

**THE LANDINGS HOMEOWNERS ASSOCIATION, INC.**  
**AMENDED AND RESTATED RULES AND REGULATIONS RELATING TO**  
**VEHICLE CONTROL AND PARKING**  
 [Effective Date: February 15, 2014]

LR - HOA Dep Amendment 25.00  
 HOA Name: The Landings  
 Vehicle/Control #: \_\_\_\_\_  
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 01/19/14

**Authority:** These Rules and Regulations are promulgated by the Board of Directors (the "Board") of The Landings Homeowners Association, Inc. ("The Landings") pursuant to the authority of Article II, Section 3, of the "Declaration of Covenants, Conditions, Restrictions and Liens of The Landings, Annapolis, Maryland" (the "Declaration"), and Article V of the Bylaws of The Landings Homeowners Association, Inc.

**History of Rules:** With the adoption of this policy any previously adopted rules are no longer effective.

**1. General Enforcement Policy.** The Board shall monitor the parking situation at The Landings and take necessary steps to (1) assure that fire, police, ambulance and other emergency vehicles have unimpeded access to all areas of the community, and (2) provide adequate parking for residents of the community by establishing procedures for identifying vehicles belonging to residents and guests and establishing rules and regulations for shared use of community parking areas. In the event of a conflict between these Rules and Regulations and the Declaration, the Declaration shall prevail.

**2. Registration of Vehicles and Decals**

- 2.1. Residents are required to register their vehicles that shall be parked in the community through its Management Company. The Board of Directors shall establish specific procedures and forms to implement the registration requirements of this Section.
- 2.2. Each unit shall be assigned up to two (2) primary parking decals, in accordance to Section 2.2, which permits parking in any designated resident parking areas in the community. Beyond the two primary parking decals a unit may receive up to two (2) more secondary parking decals for parking in designated overflow areas.

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**2.3. Parking Decals**

- 2.3.1. A decal shall be issued by the Association, without charge, for motor vehicles registered in accordance with this Section. Decals shall be affixed to the back side of the inside rear view mirror. A decal may not be affixed to a vehicle other than the vehicle for which it was issued, and may not be transferred from one vehicle to another.
- 2.3.2. To receive a decal, the application submitted shall include a copy of the state issued vehicle registration provided:
  - 2.3.2.1 Either the vehicle registration address matches the unit address; or a state issued vehicle registration change of address form accompanies the application that matches the unit address;
  - 2.3.2.2 Vehicle registration is to a company versus an individual;
  - 2.3.2.3 Vehicle registration is to an active military member, with a copy of their current military identification card included;
  - 2.3.2.4 For tenants, a copy of a current lease for the unit accompanies the application, contains the names of the owner of the vehicle, and is no less than six months in term. Additionally, for tenant only occupied units, a copy of the City of Annapolis Rental Unit Operating License for the unit or a copy of the stamped application for said license must accompany the application;
  - 2.3.2.5 Upon written request by vehicle owner and waiver granted by Board based on reasonable cause shown.

**2.6. Reissue**

- 2.6.1. In the event a resident needs the Board to replace a decal for any reason a reasonable fee, set by the Board, will be assessed and must be paid in order to receive the replacement.

**3. Overflow Parking**

- 3.1. Any vehicle designated as acceptable and not prohibited by Section 4.3 may park in designated overflow parking spots. Primary decals are not required to use these spots.
- 3.2. All parking on Youngs Farm Road is considered overflow parking areas. All parking on any other road in Stonecreek is not overflow.
- 3.3. The Board shall periodically review the allotment of designated overflow parking areas and make adjustments as necessary.

**4. Parking and Vehicle Control Regulations and Restrictions.**

- 4.1. **General applicability.** Unless otherwise specifically stated, the regulations and restrictions set forth in this Section apply to all parking areas, roadways and other Common Areas in the community owned by the Association.
- 4.2. **Designation of restricted parking areas.** The Board shall provide for the erection of appropriate signs, the painting of appropriate lines and the installation of other appropriate markings to identify and designate the types of parking restrictions applicable within the community, as provided in Section 4.3. These identifications and designations also shall identify the penalty for parking in violation of the designated restrictions.

**4.3. Acceptable and Prohibited Parked Vehicles.**

- 4.3.1. No vehicles other than the following types of vehicles may be parked in the community:
  - 4.3.1.1. Operable passenger automobiles, mopeds and motorcycles bearing current vehicle registration plates.
  - 4.3.1.2. Operable non-commercial vans, multi-purpose vehicles, sport utility vehicles and trucks, have no more than two (2) axles and bearing current vehicle registration plates. *See* Section 4.3.2.1 for definition of commercial vehicle.
  - 4.3.1.3. Commercial vehicles may be parked in the community on a temporary basis while the operator of the vehicle is making a delivery or providing a service to an owner of a lot or living unit or to a resident in the community. Commercial vehicles shall not be parked overnight in the community.

- 4.3.2. Except as provided above, none of the following may be kept or parked anywhere in the community:
- 4.3.2.1. Commercial vehicles as defined by one of the following:
- (a) Vehicles bearing any commercial advertisements or markings with contact information, (b) vans without rear passenger seating, side windows adjacent to front passenger windows, or a rear window, (c) vehicles with ladder racks or other business equipment attached to it, (d) vehicles twenty two (22) feet or longer. The covering of commercial vehicles markings using similar colored magnets as the vehicles paint color is permitted otherwise any other attempt to disguise the fact that the vehicle is commercial in nature is prohibited.
- 4.3.2.2. Campers, camp trucks or house trailers.
- 4.3.2.3. Boats, boat cradles or boat trailers.
- 4.3.2.4. Aircraft trailers.
- 4.3.2.5. Other types of trailers.
- 4.3.2.6. Any other vehicle not specifically enumerated in Sections 4.3.2.1 through 4.3.2.5, but substantially similar to one (1) or more of the type vehicles enumerated therein.
- 4.3.3. Vehicles without a current and properly affixed primary decal may not park except in overflow parking areas. This applies to secondary decaled vehicles and guests.
- 4.3.4. Vehicles may not park on any sidewalk or other pedestrian way, any marked 'no parking' zone (i.e. red curb), or in any fire lane.
- 4.3.5. Vehicles not bearing a handicapped parking license plate or displaying a valid temporary handicapped parking permit may not park in a parking space reserved for the handicapped.

#### 4.4. Prohibited practices and activities

- 4.4.1. A vehicle may not park in a manner so as to occupy more than one (1) parking space. Where a parking space is delineated by line markings, a

vehicle shall be parked entirely within the designated space. Vehicles parked in driveways of the single family homes in Stonecreek must be parked wholly within the boundaries of the property and may not protrude beyond the property lines causing the vehicle to occupy a portion of the commonly owned sidewalk or street.

- 4.4.2. No vehicle may be driven on any lawn area in the community.
- 4.4.3. Vehicles may not park in any location not designated for the parking of vehicles (i.e. on lawn areas, between buildings).
- 4.4.4. Parking areas and parking spaces may not be used for the placement or storage of scooters, mopeds, bicycles or any similar modes of transportation. These vehicles may not be stored on any common area of the parking lots, sidewalks or chained to trees or other property; and all such vehicles must be stored out of sight at the rear of the property.
- 4.4.5. Parking areas and parking spaces may not be used for the placement or storage of storage bins and waste receptacles; construction equipment (i.e. ladders, scaffolding, and other types of construction equipment); and other types of property not considered a vehicle.
- 4.4.6. Parking areas and parking spaces may not be used for the placement or storage of junk or inoperable vehicles.
- 4.4.7. Parking areas and parking spaces may not be used to store vehicles. Stored vehicles are vehicles that remain in a spot for more than thirty (30) days.
- 4.4.8. The use of car covers is permitted as long as the vehicle is not being stored. If the covered vehicle is to be in a non-overflow spot the owner must provide the decal information on the cover itself in a reasonable manner.
- 4.4.9. No resident, or owner of a lot or living unit, may alter or add to any parking space or parking area in any manner, such as the alteration of lines, the addition of signs, numbers, initials, or any other activity by which such person attempts to exercise dominion or control over such parking space or parking area.

- 4.4.10. The following activities are prohibited on any Common Areas in the community:
  - 4.4.10.1 The "jacking up" or "blocking up" of a vehicle for more than four (4) hours.
  - 4.4.10.2 The changing of transmission fluid.
  - 4.4.10.3 Performing work on the brake system or rear end of a vehicle.
  - 4.4.10.4 The overhaul of a vehicle's engine.
  - 4.4.10.5 Performing any work requiring the lifting of more than one (1) wheel at a time, except for the rotation of tires.
  - 4.4.10.6 The repainting of any vehicle.
- 4.4.11. The person undertaking the permitted maintenance or repair of a vehicle is responsible for the removal of all waste matter, debris, and oil or grease spillage immediately upon completion of the work.
- 4.4.12. All vehicles must be kept in proper operating condition and must not be a hazard or nuisance as a result of noise, exhaust or emissions.
- 4.4.13. A vehicle may not be secured (i.e. via chain) to any part of the common areas or to any property located on any portion of the common areas.
- 4.4.14. No person shall engage in the excessive blowing of the horn of a vehicle.

## **5. Enforcement.**

### **5.1. Enforcement by Towing.**

- 5.1.1. Any vehicle in violation of Section 4 is subject to towing at the expense of the vehicle's owner or operator in accordance with the procedures set forth in this Section.
- 5.1.2. All violations of any regulation specified under Section 4 should be reported to The Landings' management company.
- 5.1.3. Vehicles in violation of any part of Section 4.3.4-4.3.5 are subject to immediate towing.



- 5.1.4. Owners of vehicles *with current decals* in violation of any other part of Section 4.3 or 4.4 shall be subject to the community's Violation Due Process Policy.
- 5.1.5. Owners of vehicles *without current decals* in violation of any other part of Section 4.3 or 4.4 shall be subject to the following due process:
  - 5.1.5.1. A first warning notice will be affixed to a vehicle in a conspicuous location that identifies the violation. The vehicle owner will have 24 hours to correct.
  - 5.1.5.2. If the same violation continues or happens again a second notice is applied reiterating what the first violation stated, that it is a second notice, and that if the violation is not abated within 24 hours the vehicle is subject to towing.
  - 5.1.5.3. If the violation continues or occurs again the vehicle can be towed immediately.
  - 5.1.5.4. If a previously towed vehicle commits the violation again, it is subject to immediate towing.
- 5.1.6. Notwithstanding the provisions of the aforementioned due process may be dispensed with and a vehicle may be towed immediately if it presents an immediate and substantial threat to persons or property.

**6. Temporary Exception permits.**

Temporary exception permits may be issued in accordance with the provisions of this Section.

- 6.1 **Application.** Any circumstances or special requests not specifically addressed in these rules and regulations must be presented to the Board for review and approval. The owner of a unit or a resident in the community may file a written request with the Board for a temporary, short-term exception to one or more of these regulations. The request shall be on an application form approved by the Board. The application shall identify the owner or resident, unit address, the license plate number and the state of registration of the vehicle for which the exception is requested, the regulation(s) for which an exception is requested, the

duration of the requested exception, and the reasons for the requested exception, including any hardship to the applicant which will be presented by strict compliance with the regulation for which the exception is requested.

**6.2 Determination.** Upon consideration of a properly filed request for an exception, the Board may grant the exception, in whole or part, only upon making a specific written finding that the granting of the exception will not substantially impair the intent of these regulations or create a threat to persons or property, that complying with the regulation will present a hardship to the applicant, and that the exception requested is the minimum necessary to afford relief to the applicant.

**6.3. Temporary Exception Permit.** Each temporary exception permit shall contain the date of issuance, the date of expiration, the vehicle's license plate number and state of registration. A temporary exception permit shall be hung on the inside rear view mirror or placed on the dashboard near the steering wheel.

**6.4. Recordkeeping.** The Board shall maintain a record of all requests for exceptions and all determinations either granting or rejecting a requested exception.

**7. Authority of the Managing Agent.** Upon direction of the Board, The Landings' management company may act on behalf of the Board in implementing, administering and enforcing these Rules and Regulations.

RETURN TO:

Arthur Law Group  
P.O. Box 1470  
Annapolis, MD 21404