

# ***SENECA WHETSTONE HOMEOWNERS ASSOCIATION, INC.***

## **POLICY FOR THE PARKING OF CONVENTIONAL & COMMERCIAL VEHICLES**

(Further information regarding Montgomery County Codes relating to motor vehicles, traffic control and highways may be obtained by referring to the M.C. Code Chapter 31, Sections 31-5 to 31-21)

*The County Code defines a Commercial Vehicles as: A duly licensed and registered vehicle used to transport passengers or property to further a commercial enterprise. A commercial vehicle may not be used as an office nor have customer entry for a retail transaction.*

*The Code further defines a commercial vehicle:*

- (a) A vehicle of more than 10,000 lbs. gross weight.*
- (b) Vehicles with a manufacturers rated load capacity of more than ¾ tons.*
- (c) Vehicles registered as commercial vehicles by the MVA of the state of Maryland or other jurisdictions.*
- (d) For hire vehicles as classified by the MVA*
- (e) Funeral motor vehicle or ambulances as classified by the MVA.*
- (f) Freight trailer or semi-trailer as defined by MVA.*
- (g) A recreational vehicle or a farm vehicle for agricultural use is NOT a commercial vehicle.*

### **POLICY:**

(The term “Board” shall refer to the Seneca Whetstone Homeowners Association Board of Directors.)

- 1) Except as noted below, only *conventional passenger vehicles* are permitted to park within Seneca Whetstone. This includes family sedans, compacts, subcompacts, station wagons, motorcycles, pick-up trucks and vans without signage or mounted tools or equipment and passenger vans with extended tops/caps not extended by more than six inches. Exceptions are as follows:
  - a) Vehicles of contractors actively providing services to residents
  - b) Pick-up trucks with a storage container(s) or shelf that is *only* along the passenger cab in the truck bed and which does not exceed 10” in height above the sides of the truck bed. Trucks with storage containers along the sides of the truck bed are not acceptable.
- 2) No motorized vehicle, including but not limited to a car, truck, motorcycle or motorbike, may be parked on a sidewalk. The homeowner whose visitor or contractor parks a vehicle on a sidewalk shall be responsible for the removal of any oil, stains, tire marks, or other substances left by the vehicle.
- 3) A resident’s recreational vehicle or equipment may be parked on the property on a non-recurring basis for no more than forty-eight (48) hours. Recreational vehicles and equipment owned by guests temporarily visiting residents may be parked on the property for no more than five (5) days, provided prior written approval has been obtained from the Board. Recreational vehicles include trailers, boats, campers, trailer coaches, buses, motor homes or other similar equipment or vehicles.

- 4) All trailers (flatbed, open or enclosed) must be stored in the garage on the property with the following exception:
  - a) Trailers with a maximum measurement of 10' x 5' (not including the tongue) may be stored in the backyard after review and approval by the Board. The homeowner will submit their request in writing and the Board will then review and approve the request for a period of twelve (12) calendar months. Residents are responsible for submitting annual requests to the Board.
- 5) No off-road/all-terrain vehicles, unlicensed vehicles or vehicles producing excessive smoke or noise shall be operated on our streets.
- 6) No unregistered motor vehicles or trailers may be parked upon our streets at any time.
- 7) No vehicle in disrepair for more than two days may be parked on the premises. Except for verifiable emergencies, no repair or extraordinary maintenance of automobiles or other vehicles shall be carried out on any lot or street of the community. This shall not be deemed to prevent washing and polishing of vehicles or vehicles under repair in someone's garage.
- 8) No vehicle shall obstruct entrances to public or private driveways. Parking of vehicles at any time in such a manner that any part of the vehicle is parked within five (5) feet of a driveway is prohibited; except, that an owner may obstruct his/her own private residence driveway.

When a violation is brought to the attention of the Board, the Board shall notify the homeowner and/or occupant in writing of a possible dispute. A designated time period to correct the violation will be provided in the letter. In addition, information about the homeowner's right to contact the Commission on Common Ownership Communities will be provided.

The Board reserves the right to review this policy and make changes as necessary in order to address any unforeseen circumstances.

#### Additional Information

According to Montgomery County Vehicle Code Chapter 31, Section 31-20:

- 1) Vehicles must be parked in the direction of the flow of traffic.
- 2) Vehicles may not be parked within 35 feet of an intersection or within 30 feet of a stop sign.
- 3) Vehicles must not be parked within 15 feet of a fire hydrant.

Vehicles found in violation may be fined or towed away at the owners expense in accordance with Montgomery County Code, Chapter 31, Section 31-20 – (a) 1-10; (b) 1-14