 of First River Farms Rules and Regulations as of June 20, 2016.**

## **5.4 VEHICLES**

For the purposes of these regulations, approved homeowner/resident vehicles are licensed personal automobiles, small pickup trucks and motorcycles. Homeowners are responsible for the vehicles of their tenants and guests, and are responsible for notifying their tenants and guests to comply with these rules.

### **5.4.1 Vehicle Types**

**5.4.1.1 *Personal vehicles:*** Homeowners'/residents' licensed personal automobiles, small trucks (1/2 ton or less) and motorcycles may be parked on HOA property according to the parking rules outlined in Section 5.4.3. All such vehicles must display valid license tags and inspection stickers. They must be maintained in proper operating condition and not be a nuisance by virtue of noise, emissions, or appearance.

**5.4.1.2 *Work/commercial vehicles:*** Work vehicles (cars, small trucks, vans, taxis, etc.) driven by residents that have logos or labels, advertising, and/or equipment attached to the roof or rear must be covered when parked for more than 12 hours on HOA property. (See Section 5.4.2.7) For longer periods, such vehicles may be parked on Tis Well Road or Holland Road.

**5.4.1.3 *Recreational and other large vehicles:*** Trailers, buses, boats, motor homes, campers, commercial vehicles, and trucks over 1/2 ton in weight are prohibited from long-term parking on HOA property. Such vehicles may be temporarily parked in residents' spaces for periods of not more than 12 hours when actively loading, unloading, or preparing for use.

**5.4.1.4 *Unlicensed recreational vehicles:*** The use of any gasoline or electric-powered vehicle used for the conveyance of a person but does not require a driver's license to operate is prohibited in the community. Such vehicles include mopeds, mini-bikes, mini-motorcycles, 3- and 4-wheel all-terrain vehicles, dirt bikes, stand-up motorized scooters, and motorized skateboards.

**5.4.1.5 *Motorized toy vehicles:*** Children's electric toys, such as battery-powered mini-jeeps or similar items, are allowed in the community, but should not be driven in the street nor driven without adult supervision.

**5.4.1.6 *Mobility vehicles:*** Electric wheel chairs and mobility scooters required for medical purposes are allowed and not restricted from operation in the community.

### **5.4.2 Vehicular Activities**

**5.4.2.1 *Speed limit:*** The maximum speed limit within the community is 15 MPH. Drivers should be mindful that curves in the roads, shrubbery, and parked cars make it difficult to see children at play and others who might dart into the street suddenly.

**5.4.2.2 *Off-road activities:*** No motorized vehicle shall be parked on, driven across or onto lawns, sidewalks, or walkways. Any homeowner/resident doing so, or allowing someone else to

do so, will be responsible for the cost of repairing any damage done. In addition, any homeowner/resident found to be responsible for repeated violations will incur an immediate \$50 fine per violation, and the offending vehicle(s) may be towed from the property.

*5.4.2.3 Dangerous driving:* Circuit riding of noisy vehicles, racing of any vehicles, and other forms of dangerous driving on HOA common areas and roadways are unlawful and will be reported to the Fairfax County Police.

*5.4.2.4 General maintenance:* Washing and minor repairs of personal vehicles are allowed in residents' assigned parking spaces only. Use of visitor spaces for such activities is prohibited. All vehicle maintenance must be completed within 24 hours. (Since the First River Farms community drains directly into the Potomac River and Chesapeake Bay, please use environmentally friendly soaps and detergents when washing vehicles.)

*5.4.2.5 Major repairs:* Due to possible damage to roads, neighbors' property, and the environment, as well as the liability consequences for all should an accident occur, major vehicle repairs and maintenance are strictly prohibited anywhere in the community. This prohibition includes bodywork, painting and any other activity that requires the use of ramps or that causes a disruption of street access (such as extending into the street or other parking spaces) or a safety hazard.

*5.4.2.6 Vehicle storage:* Storing of vehicles on HOA property is not permitted. Any vehicle that is without valid tags and inspection stickers, or is in an obvious state of disrepair and not roadworthy will be considered stored. The homeowner/resident will be notified in writing of the violation and provided a timeframe (usually 10 calendar days) in which to remedy any issue with the vehicle. If the vehicle remains in violation after the stated deadline, the Board may use its discretion to have it towed from the community at the owner's expense.

*5.4.2.7 Vehicle covers:* A vehicle may be covered so long as the cover adheres to the following conditions.

- The cover is designed for the specific vehicle and is in good shape (not torn, ripped, or dirty). No tarps, blankets, or other covers not specifically designed as a vehicle cover may be used as a car cover.
- The cover must be neutral in color, normally grey. No covers will be allowed that disrupt neighborhood aesthetics.
- When in use, the cover must be secured so it cannot blow off.
- When not in use, the cover must be stored out of sight (i.e. in the trunk of the car, or in the owner's back yard or house).

*5.4.2.8 Vehicle damage liability:* The Association is not responsible for damage done to any vehicle parked in the community, and/or damage caused by the operation of any vehicle in the community. This includes, but is not limited to damage caused by residents and community guests; commercial vehicles; trespassers or vandals; and/or vehicles conducting HOA business, including lighting or street repairs, snow plowing, mowing, or landscaping.

- The responsibility for such damage belongs to the individuals and/or companies causing the damage.
- Homeowners/residents are responsible for any damage done by their families, guests, contractors and/or other service providers.

*5.4.2.9 Vehicle access to Fairfax County parkland:* No motorized vehicles may be driven or parked on the county-owned path behind Clifton Farm and Carter Farm Courts without the express permission of Fairfax County. To request access, residents must contact the Fairfax County Park Authority at 703-765-6020. If the request is deemed appropriate, the FCPA will establish a meeting date and time to open the chain for access.

### **5.4.3 Parking**

Parking rules pertain to the streets maintained by First River Farms HOA – Clifton Farm Court, Carter Farm Court, Cedar Landing Court, and La Faye Court. Tis Well Drive and Holland Road are owned and maintained by Fairfax County, and as such are subject to the laws of the State of Virginia and ordinances of Fairfax County that govern use of those streets.

- All parking spaces in the community are the property of the HOA in common. They are not the property of individual homeowners.
- Two parking spaces have been assigned to each home by the HOA. For security reasons, parking spaces are identified by lot number rather than by street address.
- A limited number of parking spaces are designated throughout the community for use by visitors only. Visitor spaces are not reserved for use by any particular resident, section, street or guest. (For example, a guest of a resident on Cedar Landing may use a visitor space on Carter Farm.) These spaces are intended for short-term use only.

#### *5.4.3.1 General parking procedures*

- a. No vehicle shall be parked at any place in the community except in provided parking spaces. No parking is permitted on any sidewalks or grassy areas (common or private), or in any designated fire lane marked by signs and/or yellow-painted curbs.
- b. Parking spaces are not to be used for purposes other than to park approved vehicles (Section 5.4.1) or as noted below (Section 5.4.3.3).
- c. No vehicle shall occupy more than one parking space, nor shall it overhang the curb so as to narrow the sidewalk.
- d. A single parking space may be occupied by only one vehicle at a time, except when motorcycles are involved. Two motorcycles may be parked in one space; or a motorcycle may be parked parallel to the sidewalk in the front of a space without interfering with passage on the sidewalk, and a car or truck may be pulled into the same space as long as it does not protrude into the street in such a way to interfere with passing vehicles.
- e. Parking in the street behind other properly parked cars, except for momentary loading and unloading, is prohibited.

#### 5.4.3.2 *Visitor parking*

- a. Residents may not park in visitor spaces. Any resident's vehicle(s) that cannot be parked in the assigned spaces must be parked on Tis Well Drive or Holland Road. Residents' vehicles parked in visitor spaces are subject to towing at the owner's expense. (The only exception to this prohibition is during business hours when contractors or other service providers must park in the resident's space.)
- b. Visitors staying at a residence in the community for longer than 3 days must park in the resident's assigned space or on Tis Well Drive or Holland Road.
- c. College students home during breaks are not considered visitors. If their vehicle(s) cannot be parked in the assigned spaces, they must park on one of the public streets.

5.4.3.3 *Temporary use of parking spaces:* During major construction or renovation of a home, the resident's assigned parking spaces may be used for temporary storage of building materials, a dumpster and/or other heavy equipment *only with prior approval from the HOA*. To request permission, homeowners must contact the management company well in advance. The request should include items to be stored, expected date of delivery and expected date of project completion. The Board of Directors reserves the right to deny such a request depending on items to be stored and/or duration.

5.4.3.4 *Trading of assigned parking spaces:* Informal trading of assigned parking spaces among current residents is allowed; however, such arrangements will not be formally recognized by the HOA. Homeowners will remain responsible for all vehicles parked in their assigned spaces.

- Trading of spaces must be renegotiated with new residents. It cannot be assumed that new residents will agree to previously negotiated trades.
- Residents are not allowed to renumber any parking spaces under these or any other circumstances.

5.4.3.5 *Use of spaces assigned to temporarily unoccupied homes:* Parking in spaces assigned to a home that is temporarily unoccupied is prohibited without consent of the absent homeowner/resident. For extended absences, including during turnover of occupancy, consent must be in writing and on file with the management company. For short-term absences such as vacations, verbal consent is sufficient.

5.4.3.6 *Revocation of parking privileges:* Homeowners/residents found to be in serious or chronic violation of any of the HOA rules and regulations may have their parking assignments revoked for a period of time to be determined by the Board. In this event, they will be required to park on Tis Well Drive or Holland Road. If found in violation of this suspension, vehicles may be towed at the owner's expense without advanced notice.

#### 5.4.4 **Towing**

Vehicles in violation of the vehicle storage and parking rules defined in Sections 5.4.2.6 and 5.4.3 are subject to towing at the vehicle owner's expense.

5.4.4.1 Homeowners/residents are authorized to request towing of vehicles wrongfully parked in spaces assigned to them. There shall be no liability for removing the offending car. Towing must be done by the HOA-contracted towing company. To request towing:

- Contact Dominion Towing at 703-339-2400.
- Provide your name, telephone number and address.
- Provide exact location (street name and space number), make/model and color of car, and license tag state and number of the vehicle to be towed.
- Dominion Towing does not mandate the caller be present before, during or after they are on site.

5.4.4.2 The Association is authorized to request towing of vehicles in violation of the parking rules in any area in First River Farms. Residents who identify violations not involving their own assigned spaces should notify the management company (703-631-2003) for follow-up action.

5.4.4.3 The Fairfax County Police Department has been authorized by the HOA and may, at its discretion, ticket or tow cars in violation of these rules or other laws or ordinances. Residents may report cars parked illegally in fire lanes by calling the FCPD central dispatch non-emergency number (703-691-2131).