

**PINEWOOD LAKE HOMEOWNERS ASSOCIATION
POLICY RESOLUTION No. 2011-01**

(Restriction Against Parking Commercial Vehicles
on Private Streets and Service Roads)

Whereas Article VIII, Section 1(a) of the By-Laws of the Association empower the Board of Directors to adopt rules and regulations governing the use of the Common Area and facilities and the personal conduct of the members and their guests;

NOW, THEREFORE it is hereby resolved that the Board of Directors duly adopts the following rules and practices governing the private streets and service roads of Pinewood Lake.

1. The following definitions shall apply:

A. Truck - Every motor vehicle designed to transport property on its own structure independent of any other vehicle and having a gross weight in excess of 7,499 pounds;

B. Commercial vehicle - shall include any vehicle with one more of the following attributes, regardless of whether or not it is being used for a commercial purpose:

- 1.) graphics, pictures, or lettering visible from outside the vehicle which advertise or promote any business, product, or service, whether or not it is temporarily covered or disguised,
- 2.) equipment, supplies, building materials, or debris stored in a manner visible from the outside,
- 3.) exterior racks, platforms, or carriers for ladders, scaffolding, or landscaping implements; bins, storage vessels, or compartments visible from outside the vehicle regardless of whether material is stored therein,
- 4.) a stake body or flat bed, or any structure affixed for the purpose of hauling refuse, vegetation, debris, firewood, or any type of loose material
- 5.) any commercial equipment or machinery affixed, placed, or stored thereon, including, but, not limited to, welders, generators, pumps, filters, compressors, vacuums, or exterior tanks or containers for fuel, air, oil, tar, asphalt, concrete, or any liquid,

6.) cranes, beds, or ramps for the towing or transport of any other vehicle or machinery.

7.) Commercial vehicle shall also mean any vehicle obscured by a tarp or cover which would otherwise fit within the preceding definitions, provided, however, that nothing within the definitions above shall be construed to include the following:

a. license plates, bumper stickers, decals of a minor nature, or vehicle trim including small emblems from a manufacturer or dealer,

b. in the case of a pick-up truck, a single storage bin placed on the bed and located immediately behind the cab provided that it does not extend more than two feet toward the rear of the truck from the cab;

C. Major maintenance - Any vehicle under construction, repair, or placed on jacks or other support for longer than twenty four hours.

D. Designated representative of the Board - All current Board members, the ACC Administrator, the ACC Chair, the Community Manager, the Assistant Community Manager, and the Maintenance Worker.

2. Passenger vehicles parked on the private streets and service roads of Pinewood Lake shall be operational and have current license plates, and required county and inspection stickers (where applicable).

3. No truck, commercial vehicle, vehicle in excess of eighteen feet in length, school bus, inoperable vehicle (including flat tire), trailer, camper, motor home, or other similar recreational vehicle shall be parked on the private streets and service roads of Pinewood Lake.

4. No major maintenance of vehicles shall be performed on the private streets and service roads of Pinewood Lake.

5. No vehicles shall be parked in the sections of the private streets and service roads of Pinewood Lake that are marked as a Fire Lane or that have been painted yellow denoting no parking. No vehicle shall be parked so as to block a sidewalk in whole or part. No vehicle shall be double parked or parked so as to block in whole or in part an entrance to a parking pad or a service road. No vehicle without a government-issued handicapped sticker or license plate shall park in a handicapped parking space.

6. Paragraph 3 shall not apply to the temporary parking of vehicles of an established commercial business or motor vehicle carriers while picking up or delivering passengers or merchandise or to vehicles temporarily parked pursuant to the performance of work or service in Pinewood Lake.

7. The posted sign "Private Property - Resident Parking Only" means that only residents and their invited guests may park on those streets and service roads of Pinewood Lake.

8. No vehicle may drive on the concrete spillways in the rear of certain Association homes or on any other section of the common area or on any homeowner's private property, unless the Community Manager or Assistant Community Manager (for the common area) and the homeowner (for private property) has previously granted permission.

9. Drivers of all motor vehicles, including mopeds and other miniature powered vehicles, must adhere to the posted speed limit and any one-way directional signs.

10. Recreational devices such as swing sets, teeter-totters, and basketball backboards are not permitted at any time on the private streets and service roads and the common area walks behind the parking pads. Parents are reminded that they are responsible for the actions of their children and their guests who play in these venues. Community members, their children, and their guests shall give proper respect towards pedestrians, vehicles, and Pinewood Lake Homeowners Association property. The Association will take action, as appropriate, in response to legitimate and properly filed complaints.

11. Any homeowner/tenant may notify the Pinewood Lake office of a suspected street violation.

12. For violations of paragraphs 2 through 5, a contracted towing company patrolling on a random basis 24 hours a day 7 days a week shall tow upon sight all vehicles in violation, subject to the following conditions:

A. All violations shall be documented via a date and time-stamped digital photograph and a log that the towing company shall provide electronically within 24 hours of the violation. The Community Manager shall maintain these items on file for at least one year.

B. Towing of vehicles without current license plates and required county and inspection stickers (where applicable) shall not take place until at least 31 days after a plate or sticker has expired.

C. Towing of trucks, commercial vehicles, vehicles in excess of 18 feet in length, school buses, trailers, campers, motor homes, or other similar recreational

vehicles shall not take place until at least 15 minutes after they are first digitally photographed.

D. Towing of vehicles undergoing major maintenance and inoperable vehicles (excluding those with flat tires) shall not take place until at least 24 hours after the maintenance is first digitally photographed.

E. Towing of vehicles with flat tires shall not take place until at least 10 days after they are first digitally photographed.

F. Towing of vehicles violating paragraph 5 shall not take place until at least 15 minutes has elapsed from the time the violation is first digitally photographed.

13. For violations of paragraph 7, the following procedures shall apply:

A. A designated representative of the Board of Directors shall witness the violation, write a *Street Parking Violation Notice*, place the notice under the windshield wiper of the violating vehicle, and record the action in a *Street Violation Log* in the Pinewood Lake office.

B. The owner of the vehicle shall have 48 hours from the first violation to move the vehicle to a location that does not violate this policy resolution. At the close of that period, a designated representative of the Board of Directors shall revisit the vehicle. If the violation has not been corrected, the representative shall record the action in the *Street Violation Log* and notify the Community Manager or Assistant Community Manager. Either of those people shall call the designated towing company to request the vehicle be towed.

C. The owner of a vehicle that has more than one violation shall not have 48 hours to correct the violation. Instead, the designated representative of the Board shall write a *Street Parking Violation Notice*, place the notice under the windshield wiper of the violating vehicle, record the action in the *Street Violation Log*, and notify the Community Manager or Assistant Community Manager. Either of those people shall call the designated towing company to request the vehicle be towed.

14. For violations of paragraphs 8 through 10, the following procedures shall apply:

A. A designated representative of the Board of Directors shall witness the violation, write a *Street Violation Notice* and notify the Community Manager or Assistant Community Manager. Either of those people shall record the action in a *Street Violation Log* in the Pinewood Lake office and mail the violation to the homeowner (with a copy to the tenant, if applicable) on the next working day, by certified mail, return receipt requested, and by regular first class mail.

B. The owner shall have 48 hours from the first violation to correct the violation. At the close of that period, a designated representative of the Board of Directors shall revisit the property. If the violation has not been corrected, the representative shall record the action in the *Street Violation Log* and notify the Community Manager or Assistant Community Manager. Either of those people shall schedule the homeowner for the next due process hearing in accordance with Pinewood Lake Policy Resolution 92-01.

C. An owner with more than one violation or an owner violating paragraphs 8 and 9 shall not have 48 hours to correct the violation. Instead, the designated representative of the Board shall write a *Street Violation Notice* and notify the Community Manager or Assistant Community Manager. Either of those people shall record the action in the *Street Violation Log* and schedule the homeowner for the next due process hearing in accordance with Pinewood Lake Policy Resolution 92-01.

14. This Resolution shall be effective 90 days after the date of adoption listed below. It supersedes Pinewood Lake Policy Resolution 2007-02, dated March 8, 2007.

This Resolution was duly adopted this 10th day of March 2011 by the Board of Directors.

PINEWOOD LAKE HOMEOWNERS
ASSOCIATION

By: ____/s/William Gleason____
William Gleason, President, Board of Directors

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