

**Abercromby Homeowner's Association**  
**Policy Resolution #200**  
**Parking**

WHEREAS, Article VIII Section 2 Subsection (d) of the Association Bylaws grants the general power to conduct the business and affairs of the Association to the Board of Directors, whose members shall be members of the Association; and

NOW, THEREFORE, BE IT RESOLVED THAT in order to assure equitable parking, an attractive community, and most importantly to ensure accessibility of emergency vehicles, the Board of Directors establishes a policy as follows:

- I. On street parking by Abercromby residents should occur rarely, only for a short period (no more than four hours), and should never impede the proper flow of traffic. Parking on the grass in the front yard is prohibited by the City of Durham. Parking in areas not specifically designed for parking is prohibited by the Abercromby Homeowners Association.**
- II. Parking in front of mailboxes and driveways is prohibited.**
- III. Permissible Vehicles.** Vehicles that may be parked within the community include conventional passenger vehicles in good repair and which are currently licensed, inspected and in regular use.
- IV. Restricted Vehicles & Equipment.** The following vehicles may not be parked either on community streets or any on any lot, except for in garages with completely closed doors:
  - Oversized commercial vehicles including, but not limited to, delivery trucks or vans, special use trailers, or vehicles adapted to a business use
  - Buses
  - Recreational vehicles (RVs)
  - Utility trailers over 20 feet
  - Campers
  - Boats
  - Snowmobiles, jet skis and like recreational equipment.
  - Stored, broken down or wrecked vehicles.

Equipment may be parked in resident's garage with door closed. Loading or unloading of prohibited vehicles and equipment is permitted subject to a 24 hour time limit.
- V. Moving Vans and Service Vehicles.** These vehicles shall not remain parked in the community longer than a 48 hour period, without special written permit from the Board of Directors.
- VI. Guest Parking.** Guests should be encouraged to park in resident's driveway. However, if guest parking is limited or unavailable, residents must ensure guests are not parked in

other residents' areas. On street guest parking should only be temporary\*. Residents should ensure guests are aware that parking is available on the city streets of Odyssey and Yorktown. Guests are subject to the same penalties, including towing, if parking guidelines are violated. Residents are required to contact the Property Manager (Morgan's Property Management, 919-479-5762 during normal business hours) for consideration of any exceptions.

## **VII. Enforcement Procedures**

- A. Written Notice of Violation.** The Board or the Property Manager shall notify the vehicle's owner in writing of the specific violation and include a copy of this resolution by placing the notice on the windshield of the offending vehicle the same day. If a renter or guest owns the offending vehicle(s), the property owner shall be notified. The notice will allow 3 days to cure the violation. Guests are subject to the same penalties, including towing, if parking guidelines are violated.
- B. Towing.** If the offending vehicle remains after the deadline indicated in the written notice or if the owner of the vehicle has in any way violated the Abercromby Parking Policy during the past twelve (12) months, the vehicle is subject to towing without further notice at the expense of the vehicle owner. Towing charges shall not be considered a fine. Vehicles parking in a designated Fire Lane or Tow-Away zone will be towed without warning.
- C. Fines.** At the discretion of the Board of Directors, a fine of \$50.00 per occurrence may be charged against the property owner, regardless if violation is caused by the resident or the guest.

**VIII. Right of Appeal.** The vehicle owner has the right of appeal. The Board or Managing Agent must receive such appeal in writing to the regular business mailing address before the notice deadline (three days from the date on the notice). If the vehicle belongs to a family member, renter or guest, the property owner or the property owner's management agent must make the appeal. Once an appeal is received, the Board will hold an appeal meeting within 30 days to review the matter with the vehicle owner (or property owner or management agent if vehicle is owned by a renter or guest). If the appeal meeting does not take place within 30 days, the matter is considered dropped. The Board's decision on the appeal is final. If the appeal is rejected, towing and fining provisions become effective immediately.

**IX. Collection Provision.** All fines, costs and expenses necessary to enforce the Parking Policy will be levied against the property owner and shall be an assessment against the owner's property and subject to all lien and collection power of the Association.

**X.** Resolution adopted in the Minutes on September 20, 2007 by the Abercromby Board of Directors and approved by the Villages of Cornwallis Board of Directors in the minutes of October 9, 2007.