

**UPLANDS ASSOCIATION
POLICY RESOLUTION NO. 18-01
Residential Permit Parking Program
Revised June 2023**

(Rules Pertaining to Vehicles and Parking With Shared Parking and Access Streets)

WHEREAS, a Declaration of Easements and Covenants for Shared Common Areas ("Easement") requires the of the Board of Directors of Uplands Association ("Uplands" and the "Board") to enact and amend rules, regulations and procedures pertaining to the use of certain Shared Parking Spaces as defined in the Easement; and

WHEREAS, Paragraph 4 of the Easement states that use and operation of the Shared Parking Spaces "shall be in accordance with such rules, regulations and procedures as may be established and amended from time to time through the action and with the consent of the Board or their respective designees"; and

WHEREAS, Article 3, Section 3.2(j) of the Bylaws of the Condominiums and Sections 11-109 and 11-111 of the Maryland Condominium Act provide that the Boards shall have the power to adopt and amend rules and regulations; and

WHEREAS, Article 3, Section 3.2(k) of the Bylaws of the Condominiums and Section 11-109(d)(16) of the Maryland Condominium Act provide the Condominiums with the authority to impose fines for violations of the governing documents including the respective Declarations, Bylaws, and rules and regulations; and

WHEREAS, Article 3, Section 3.18 of the Bylaws of the Condominiums authorize the Boards to appoint committees to carry out their duties and responsibilities; and

WHEREAS, Article 5, Section 5.15 (l) of the Bylaws of the Condominiums state that no junk vehicle, or other vehicle on which current registration plates are not displayed, shall be kept upon any portion of the Condominiums and that no oil changes or repairs to automobiles or other vehicles shall be done within the Condominiums; and

WHEREAS, Article 5, Section 5.15 (m) of the Bylaws of the Condominiums state that no commercial vehicles, equipment and machinery, and recreational vehicles shall be kept upon any parking areas within the Condominium and that the Board of Directors of the Condominiums may establish supplemental Rules regarding parking and traffic control within the Condominiums; and

WHEREAS, the Boards deem it to be in the best interests of the Condominiums to establish uniform and specific rules and regulations regarding vehicular usage and parking within the Access Areas and Shared Parking Spaces; and

NOW, THEREFORE, BE IT RESOLVED THAT the foregoing recitals are incorporated herein and the Boards hereby, in accordance with the Bylaws and §11-111, adopt the following:

I. DEFINITIONS

- A. Abandoned Vehicle. Any vehicle left unmoved in Authorized Permit Parking for more than 48 hours that is not clearly identified with either a resident's sticker or

visitor's pass and/or is not otherwise approved in writing by the Uplands HOA to park for a longer period of time or vehicles on which current registration plates are not displayed.

- B. Authorized Vehicles. Regular passenger vehicles, as defined by the Maryland Code, displaying a proper resident's sticker or visitor's pass and current state registration. Motorcycles, scooters and mopeds must be registered but will not be given a resident's sticker. Rental trucks for move-ins or move-outs for a period of not more than forty-eight (48) hours. Recreational vehicles for loading/unloading up to 24 hours, unless specifically approved for longer duration by the Uplands HOA in writing.
- C. Commercial Vehicles, Equipment and Machinery. Commercial vehicles, including vans used for commercial purposes and vehicles displaying commercial signage, trucks (as defined by the Maryland Department of Motor Vehicles and/or by common usage and practice with exception of 3/4 tons of capacity or less used solely for non-commercial purposes), and agricultural, industrial, construction or similar vehicles, machinery or equipment.
- D. Disabled Vehicle. Any vehicle with a malfunction of an essential part required for the legal operation of the vehicle or any vehicle that is partially or totally disassembled as a result of the removal of tires, wheels, engine, or other essential parts required for legal operation of a vehicle.
- E. Enforcement. The Enforcement of this Policy will be done on a complaint basis through the management agent for Uplands HOA.
- F. Prohibited Vehicles. Vehicles not displaying a proper resident's sticker or visitor's pass; disabled vehicles; abandoned vehicles; commercial vehicles, equipment and machinery not making a delivery or performing a service.
- G. Recreational Vehicles. Vehicles listed in Article 5, Section 5.15 (m) of the Bylaws and self-contained camper, mobile home, all-terrain vehicle, dune buggy, pop-up camper/tent trailer, horse trailer, any trailer or semitrailer used for transporting vehicles, motorcycles, boats, wave-runners, jet skis, or all-terrain vehicles, whether or not such trailer or semitrailer is attached to another vehicle, and any other type of vehicle primarily designed for recreational use, as opposed to conventional passenger use.
- H. Resident Parking. The garage and driveway of the homeowner's unit and other spaces marked as reserved for a specific unit.
- I. Authorized Permit Parking. The shared parking spaces defined in the easement and located on the common elements of the Uplands and marked as such.
- J. Good Standing. Homeowners are considered to be on good standing for the purpose of this resolution when homeowners are current on their HOA

assessments and they have received 3 or less parking violation warnings within the last 12 months.

- K. Short Term Parking. Vehicles parked to unload and load vehicle. Vehicle shall not be parked for more than 15 minutes.

II. AUTHORIZED PARKING AREAS

Parking shall only be permitted in the following areas:

- A. Resident Parking areas.
- B. Authorized Permit Parking areas.

III. PROHIBITED PARKING AREAS

- A. The parking of any vehicle or portion thereof, including motorcycles, scooters and mopeds on any sidewalk or the common grounds of the community not marked for parking.
- B. The parking of vehicles, including but not limited to Moving Pods, in such a manner that any portion of the vehicle extends beyond the end of the driveway on a lot.
- C. All private roadways of the community to include those portions of the roadways that end in or are “capped” by the community landscaping (i.e. cul de sacs).
- D. The parking of vehicles in any manner that impedes the normal flow of traffic, blocks any mailbox, or prevents ingress and egress of any other vehicle to adjacent parking spaces or the open roadway. Temporary blocking of traffic may be necessary in infrequent circumstances such as for moving trucks, delivery trucks, etc. Every effort shall be made by homeowners to reduce the duration of such situations.
- E. All Authorized Permit Parking areas shall be automatically, and without additional required notice, designated as Emergency Snow Removal Areas whenever 3 or more inches of snowfall is predicted. To aid in the clearance of snow, no vehicles shall be permitted to park in Authorized Permit Parking once snow actually begins to fall or they could be subject to towing. Similarly, if parking lot paving, repair or restriping is required, the Board may prohibit the parking of vehicles in Authorized Permit Parking, and parking in those spaces in violation of that prohibition may result in the vehicle being towed at the owner’s expense.

IV. PARKING POLICY

- A. Authorized Permit Parking is intended for the use of residents and their guests for parking of authorized vehicles only. The Authorized Permit Parking spaces

are not for overflow or routine usage by owners/residents except for short-term parking.

- B. Homeowner/resident vehicles may not park in the same Authorized Permit Parking space for more than 2 consecutive days.
- C. No guest vehicle may be parked in the same Authorized Permit Parking space for more than 2 consecutive days.

Subject to the limitations of Section III.B, Moving Pods, a maximum of 16 feet in length, are permitted in Authorized Parking Areas for a period of not more than 72 hours. The placement of Moving Pods in Authorized Permit Parking areas requires prior authorization from the Uplands HOA managing agent and the owner requesting approval shall be responsible for any damages caused to the HOA property as a result of the Moving Pod placement and removal. Violation of any provisions of this Section will result in a \$250.00 fine.

- D. Homeowners/residents may contact the management agent to request authorization for extended use of a Authorized Permit Parking space due to extenuating circumstances which will be considered by the Uplands HOA Board of Directors on a case-by-case basis.
- E. Owners may delegate their parking privileges to their tenants but such delegation shall not be partial (the owner may not retain parking privileges while delegated to his/her tenant). Owners of rental properties are responsible for notifying their tenants of this resolution.
- F. All community roadways are hereby designated as fire lanes and, as such, parking is prohibited and such roadways shall not be blocked at any time except for deliveries or other work requiring such. In this case, the driver of the vehicle shall remain close by so the vehicle can be moved on short notice.
- G. No person shall use the parking areas for any purpose other than vehicular parking without permission of the Uplands HOA Board of Directors.
- H. Prohibited vehicles shall not park in the community except when parked in the garage of a particular lot, when picking up or delivering passengers or merchandise, or during the performance of work or services at the location. Clearly marked commercial vehicles present in the community to perform work or services that are parked in Authorized Permit Parking areas while the services are being performed are exempt from the requirement of having a visitor parking pass.
- I. Vehicle security systems, if equipped, shall be kept in proper working order as to minimize false alarms. If a vehicle's security system repeatedly false alarms or otherwise interferes with the right of quiet enjoyment of the community for more than fifteen (15) uninterrupted minutes, the vehicle is in violation of this

Resolution and may be subject to removal from any location in the Authorized Permit Parking through towing.

V. REGISTRATION AND ENFORCEMENT PROCEDURES

A. Vehicle Identification.

A common system of parking identification stickers will be established by the Uplands HOA Board of Directors and administered by the Uplands HOA management agent. Each owner/resident will register their vehicles with the Uplands HOA through the parking registration system created on the Uplands HOA website: Uplandsnh.com and be issued serial numbered stickers to be placed in the lower passenger side of the front window of each registered vehicle for parking identification purposes. A maximum of 4 resident parking stickers will be issued per household. Motorcycles, mopeds and scooters must be registered but will not be issued stickers. The parking registration form is attached hereto as Exhibit A and a fillable registration form is also available on the Uplands HOA website.

1. Guest parking is authorized by placing an approved visitor parking pass hangtag (see Appendix) on the rear view mirror of the guest's vehicle. Each household that registers their resident vehicles will receive 2 visitor parking pass hangtags. The cost to replace any lost or stolen visitor parking hangtag will be \$150. Residents may request additional temporary visitor parking passes for one-time use through the HOA's website and all temporary parking passes will be issued and tracked through the HOA's management agent who performs all website administration.

B. Enforcement

1. The Board delegates to the Uplands HOA management agent the right and power to administer and enforce the terms of this policy. Such delegation includes the right to authorize the towing enforcement of vehicles in violation of this policy and to propose legal action as a sanction for violations of this parking policy.

C. Waiver

1. Homeowners may request a waiver from any of the provisions of this policy via email to the Uplands HOA management agent.

2. The email request for a waiver shall provide a reason or explanation and the length of time for the requested waiver.

3. The Uplands HOA management agent shall notify the homeowner of its decision within 2 business days after receiving the request.

4. The Uplands HOA management agent's approval or denial of a waiver request, including the reason or explanation and length of requested waiver-- shall be available to the Board of Directors.

D. Issuance of Warnings

1. The Uplands HOA management agent and/or towing contractor shall have the right to issue warnings to vehicles and to homeowners who are in violation of this resolution.

2. To maintain a homeowner's good standing for the purpose of this resolution, a homeowner must remain current on their HOA assessments and shall not have received more than three (3) ~~visitor~~ parking violation warnings within the last 12 months. Violations of either of these provisions is cause for removing a homeowner from good standing. If a homeowner loses good standing, the homeowner's vehicle registration stickers will be invalidated for as long as the homeowner is not in good standing. Without a valid registration sticker, the homeowner/resident and their guests shall lose the privilege to use Authorized Permit Parking, and his/her vehicles and their guests vehicles will be subject to towing if parked in Authorized Permit Parking spaces. Homeowners shall be afforded notice and upon request, a hearing before the Board of Directors pursuant to Section 11-113 of the Maryland Condominium Act, before being removed from good standing and their vehicle registration stickers being invalidated.

E. Vehicle Removal

1. The Uplands HOA management agent may authorize towing to enforce these and subsequent parking rules. All costs and risks of towing and impoundment shall be the sole responsibility of the vehicle's owner.

2. If the motor vehicle of any tenant is towed because the landlord did not make him or her properly aware of the parking policy, the Uplands HOA shall not be responsible for any damages, injuries and causes of action arising out of the towing of such tenant's vehicle.

3. In the event the Uplands HOA management agent elects to tow any vehicle from the Authorized Permit Parking or access areas, in accordance with Maryland and the Prince George's County Code, a member of the Uplands HOA Board of Directors or the management agent must authorize the towing of the particular vehicle and the towing enforcement shall be performed in compliance with all Maryland and Prince George's County laws.

4. The contracted towing company will be allowed to tow any vehicle from a Authorized Permit Parking spot that does not display an Uplands HOA resident parking sticker or a guest pass hangtag

5. All Homeowners and residents must ensure that their family members, tenants, guests, and contractors comply with these parking rules and regulations.
6. Any requests from residents for enforcement of this parking policy against another resident must be submitted in writing to the Uplands HOA management agent through the Uplands HOA website: Uplandsnh.com. , In cases of emergencies, including blocking of access to and from driveways and parking in fire lanes violations may be reported directly to the Uplands HOA towing contractor by calling the phone number on the towing signs that will be posted throughout the Uplands HOA community.
7. Nothing contained herein shall preclude the Uplands HOA Board of Directors from seeking injunctive relief or any other remedy available to it in a court of equity or law.
8. If the Uplands HOA must enforce this resolution through any form of legal action, the offending Owner shall be responsible for all expenses and attorneys' fees incurred by the Uplands HOA in enforcing the provisions of this Resolution. Requests for reimbursement of fees for towing errors shall be addressed to the Uplands HOA management agent. The Board will review and consider each request on a case-by-case basis.

VI. LIABILITY

The Uplands HOA assumes no responsibility for the security of any vehicle parked within the community, and it disclaims responsibility for any damage to any vehicle parked or operated within the community or any theft therefrom.

VII. SIGNAGE

The Uplands HOA shall post towing enforcement signage and shall execute a towing contract that complies with Maryland and Prince George's County laws.

VIII. REVIEW AND AMENDMENT

The Uplands HOA Board of Directors reserves the right to review this resolution and make modifications if necessary.

Enacted this _____ day of _____, 2023.

UPLANDS ASSOCIATION

By: _____
President

UPLANDS ASSOCIATION COUNCIL OF OWNERS

POLICY RESOLUTION NO. _____

Duly adopted at a meeting of the Board of Directors held on _____, 2023.

Motion by: _____ Seconded by: _____

VOTE:	YES	NO	ABSTAIN	ABSENT
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

ATTEST:

Secretary

Date

Resolution ____ effective: _____, 2023.

FOR ASSOCIATION RECORDS:

I hereby certify that a copy of the foregoing Policy Resolution _____ was mailed and/or hand-delivered to all owners of the Uplands Association Council of Unit Owners at their addresses of record and posted on the Uplands HOA website: Uplandsnh.com on this _____ day of _____, 2023.

Managing Agent